CITY OF HAMILTON

BY-LAW NO. 09-150

To Adopt:

Urban Hamilton Official Plan

Respecting:

Urban Hamilton
(Lands within the Urban Area)

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

1. A new Official Plan for Urban Hamilton consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED AND ENACTED this 9th day of July, 2009.

Chad Collins
Acting Mayor

Kevin C. Christenson
City Clerk
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# Volume 1 - Parent Plan

## Policies

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CHAPTER A

Introduction

URBAN HAMILTON OFFICIAL PLAN
CHAPTER A - INTRODUCTION

Hamilton is a city of many communities: diverse by nature of geography and history; united by a common future. Hamilton has a vision for its future – a vision for a vibrant, healthy, sustainable city. The vision, known as Vision 2020, has been shared by citizens, businesses, community groups, organizations and our local government since 1992.

An Official Plan is a guiding document – its goals and policies move the City towards achieving its visions for the future – visions that are expressed both through Vision 2020 and the City’s Strategic Plan. The Official Plan provides direction and guidance on the management of our communities, land use change and physical development over the next 30 years. The physical development of the City effects and is affected by environmental, social and economic factors; therefore, the decisions we make about our future development directly contribute to the achievement of our vision. This Plan and the policies contained herein implement many of the principles expressed by Vision 2020 and the City’s Strategic Plan.

The policies of this Plan express and enable change and transformation. Our challenge lies in implementing change and transforming the City while balancing and respecting the sense of place, history and culture that makes Hamilton a special place to live, visit and experience.

This Plan is the first Official Plan for the amalgamated communities of Ancaster, Dundas, Flamborough, Glanbrook, Hamilton and Stoney Creek. This Plan replaces seven former Official Plans – Region of Hamilton-Wentworth Official Plan and six Official Plans representing the former municipalities in the former Region.
A.1.0 HAMILTON’S OFFICIAL PLAN

1.1 Geographic Setting

Hamilton is a dynamic city with unique geographic attributes. Its varied landscape includes an urban area which is the centre for employment uses, community services, and residential dwellings. Surrounding our urban area is a strong rural community dominated by agricultural and environmental areas, 19 rural settlement areas, and a variety of recreational and tourism uses that support both the City and the surrounding regions. Woven throughout the rural and urban area is a rich and diverse natural heritage system. Anchored by the Niagara Escarpment, Lake Ontario, Hamilton Harbour and Cootes Paradise, the Natural Heritage System connects the many wetlands, woodlands, streams and meadows found throughout the City’s rural and open space areas.

Hamilton’s strategic location at the western end of Lake Ontario, mid-way between Toronto and the Canada-USA border, provides the City with many economic advantages. This location at the head of the lake has allowed the City to develop a strong industrial base centred on Hamilton Harbour. The growth of existing and future industrial business parks will help strengthen the economic backbone of the City.

The City is connected to other municipalities and regions by major transportation networks including a series of provincial highways, a growing intra-municipal transit system, a major port, an airport and main railway lines.

1.2 Hamilton’s Future - A Time for Change

Over the next 30 years, the City is expected to grow to achieve a population of 660,000 and 300,000 jobs. The shape, look and feel of the City will change - influenced not only by physical growth but by economic and demographic change as well. An aging population, a declining number of people per household, the effects of the global economy on local companies, increasing pressures on community services, and urban pressure on rural resources will result in change - physical, economic and social. The City will experience many changes over the lifetime of this Plan. Change brings energy and opportunities. To effect positive change the City must harness that energy, take advantage of the opportunities, and manage any undesirable impacts.

Our location in the Golden Horseshoe, as well as the City’s strengthening relationship with the Greater Toronto Area (GTA) municipalities, provide both benefits and challenges. Hamilton has become an attractive place to live because of the amenities and reasonable housing prices. However, many of our residents are commuting to jobs outside Hamilton. One of the City’s key priorities is to increase employment opportunities within our boundaries. Another challenge is that our strong social service network serves populations both within and outside the City who require assistance.

Change in our communities is inevitable. Our communities have continued to evolve and change over the years yet Hamilton is still considered to be a ‘city of many communities’. ‘Community’ means different things to different people. It could be physically geographic, representing a former municipality or specific neighbourhood. ‘Community’ could be ethnic or culturally-based, or even based around shared interests. ‘Community’ means something different to each of us. Residents of Hamilton often belong to multiple communities.
When, where and how growth will be accommodated and managed is of tremendous importance to the success of Hamilton as a strong, vibrant, healthy, economically and culturally diverse municipal centre. Strength and success will be achieved by recognizing and building upon the many individual community attributes that we have come to value, while at the same time moving forward with carefully planned changes that transform and enhance our built, natural and social environments. These changes will be managed, in part, through a comprehensive and cohesive set of principles and directions for achieving our Vision.

Just as the growth and development decisions made 50 years ago have shaped our City and neighbourhoods, the choices we make today will have far reaching impacts for the community's physical, social and cultural, and environmental development for both current and future generations. Informed decisions must be made through civic engagement on issues and integrated decision-making processes and must be based on the benefits and risks of economic, environmental and social parameters.

1.3 Function of the Official Plan

This Plan projects a long term vision for the physical development of the City over the next 30 years. Its policies provide the direction for managing long term development to achieve social, economic and environmental objectives of the City's vision. The Plan:

- is one of the primary implementation arms of Vision 2020 and the City's Strategic Plan;
- is a legal document whose origin is derived from the Planning Act;
- builds on the concepts of provincial initiatives that support the building of strong communities [such as the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan]; and,
- is one of the key implementation mechanisms for the City's Growth Strategy (GRIDS) and other corporate initiatives including Master Plans (Transportation and Infrastructure, Recreational), and the Social Development Strategy.

1.4 Principles of the Official Plan

The Official Plan plays a major role in setting a framework of actions that will lead to the sustainable, healthy future envisioned by Vision 2020 and the City's Strategic Plan. The framework of the Official Plan is centred on the following principles:

- compact and healthy urban communities that provide opportunities to live, work, play, and learn;
- a strong rural community protected by firm urban boundaries;
- environmental systems - land, air and water- that are protected and enhanced;
- balanced transportation networks that offer choice so people can walk, cycle, take transit, or drive, and recognize the importance of goods movement to our local economy;
- a growing, strong, prosperous and diverse economy;
- financial stability; and,
Chapter A - Introduction

- strategic and wise use of infrastructure services and existing built environment.

It must be recognized these principles will not always be balanced in every place and at every time. The Plan provides a policy framework for applying these principles, on a case by case basis, to future land use, social and economic development opportunities.

1.5 Structure and Organization of the Official Plan

This Plan is a single-tier plan. It is a hybrid between a regional plan, which takes a broad view of community growth issues, and a local plan which takes the broader objectives and translates those into specific land use designations and implementation policies.

The Plan is intended to be read and interpreted as a whole. The goals, objectives and policies are interconnected, interrelated and build on each other. For ease of use, the Plan has been broken down into three volumes.

**Volume 1** describes the context of the Plan, a vision for our community, city-wide designations and policies, rural designations and policies, urban designations and policies, infrastructure and community service policies, as well as policies dealing with environmental issues (i.e. water/air quality, noise and vibration), natural systems and implementation policies.

**Volume 2** contains the Secondary Plans and Rural Settlement Area policies and mapping which provide detailed and community specific guidance to growth and change in smaller geographic areas of the City. They identify more detailed land uses, densities, design requirements, infrastructure requirements and other implementing actions appropriate for the community.

**Volume 3** contains the area and site specific policies which incorporate special conditions. Special Policy Areas are geographic areas where either additional studies are required to determine ultimate land uses or where more detailed and specific policies are required. These lands are not contained within a Secondary Plan. Site Specific Areas and Area Specific Policy Areas include specific planning policies to defined properties. These policies provide detailed direction for individual properties or geographic areas of the City where more detailed direction for land use, infrastructure, transportation, environment, urban design or similar issues are required beyond the general framework provided by this Plan due to unique local circumstances not capable of being addressed by the parent Official Plan or Secondary Plans.

1.6 Supporting Plans and Strategies

This Official Plan relies on legislation, strategies, plans and guidelines as implementation tools to move the City’s communities forward to meet, not only City directions, but also provincial requirements. Examples include:

- **Growth Related Integrated Development Strategy (GRIDS)** - The purpose of GRIDS is to integrate growth management for land use and community services to achieve the City’s Vision through the long term development of land uses and services based on environmental priorities, social issues, economic opportunities and population studies.

- **Master Plans** – Water/Wastewater, Storm Water, Transportation, Solid Waste. The purpose of the Master Plans was to prepare strategies and policies for the
management and expansion of the City's various engineering services over the next 30 years. They were integrated with land use planning and were conducted under the Environmental Assessment Act and the Municipal Engineers Association Municipal Class Environment Assessment.

- Economic Development Strategy – The development and implementation of a community based multi-year strategy is critical for Hamilton to achieve sustainable economic growth and redevelopment. The proposed strategy is developed around a series of components such as labour force, business development, community redevelopment, infrastructure for innovation and marketing and outreach. The success of this Strategy will require the efforts of the City, residents and businesses.

- Human Services Plan – The integration of planning for human service delivery in Hamilton, through collaboration between service delivery organizations including the City, can ensure that human service provision meets the existing and future needs of Hamilton’s changing population. Such a plan will also improve the efficiency of service delivery.

- Guidelines – Both the City and Province have adopted subject-based guidelines to provide a greater level of explanation for the implementation of a policy or the completion of a further study. Examples include 'D' Series Guidelines relating to distance separation from sensitive land uses, Environmental Impact Statement Guidelines for the assessment of natural heritage features/lands, Cultural Heritage Impact Assessment Guidelines for the assessment of cultural heritage resources, and Site Plan Guidelines illustrating the City’s design preferences for site planning.
A.2.0 STRATEGIC DIRECTIONS

The strategic directions for the City have been shaped by several community wide processes. These processes and the resulting strategies and documents were undertaken with extensive citizen engagement and evaluation. These Hamilton-focused strategic directions and several key Provincial initiatives and directions form the basis for the principles, goals and policies of this Plan.

2.1 Vision 2020

The City has been a leader in the area of community sustainability. In 1992, the former Region of Hamilton-Wentworth adopted Vision 2020. In 2002, the City undertook a review of the Vision in light of many changes that had taken place within the previous 10 years. The ‘Building a Strong Foundation’ public consultation process renewed not only the City’s commitment, but also the community’s commitment to making informed decisions based on environmental, economic and social considerations. The updated vision was adopted by City Council in September, 2003.

Hamilton's Vision 2020

As citizens, businesses and government of the City of Hamilton we accept responsibility for making decisions that lead to a healthy, sustainable future. We celebrate our strengths as a vibrant, diverse City of natural beauty nestled around the Niagara Escarpment and Hamilton Harbour. We are able to achieve our full potential through safe access to clean air and water, food, shelter, education, satisfying employment, spirituality and culture. We weigh social/health, economic and environmental costs, benefits and risks equally when making decisions.

Action - Sustainable community goals, strategies and targets are achieved by committing resources and acting decisively.

Access - People have the ability to contribute and participate in community life regardless of physical and mental ability, income, age, gender, spiritual or cultural background or geographic location.

Accountability - Community leaders measure and report on progress in achieving the Vision.

Adaptability - We learn from the past and take action to create positive change.

In addition to the Vision, Phase 1 of the GRIDS program identified nine 'Directions' to guide development decisions. These directions inform the requirements for background studies and were used as the basis for creating development options and growth policy concepts. The directions also informed the development of this Official Plan.
Nine Directions to Guide Development:

**Direction #1**
Encourage a compatible mix of uses in neighbourhoods that provide opportunities to live, work, and play.

**Direction #2**
Concentrate new development within existing built-up areas and within a firm urban boundary.

**Direction #3**
Protect rural areas for a viable rural economy, agricultural resources, environmentally sensitive recreation and enjoyment of the rural landscape. In Rural Hamilton Official Plan.

**Direction #4**
Design neighbourhoods to improve access to community life.

**Direction #5**
Retain and attract jobs in Hamilton's strength areas and in targeted new sectors.

**Direction #6**
Expand transportation options that encourage travel by foot, bike and transit and enhance efficient inter-regional transportation connections.

**Direction #7**
Maximize the use of existing buildings, infrastructure and vacant or abandoned land.

**Direction #8**
Protect ecological systems and improve air, land and water quality.

**Direction #9**
Maintain and create attractive public and private spaces and respect the unique character of existing buildings, neighbourhoods and settlements.

### 2.2 City of Hamilton Strategic Plan

In 2008, City Council developed a Strategic Plan to assist in identifying strategic priorities for the City's future. The Strategic Plan and the Official Plan contain similar themes, principles and goals, such as the creation of healthy, sustainable communities and development of a strong economy. Implementation of the Official Plan policies contributes toward the achievement of the Strategic Plan vision.
Vision
To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

Mission
• We provide high quality services in a fiscally and socially responsible, environmentally sustainable and compassionate manner in order to ensure a healthy, safe and prosperous community.
• We engage our citizens and promote a fair, diverse and accepting community.
• We are a skilled, knowledgeable, collaborative and respectful organization that thrives on innovation and quality customer service.
• We are lead by a forward thinking Council.
• The team (staff) shows leadership in carrying out their responsibilities and is valued and appreciated for their contributions and accomplishments

Strategic Themes
• Image - Changing the perceptions of Hamilton and promoting the City as a great place to live work and play.
• Job Creation - Ensuring the City has a thriving and diverse business economy with sustainable jobs and employment for its residents.

Focus Areas
The City’s seven Focus Areas are:
• Skilled, Innovative and Respectful Organization
• Financial Sustainability
• Effective Inter-governmental Relations
• Growing Our Economy
• Social Development
• Environmental Stewardship
• Healthy Community

2.3 Growth Management - Provincial
The Province of Ontario’s Places to Grow: Growth Plan for the Greater Golden Horseshoe (2006) (Growth Plan), sets out a vision to 2031 for how and how much growth should occur in the Greater Golden Horseshoe (GGH). This area is expected to grow by 3.7 million people by 2031 with Hamilton projecting to take a 1.7% share.

Although the total population is expected to grow, certain demographic trends will shape Hamilton over the next three decades. These demographic changes will influence how, where, and when we will grow.
Notably, the provincial growth forecasts are based on assumptions that household size (or persons per unit [PPU]) will slowly decline in varying degrees over the next 30 years. This trend is influenced by lower birth rates, an aging population contributing to a growing number of empty nester households and growth in non-traditional households (e.g., single person households, single parent households).

One of the principal components of the Growth Plan is a series of population and employment forecasts for upper and single-tier municipalities within the GGH. The Growth Plan requires these forecasts be used by municipalities for planning and managing growth. The Growth Plan also identifies a series of density and intensification targets which municipalities must plan to achieve.

2.3.1 Population Targets – City Wide

Hamilton's 2031 population targets are as follows:

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<thead>
<tr>
<th>Year</th>
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<tr>
<td>2001</td>
<td>510,000</td>
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<tr>
<td>2011</td>
<td>540,000</td>
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<tr>
<td>2021</td>
<td>590,000</td>
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<td>2031</td>
<td>660,000</td>
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Change 2001-2031 150,000

Table A.1 - Population Targets, 2001-2031

Source: Growth Plan for the Greater Golden Horseshoe - Schedule 3

2.3.1.1 Population Growth for Rural Hamilton

In Rural Hamilton Official Plan.

2.3.2 Employment Targets – City Wide

Hamilton's employment targets for 2001-2031 by type are as follows:

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<td>2001</td>
<td>210,000</td>
</tr>
<tr>
<td>2011</td>
<td>230,000</td>
</tr>
<tr>
<td>2021</td>
<td>270,000</td>
</tr>
<tr>
<td>2031</td>
<td>300,000</td>
</tr>
</tbody>
</table>

Change 2001 - 2031 90,000

Table A.2. Employment Forecasts1

Source: Growth Plan for the Greater Golden Horseshoe - number rounded up

2.3.3 Other Targets

Downtown Urban Growth Centre Density Target

2.3.3.1 Hamilton's Downtown Urban Growth Centre shall be planned to achieve a minimum gross density of 250 people and jobs per hectare by 2031. Overall density in excess of this target may be achievable and desirable.

2.3.3.2 Increases to the Downtown Urban Growth Centre density target shall be considered as part of a review of the Downtown Secondary Plan. The review of the Downtown Secondary Plan shall consider the results of office and employment strategy studies and infrastructure needs studies completed for the downtown area.
Greenfield Density Target

2.3.3.3 Greenfield areas shall be planned to achieve an overall minimum density of 50 people and jobs per hectare. The greenfield density target shall be measured over Hamilton's greenfield area, excluding natural heritage features designated in this Plan. The greenfield area includes designated employment areas. On employment lands, the City shall plan to meet a density target of 37 people and jobs per hectare. On non-employment lands, densities will need to exceed 50 persons and jobs per hectare to meet the overall density target.

Residential Intensification Target

2.3.3.4 Hamilton is required to plan to achieve a minimum of 40% of all residential development within its built-up area by 2015. A total of 26,500 units are to be accommodated within the built-up area between 2015 and 2031. The built-up area for Hamilton is identified on Appendix G.

2.4 Growth Management - Hamilton

In May 2006, City Council adopted the City's first Growth Management Strategy. The Growth Related Integrated Strategy (GRIDS) identified the broad land use structure, associated infrastructure and major transportation networks to be in place for Hamilton by 2031. The recommended growth options were developed in accordance with the provincial growth forecasts. The land use recommendations from GRIDS form the basis of many policies within this Plan.

2.5 Provincial Legislation, Plans and Policies

The planning regime within the City is affected and, in many ways, directed by provincial legislation, plans and policies, including the Provincial Policy Statement, the Niagara Escarpment Plan, the Greenbelt Plan, the Parkway Belt West Plan, and the Growth Plan for the Greater Golden Horseshoe.

2.5.1 Provincial Policy Statement

The Provincial Policy Statement, 2005 was issued under the authority of the Planning Act, and provides policy direction on matters of provincial interest related to land use planning and development. It promotes a provincially 'policy-led' planning system in which municipal Official Plans and any planning decisions are consistent with the objectives and details of provincial policy, as required by Section 3 of the Planning Act.

The Provincial Policy Statement (PPS) sets the policy foundation for regulating the development and use of land. It provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment. The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system. It includes enhanced policies on issues that affect communities, such as: the efficient use and management of land and infrastructure; protection of the environment and resources, including agricultural resources and mineral aggregate resources; and ensuring appropriate opportunities are provided for employment and residential development, including support for a mix of uses. The Official Plan must be consistent with the Provincial Policy Statement.
2.5.2 The Niagara Escarpment Plan

The Niagara Escarpment includes a variety of topographic features and land uses extending 725 kilometres from Queenston on the Niagara River to the islands off Tobermory on the Bruce Peninsula. The Niagara Escarpment is the most prominent natural feature that traverses the City and divides its urban communities into two groups with very different characteristics. The objectives and policies of the Niagara Escarpment Plan (1985, last amended 2005) strike a balance between development, preservation and the enjoyment of this important resource.

2.5.3 The Greenbelt Plan

In the Rural Hamilton Official Plan.

2.5.4 The Parkway Belt West Plan

In the Rural Hamilton Official Plan.

2.5.5 Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe was adopted in June 2006 to build stronger and more prosperous communities by better managing growth by 2031. The Plan is based on a series of guiding principles which are aimed at building compact, complete and vibrant communities; managing growth to support a strong competitive economy; making more efficient and effective use of infrastructure; and protecting and enhancing our natural resources including land, air and water. This vision will be realized though partnerships with other levels of government, the private sector, residents and non-profit agencies. The Official Plan must conform to the Growth Plan for the Greater Golden Horseshoe.
Volume 1

CHAPTER B

Communities

URBAN HAMILTON OFFICIAL PLAN
CHAPTER B - COMMUNITIES

Hamilton's history and character is based in its communities. Our communities define the City and shape the quality of life for Hamiltonians. The quality of daily life is influenced by the quality of our built, natural, social and cultural environments and supported by the strength of the economy and the creativity of citizens. The nature and diversity of our housing, institutions, and community facilities impact the lives of all residents.

The City endeavours to support and build on the strengths of individual communities. Together, these communities create a strong City of Hamilton.

**Strong communities are:**

| **Complete** | Opportunities to live, work, learn, shop, and play are provided and are accessible. |
| **Healthy** | Healthy and safe lifestyles are supported by quality built and natural environments. |
| **Diverse** | Neighbourhoods are unique in character and enable a variety of lifestyle choices and housing opportunities for all. |
| **Vibrant** | Interesting and creative streetscapes and human scale public places are created through quality design, pedestrian amenities, and attention to land use mix. |
B.1.0 INTRODUCTION

The strength and quality of our communities is derived from the individual components of the built, natural, social and cultural environments, supported by a strong economy. This section of the Plan contains policies that direct the physical shape and quality of these distinct, yet interrelated components, and promote a culture of creativity and innovation.

- A firm urban boundary defines the physical extent of our urban area. Policies direct where, when and how expansion of the urban boundary can and should occur.
- The local economy and a culture of creativity provide energy, vitality, prosperity and strength to our communities.
- Housing for people of all incomes and demographics in different housing types and tenures is critical to quality of life.
- The quality of the built environment shapes the urban experience. Urban design policies direct design in both the public and private realm to facilitate unique, diverse, innovative and creative urban places.
- Cultural heritage links communities to their roots and contributes to our image and cultural identity. Policies support the conservation of cultural heritage resources.
- Community facilities/services and cultural facilities are fundamental elements of communities. Policies ensure the provision and quality of these facilities and services, and their accessibility by all citizens.
- Health and safety in our communities is essential. Policies ensure that our communities are safe and healthy. A broad interpretation of health recognizes the inter-relationships between all aspects of our environment and the impacts on the health of citizens. Policies in this section enable healthy lifestyles, promote a healthy and safe community, and promote a high quality of life.
B.2.0 DEFINING OUR COMMUNITIES

2.1 Urban Boundary

2.1.1 The urban boundary defines the area where all urban development occurs. Lands within the urban boundary are already serviced or planned to be serviced with major roads, transit and full municipal services. The land within the urban boundary includes both the area within the built-up area and greenfield area. Lands within the urban boundary represent a 20 year supply of designated urban land and are intended to accommodate the majority of the City’s projected growth.

2.2 Urban Boundary Expansions

2.2.1 Hamilton’s Growth Strategy (GRIDS) identified the following two areas for future urban boundary expansion to accommodate the population and employment growth targets for 2031:

a) Future Airport Employment Growth District, identified as Special Policy Area C in the Rural Hamilton Official Plan, is generally bounded by the existing urban boundary adjacent to Upper James Street to the east, White Church and Fiddler’s Green Roads on the south, Garner Road on the west and Glancaster Road, and Twenty Road West on the north.

b) Future Urban Growth District is generally bounded by Mud Street, Second Road and Hendershot Road on the east, Golf Club Road on the south, Trinity Church Road on the west, and the existing urban boundary (west side of Centennial Parkway) on the north.

2.2.2 The exact limits of the lands to be included as part of the urban boundary expansion shall be determined as part of a municipally initiated comprehensive review and secondary plan.

2.2.3 No urban boundary expansion shall occur until a municipally initiated comprehensive review and secondary plan have been completed.

2.2.4 Prior to the initiation of an urban boundary expansion, the City shall undertake a municipally initiated comprehensive review and secondary plan, in accordance with the policies of the Growth Plan for the Greater Golden Horseshoe. As part of these processes, the City shall complete background studies and conduct community planning and public consultation events including the establishment of a community liaison committee. The background studies and consultation processes shall assist in identifying the layout of future land uses, determining more precise needs, land supply and infrastructure requirements, and development of community growth management policies and designations. More specifically, a municipally initiated comprehensive review and secondary plan shall include the following elements:

a) A comprehensive review and land budget analysis is required to determine the need for an urban boundary expansion, which includes an assessment of occupied and vacant urban land, brownfield availability, greenfield densities, and intensification targets;
b) a sub-watershed plan, to address storm water infrastructure and natural heritage system impacts in accordance with Section F.3.1.6 - Watershed and Sub-watershed Plans;

c) Environmental Impact Statement(s) pertaining to the natural heritage system as required by applicable Official Plan and provincial policies;

d) an assessment of agricultural capability which considers directing urban growth onto those lands which are or are not on lower priority lands, which are designated Agriculture;

e) demonstrating that impacts from new or expanding urban areas on agricultural operations which are adjacent or close to the urban areas are mitigated to the extent feasible; and,

i) the designation of appropriate land uses and policies pertaining to the design and density of such uses;

ii) completion of Class Environmental Assessments for major urban servicing infrastructure deemed to be essential for commencement or completion of development of all or part of the lands; and,

iii) an urban development staging, phasing or implementation strategy in keeping with City-wide master plan priorities and secondary plan objectives.

f) completion of a financing policy for urban services and other community infrastructure; and,

g) other studies and policies which the City deems necessary for the development of the future urban growth district as a sustainable transit oriented urban community.

2.2.5 The City shall establish a comprehensive public participation process that will include a community liaison committee comprised of landowners, public agencies and appointed City Councillors to oversee the development of the secondary plan referred to in Policy B.2.2.4.

2.3 Future Airport Employment Growth District

2.3.1 The City shall undertake a municipally initiated comprehensive review and secondary plan for the lands identified in Policy B.2.2.1 a) above.

2.3.2 Upon completion of the secondary plan, including the phasing of development for the future Airport Employment Growth District, the City shall initiate an Official Plan amendment:

a) to include specific lands within the urban boundary;

b) to add new parent and secondary plan policies and mapping for the lands identified in Policy B.2.2.1 a); and.

c) to protect and reserve any additional lands deemed necessary for future employment growth.
2.4 Residential Intensification

Residential intensification is a key component of Hamilton's growth strategy and is essential to meet our growth and employment targets. Intensification ensures land, urban services and the transportation network are used more efficiently and sufficient population is maintained to support existing community facilities. Successfully accommodating more residents within the existing built-up area reduces the need for development of greenfield lands and urban boundary expansions.

Intensification contributes to creating and maintaining vibrant neighbourhoods, nodes and corridors and can provide a wider range of housing types to meet the housing needs of Hamilton's current and future population. This Plan supports the intensification of the existing built-up area of the City, with a focus on intensification of planned Urban Nodes and Urban Corridors described in Chapter E - Urban Systems and Designations.

While growth through residential intensification brings many benefits to communities and the City as a whole, it must be recognized that it also brings change in varying degrees across the City. In node and corridor areas targeted to receive intensification, greater changes in built form can be expected to occur.

Residential intensification is a key component in successfully developing and transforming targeted areas of the City. Intensification creates livable, vibrant, compact communities; facilitates and enhance the node and corridor structure of the City, and makes efficient use of the City's public transit network and other infrastructure. For intensification to make a positive contribution to the City, careful consideration must be given to design and compatibility with existing uses, neighbourhood character, and cultural and natural heritage. Intensification must represent good planning and not cause unacceptable impacts.

2.4.1 General Residential Intensification Policies

2.4.1.1 Residential intensification shall be encouraged throughout the entire built-up area in accordance with the policies of Chapter E - Urban Systems and Designations and Chapter F - Implementation.

2.4.1.2 The City's primary intensification areas shall be the Urban Nodes and Urban Corridors as illustrated on Schedule E - Urban Structure and as further defined in secondary plans and corridor studies for these areas, included in Volume 2.

2.4.1.3 The residential intensification target specified in Policy A.2.3.3.4 shall generally be distributed through the built-up area as follows:

a) The Downtown Urban Growth Centre shall be planned to accommodate approximately 20% of the intensification target.

b) The Urban Nodes and Urban Corridors identified in Section E.2.0 - Urban Structure, excluding the Downtown Urban Growth Centre, shall be planned to accommodate approximately 40% of the residential intensification target.

c) 40% of the residential intensification target is anticipated to occur within the Neighbourhoods as illustrated on Schedule E - Urban Structure.
2.4.1.4 *Residential intensification* developments shall be evaluated based on the following criteria:

a) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;

b) the development's contribution to maintaining and achieving a range of dwelling types and tenures;

c) the *compatible* integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;

d) the development's contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;

e) infrastructure and transportation capacity; and,

f) the ability of the development to comply with all applicable policies.

2.4.2 *Residential Intensification in the Neighbourhoods Designation*

2.4.2.1 *Residential intensification* within lands designated Neighbourhoods identified on Schedule E-1 - Urban Land Use Designations shall comply with Section E.3.0 – Neighbourhoods Designation.

2.4.2.2 When considering an application for a residential intensification development within the Neighbourhoods designation, the following matters shall be evaluated:

a) the matters listed in Policy B.2.4.1.4;

b) compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;

c) the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;

d) the consideration of transitions in height and density to adjacent residential buildings;

e) the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;

f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;

g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;

h) the ability to complement the existing functions of the neighbourhood;

i) the conservation of *cultural heritage* resources; and,

j) infrastructure and transportation capacity and impacts.
2.4.3 Residential Intensification and Cultural Heritage Resources

2.4.3.1 Residential intensification involving cultural heritage resources shall be in accordance with Section B.3.4 - Cultural Heritage Resources Policies.

2.4.3.2 Residential intensification in established historical neighbourhoods shall be in accordance with Policy B.3.4.3.6 and Policy B.3.4.3.7.

Facilitating Residential Intensification

2.4.4 The City, when reviewing or developing new secondary plans or corridor studies, shall identify opportunities for residential intensification to support the intensification targets and related policies.

2.4.5 The City shall investigate opportunities to establish zoning that permits residential intensification in accordance with this Plan.

2.4.6 The City shall prepare detailed design guidelines for residential intensification projects in a variety of contexts.

2.4.7 The City shall consider the creation of new, or expansion of existing programs, including public transit, to encourage and/or facilitate residential intensification.

2.4.8 The City may facilitate the development of residential intensification projects in accordance with Section F.4.0 - Municipal Land and Building Acquisition.

2.4.9 The City shall consider the disposition of surplus City owned lands/buildings for the purposes of facilitating residential intensification projects where appropriate, with preference for affordable housing initiatives.

2.4.10 The City shall partner with the Hamilton-Halton Home Builders Association and other provincial, regional and community organizations to provide educational opportunities about residential intensification for the public and the building and development industry.
B.3.0 QUALITY OF LIFE AND COMPLETE COMMUNITIES

Quality of life in our City has profound direct and indirect effects on the lives of all Hamiltonians. Improvements to the City’s quality of life directly improve the lives of residents, but also improve the City’s image and identity and the local economy by attracting and retaining people, business and investment.

Complete communities provide convenient access to a mix of jobs, local services and shops, a full range of housing and community facilities such as schools, recreation facilities, open space, health care facilities, cultural facilities, and more. Complete communities enable residents to meet most of their daily needs within a short distance from their homes, facilitating ease of access and use of public transit and active modes of transportation.

Many planning factors contribute to quality of life and complete communities. The intent of this Section is to provide direction on a number of factors that are to be considered in municipal decision making; factors that when combined, work together to create exciting, diverse, effective and pleasing places to live, work, play, and learn. These aspects of quality of life include supporting and promoting a strong economy; providing for a range of housing opportunities for all segments of the population; protecting and enhancing our cultural heritage resources; providing and maintaining community and emergency facilities such as parks, libraries, schools, fire, emergency medical and police facilities, and health care facilities; ensuring public safety through policy direction for contaminated sites, hazard lands, water and air quality, and by-law enforcement and building inspection services; and, ensuring that our built environment is well-designed to create a high quality public realm. Policies protecting Hamilton’s natural heritage and green spaces are also critical to quality of life and complete communities. These policies are found in Section C.2.0 - Natural Heritage System Policies.

Culture and arts, while not independent land uses to be specifically addressed in official plan policy, are vital to quality of life and completeness of communities. Culture makes each place unique; Hamilton’s culture distinguishes it from every other place in the world. The arts are one way of expressing, sharing and participating in that culture, though the role of art in society is multifaceted. Culture and arts are addressed in this Plan where possible though land use planning; permission of land uses, particularly a mix of uses; focus on urban design; provisions for public art; and, conservation of cultural and natural heritage resources. More detailed culture and arts policy direction beyond the scope of the Planning Act will be provided in the forthcoming cultural plan.

3.1 Strong Economy

Hamilton has been working diligently to improve its economic diversification and increase its competitiveness with neighbouring and global jurisdictions. Many of the goals and policies within this Plan are coupled with other corporate strategies. Plans, projects and programs directly contribute to the City’s economic health.

There are many sectors which shape the economy such as traditional manufacturing, research and technology, education, healthcare, agriculture, arts and culture, transportation, either individually or as part of an economic and goods movement gateway, retail, and office. The new and emerging
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sectors enhance the attractiveness of the City and also provide for employment opportunities.

The creation of a strong economy is contingent upon several key interdependent factors including developing and retaining a skilled labour force which is adaptable to changing technologies; providing infrastructure; creating an environment of innovation; supporting and enhancing the arts and culture sector; reducing poverty by providing better access to education, social programs, improving quality of life indicators such as housing choices, and having abundant open spaces.

A strong economy stimulates housing demand and population growth. As the City thrives, the demand for residential options, including residential intensification, grows. The Downtown area in particular benefits from a strong economy and subsequent strength in the housing market.

The policies of this Plan are both directly and indirectly intended to strengthen Hamilton's economic competitiveness, prosperity and resilience as envisaged by Vision 2020, the City's Strategic Plan, the Economic Development Strategy and the Growth Plan for the Greater Golden Horseshoe.

Land Use and Infrastructure

3.1.1 The City shall strengthen its economy by:

a) directing business activity to suitable locations as identified on Schedules E-Urban Structure and E-I - Urban Land Use Designations;

b) preparing a new comprehensive Zoning By-law to implement the policies of the Official Plan; and,

c) encouraging improved urban design and quality architecture, as well as improving the urban design elements of the public realm.

Employment Lands

3.1.2 The City shall:

a) protect the supply of Employment Areas, as designated on Schedule E-1 - Urban Land Use Designations, for employment uses by minimizing the establishment of non-employment lands uses, in accordance with the policies of this Plan;

b) increase the supply of shovel ready employment lands though various initiatives;

c) complete the Airport Employment Growth District Secondary Plan, associated Class Environmental Assessments, financial analysis and any other required studies; and,

d) endeavour to provide for and plan for a range of lot sizes throughout the designated employment lands.

3.1.3 Where necessary, the City shall prepare overall and site specific shovel ready Servicing Strategies for Employment Business Parks, including financing options, and necessary land acquisitions.
3.1.4 The City, in conjunction with other public agencies and private partnerships, shall support the development and redevelopment of the employment lands through:

a) strategic investments in the construction and maintenance of infrastructure such as roads, water and wastewater, storm water, transportation corridors, and hubs and utilities such as natural gas, electricity, and telecommunications; and,

b) working jointly to resolve development issues for specific Employment Areas, such as the West Hamilton Innovation District, which are important to the local economy.

Brownfield Sites
3.1.5 There are many complex and interconnected reasons for promoting and implementing brownfield redevelopment. There are significant and immediate economic, environmental and social benefits from regenerating these "legacy" properties. The City, in addition to other economic development objectives, shall pursue the redevelopment of brownfield sites and promote opportunities for employment and residential intensification by:

a) continuing to liaise with other levels of government, agencies, and the private sector to endorse and amend existing legislation, regulations and standards, including the addressing of liability issues for land owners;

b) undertaking studies to identify priority brownfield sites for redevelopment;

c) providing the necessary financial assistance to developers and landowners to make the redevelopment of brownfield sites a viable option; and,

d) ensure a wide variety of investment opportunities are available throughout the City and provide potential employment users with a range of alternative sites of various size in a variety of locations throughout the City.

Strategies and Supporting Plans
3.1.6 The City shall prepare a community based Economic Development Strategy that is adaptive and responsive to changing economic trends.

3.1.7 The City shall support and promote tourism as an integral part of Economic Development as part of the City's Corporate Strategic Plan and the Tourism Hamilton Strategic Plan. Tourism Hamilton Incorporated's mission is to be an innovative Destination Management Organization dedicated to significantly increasing new and return tourist visitation to Hamilton, in accordance with its Strategic Plan and annual Marketing Plan.

Tourism
3.1.8 The City acknowledges that tourism brings concrete economic benefits to the City of Hamilton and that a strong tourism industry in the City also contributes leisure, entertainment, cultural, recreational, and hospitality services for residents and helps attract new residents, businesses and industry to relocate to the City of Hamilton.
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3.1.9 Tourism is supported by having a healthy, liveable, and diverse community as well as vibrant downtowns, publicly accessible waterfronts, key infrastructure such as transportation systems, cultural facilities, and sport facilities.

3.1.10 The City's tourism product shall focus on outdoor, cultural, sport events as well as the meeting and convention business.

Arts and Culture

3.1.11 The City recognizes that arts and culture bring many benefits to the City of Hamilton. Arts and culture contribute to the City's economy, cultural landscape, quality of life, vibrancy, livability, complete communities, and sense of place and can play a significant role in the adaptive reuse of older buildings and the transformation of deteriorated neighbourhoods and commercial areas.

3.1.12 Arts and culture are supported by many policy directions of this Plan: compact urban development; mixed uses; appropriate flexibility in land use while ensuring compatibility with existing neighbourhoods; focus on urban design to create vibrant, attractive and interesting places; emphasis on pedestrian predominant streets; conservation of cultural heritage resources; protection and enhancement of natural heritage resources; broad mix and range of housing forms and densities; and, creation of vibrant and well designed public spaces that include public art. Arts and culture can also be supported by program initiatives and the ongoing development of a culture plan for the City.

3.1.13 The City shall consider the preparation of a Community Improvement Project Area or community strategy to enhance and support the arts and culture sector.

Partnerships

3.1.14 The City shall partner with non-profit agencies, boards, hospitals, colleges, universities, senior levels of government, community groups, and employers to facilitate the following initiatives:

a) the development and retention of a skilled labour force that is adaptable to changing economic trends and technologies;

b) research and development opportunities in manufacturing, biotechnology and other sectors;

c) arts and cultural initiatives; and,

d) the promotion of the City as an economic and goods movement gateway.

3.1.15 The City shall support and participate in multi-sectoral collaborations and initiatives that focus on improving Hamilton’s economy.
3.2 Housing Policies

Housing is fundamental to the economic, social and physical well-being of Hamilton's residents and communities. 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. Housing needs to change and evolve as social, demographic, and economic conditions change. The long term sustainability of communities is based on building a diverse, flexible housing stock today to meet changing needs at both household and community levels. To ensure that housing is available for all residents with a wide variety of needs, there must be a sufficient supply of housing with a range of housing types, forms, tenures, densities, affordability levels, and housing with support services.

3.2.1 Urban Housing Goals

The following goals shall apply in the urban area:

3.2.1.1 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.

3.2.1.2 Provide housing within complete communities.

3.2.1.3 Increase Hamilton's stock of affordable housing of all types, particularly in areas of the City with low levels of affordable housing.

3.2.1.4 Increase Hamilton's stock of housing for those whose needs are inadequately met by existing housing forms or tenure, affordability or support options.

3.2.1.5 Maintain a balance of primary rental and ownership housing stock as outlined in the Affordable Housing Strategy.

3.2.1.6 Increase the mix and range of housing types, forms, tenures, densities, affordability levels, and housing with supports throughout the urban area of the City.

3.2.2 Housing Targets

The housing targets in Table B.3.2.1 – Housing Targets are based on future population growth forecasts to the year 2031 and future housing need. Targets for affordable rental housing are divided into housing affordable for low and moderate income households. Meeting the housing targets for housing affordable for low and moderate income households will require sustainable and predictable funding from senior levels of government.

3.2.2.1 In addition to projected housing needs based on population forecasts in Table B.3.2.1 – Housing Targets, the City has a substantial existing shortage of affordable rental housing. In particular, 12,650 renter households (1 in 5) are currently paying more than 50% of their income on rent (2006 Census) and are at risk of homelessness. This need shall be addressed through a target of 1,265 new annual rent supplements/housing allowances, over a period of ten years (2006 to 2016), in addition to the targets for future new rental housing shown in Table B.3.2.1 – Housing Targets. This need will require sustainable and predictable funding from senior levels of government to be met.
The City shall monitor the policies of Section B.3.2 – Housing and B.2.2 – Residential Intensification, for progress in achieving the housing targets of Policy B.3.2.2.1 and Tables B.3.2.1 and B.3.2.2 – Housing Targets.

### Table B.3.2.1 – Housing Targets - Ownership

<table>
<thead>
<tr>
<th>Target Type</th>
<th>Target # of Units Annually</th>
<th>% of Total Annual Target by Tenure</th>
<th>Product to Achieve Target</th>
<th>Methods to Achieve Target</th>
</tr>
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<tr>
<td>New Ownership Housing (not affordable)</td>
<td>948</td>
<td>42.3%</td>
<td>New and resale homes</td>
<td>Housing market</td>
</tr>
<tr>
<td>New Ownership Housing Affordable to Low &amp; Moderate Income Households (includes housing with supports)</td>
<td>1291</td>
<td>57.7%</td>
<td>New and resale homes</td>
<td>Housing market, low-down payment options, first-time buyer programs, support services</td>
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<tr>
<td>Total New Ownership Housing</td>
<td>2239</td>
<td>100%</td>
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### Table B.3.2.2 – Housing Targets - Rental

<table>
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<tr>
<th>Target Type</th>
<th>Target # of Units Annually</th>
<th>% of Total Annual Target by Tenure</th>
<th>Product to Achieve Target</th>
<th>Methods to Achieve Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Rental Housing (not affordable)</td>
<td>252</td>
<td>40%</td>
<td>New rental housing, both primary and secondary market (rented condos, second dwelling units)</td>
<td>Primary rental housing development, conversion to rental residential, secondary rental market (rented condos, secondary dwelling units)</td>
</tr>
<tr>
<td>New Rental Housing Affordable to Moderate Income Households (includes housing with supports)</td>
<td>125</td>
<td>20%</td>
<td>New rental housing, both primary and secondary market (rented condos, second dwelling units) between average market rent and 20% below average market rent</td>
<td>Same as above but requires capital assistance program (e.g. COAHP) and/or other assistance to lower development cost, as well as support services</td>
</tr>
<tr>
<td>New Rental Housing Affordable to Low Income Households (includes housing with supports)</td>
<td>252</td>
<td>40%</td>
<td>New primary rental housing, more than 20% below average market rent</td>
<td>Same as above but requires rent-groomed-to-income housing assistance (e.g. rent supplement, housing allowance), as well as support services</td>
</tr>
<tr>
<td>Total New Rental</td>
<td>629</td>
<td>100%</td>
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</tr>
</tbody>
</table>
3.2.3 Affordable Housing Policies

Many households in Hamilton cannot obtain housing that is affordable or appropriate to their needs. Households and individuals may be at risk of homelessness because of economic and/or personal circumstances where a level of support is required to live independently. Hamilton’s aging and diversifying population has new and unique housing needs that cannot solely be met through current housing options. The City recognizes the importance of affordable housing and housing with supports in meeting the housing needs of those without the resources to participate in the private housing market.

3.2.3.1 The City shall endeavour to provide a facilitative land use planning process for development applications for affordable housing and housing with supports.

3.2.3.2 Where appropriate, assistance shall be provided, either by the City and/or by senior governments, to encourage the development of affordable housing, with priority given to projects in areas of the City that are lacking in affordable housing. City assistance may include selling or leasing of surplus City land or financial assistance.

3.2.3.3 In accordance with the City’s ‘Housing First’ policy, all City-owned land that is surplus to the City’s needs and appropriate for residential development shall be given priority for sale or lease for the development of affordable housing by CityHousing Hamilton Corporation, or coordinated by CityHousing Hamilton Corporation or the City of Hamilton Housing Division for development by other housing stakeholders.

3.2.3.4 The City shall identify, promote and, where appropriate, participate in affordable housing opportunities funded by senior levels of government.

3.2.3.5 The City shall encourage senior levels of government to adopt a ‘Housing First’ policy whereby affordable housing uses are given priority in the disposition of surplus government owned land.

3.2.3.6 Investment in new affordable housing shall be encouraged by a coordinated effort from all levels of government through implementation of a range of strategies, including effective taxation, regulatory and administrative policies and incentives.

3.2.4 General Policies for Urban Housing

3.2.4.1 The development of a full range of housing forms, types, and densities shall be provided for and promoted throughout the City of Hamilton through residential intensification and new development. A full range of housing forms, types, and densities means the full spectrum of physical housing types including single detached dwellings, semi-detached dwellings, duplexes, townhouses of various types (street, block, stacked), apartments and other forms of multiple dwellings, and lodging houses, built at a range of densities.

3.2.4.2 The development of housing with a full range of tenure, affordability, and support services shall be provided for and promoted throughout the City. Where there are documented unmet needs for housing tenure, affordability levels or support services, priority shall be given to development applications that help meet those needs. Housing with a full range of tenure, affordability and support services in a full range of built housing forms means both ownership and primary rental housing with a full range of affordability, social housing, rent-geared-to-
income housing, lodging houses, shared and/or congregate-living housing arrangements, housing with supports, emergency and transitional housing, and housing that meets all needs.

3.2.4.3 Housing with supports, including residential care facilities, shall be permitted in the Institutional, Neighbourhoods, Commercial and Mixed Use designations, as shown on Schedule E-1 – Urban Land Use Designations, and shall be subject to zoning regulations where applicable.

3.2.4.4 Second dwelling units shall be permitted within single and semi-detached dwellings in all Institutional, Neighbourhoods, Commercial and Mixed Use designations, as shown on Schedule E-1 – Urban Land Use Designations, and shall be subject to zoning regulations.

3.2.4.5 Subject to the City undertaking a study, in certain conditions it may be appropriate to permit new detached second dwelling units on lots of existing single detached dwellings.

3.2.4.6 The existing stock of housing shall be retained wherever possible and kept in a safe and adequate condition through use of the City’s Demolition Control by-law, Property Standards by-law, and incentive programs financed by the City or by senior levels of government.

3.2.5 Rental Housing Protection Policies

It is important to maintain a balance of primary rental and ownership housing stock. Primary rental housing stock lost to condominium conversion or demolition is not being replaced through the building of new units, but condominium conversion and redevelopment can meet other City goals such as affordable home ownership, neighbourhood revitalization, replacement of aging housing stock and residential intensification. The intent of the policies in Section 3.2.5 is to minimize the loss of primary rental housing, particularly affordable rental housing, while permitting opportunities for neighbourhood revitalization, residential intensification, and affordable home ownership when the rental housing market is strong.

Condominium Conversion of Rental Housing Units

3.2.5.1 To protect the adequate provision of a full range of housing, conversion to condominium of rental apartment or townhouse buildings or groups of buildings comprised of six or more units shall be permitted if any one of three general criteria are met, outlined as a), b) and c) below:

a) all the following criteria are met:

   i) the rental vacancy rate by dwelling unit and structure type for the City and the respective local housing market zone, as identified on Schedule G – Local Housing Market Zones and based on CMHC data, has been at or above 2.0% for the preceding twenty-four months; and,

   ii) the proposed conversion shall not reduce the rental vacancy rate by dwelling unit and structure type to below 2.0% for the City and the respective local housing market zone; and,

   iii) the existing market rent levels for the units proposed to be converted are not significantly (approximately 10%) below the average market
rent levels for the City and the respective local housing market zone for rental units of a similar dwelling unit and structure type and size; and,

iv) for vacant rental units, the last market rent levels charged prior to vacancy for the units proposed to be converted were not significantly (approximately 10%) below the average market rent levels at the time for the City and the respective local housing market zone for rental units of a similar dwelling unit and structure type and size; or,

b) at least 75% of the current tenants support the conversion to condominium, as demonstrated to the satisfaction of the City; or,

c) the subject building or group of buildings is a protected heritage property on the date of application.

3.2.5.2 In considering a request for extension of an approval for conversion to condominium of rental housing, the City shall apply Policy B.3.2.5.1.

3.2.5.3 Notwithstanding Policy B.3.2.5.1, the City may approve an application to convert rental housing to condominium tenure, where it is demonstrated to the satisfaction of the City that:

a) repair or retrofitting is immediately required to meet health and safety standards; and,

b) income received from rent and available from government funding programs, including rent increases permitted under provincial legislation, is not capable of supporting the work required.

3.2.5.4 The City may require applicants to submit certified financial statements in support of an application under Policy B.3.2.5.3.

3.2.5.5 A complete application for conversion to condominium of rental apartment or townhouse buildings or groups of buildings comprised of six or more rental units shall include, in a manner acceptable to the City, proof of tenant notification of the conversion proposal and proof of notification of the rights of tenants under provincial residential tenancy legislation.

Demolition/Redevelopment of Rental Housing Units

3.2.5.6 To protect the adequate provision of a full range of housing, development or redevelopment that would have the effect of removing all or part of rental apartment or townhouse buildings or groups of buildings comprised of six or more units, and would result in the loss of six or more rental housing units shall be permitted if any one of two general criteria are met, outlined as a) and b) below:

a) all of the following criteria are met:

i) the rental vacancy rate by dwelling unit and structure type for the City and the respective local housing market zone, as identified on Schedule G – Local Housing Market Zones and based on CMHC data, has been at or above 2.0% for the preceding twenty-four months; and,
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ii) the proposed removal shall not reduce the rental vacancy rate by dwelling unit and structure type to below 2.0% for the City and the respective local housing market zone; and,

iii) the existing market rent levels for the units proposed to be removed are not significantly (approximately 10%) below the average market rent levels for the City and the respective local housing market zone for rental units of a similar dwelling unit and structure type and size; and,

iv) for vacant rental units, the last market rent levels charged prior to vacancy for the units proposed to be removed were not significantly (approximately 10%) below the average market rent levels at the time for the City and the respective local housing market zone for rental units of a similar dwelling unit and structure type and size; or,

b) the building (or buildings) is determined to be structurally unsound, confirmed by the submission of a structural audit, prepared by a qualified professional with the conclusions of such audit deemed acceptable by the City.

3.2.5.7 Notwithstanding Policy B.3.2.5.6, renovations to an existing building which reduces the number of dwelling units by six or more units, but does not reduce the area of living space, may be permitted provided Policy B.3.2.5.6, clauses a) i) and ii) are satisfied.

Social Housing

3.2.5.8 The City recognizes the necessary role of social housing in meeting the housing needs of residents without the resources to participate in the private housing market. Notwithstanding Policy B.3.2.5.1 - Condominium Conversion of Rental Housing Units, and Policy B.3.2.5.6 - Demolition/Redevelopment of Rental Housing Units, conversion to condominium and/or demolition/redevelopment of social housing units shall be permitted provided the following criteria are satisfied:

a) full replacement of all rent-geared-to-income units;

b) a tenant relocation and assistance plan addressing the provision of alternative accommodation for tenants at similar rents, including rent-geared-to-income subsidies, right-of-first-refusal to occupy one of the replacement subsidized units, and other assistance to mitigate the potential for hardship; and,

c) conversion shall be consistent with pertinent provincial legislation.
3.3 Urban Design Policies

Urban design is directly concerned with shaping the physical form of the urban areas of the City and plays a vital role in upgrading and maintaining a city's civic image, economic potential, and quality of life. Good planning practice recognizes the important role of urban design in providing value and identity to a community. The design and placement of buildings, infrastructure, open spaces, landscaping and other community amenities, as well as how these features are connected and work together, affects how people live and interact with each other. Attention to physical design creates attractive, lively and safe communities where people want to live and visit and where businesses want to establish and grow. A city that values good urban design is a city that is successful socially, economically, and environmentally.

The intent of this Plan is to create compact and interconnected, pedestrian-oriented, and transit-supportive communities within which all people can attain a high quality of life. Achieving this vision requires careful attention to urban design in both the public and private realms with attention to how those realms work together. The public realm is associated with planning and design issues in areas such as roads, sidewalks, plazas, parks, and open space, owned by the City and other public agencies. The private realm includes areas within private property boundaries, which may or may not be open to the public but are physically and visibly connected to the public realm. The policies of this section direct design in both the public and private realms.

The overall future growth and land use vision for the City is based on the development of a nodes and corridors system and is described in Chapter E - Urban Systems and Designations. The transformation of identified node and corridor areas into higher density, mixed use nodes and corridors with enhanced pedestrian environments supported by transit represents a departure from the existing character of some of these areas. In other places, the development of a node or corridor requires protecting existing built form character. Therefore, the following policies must be read in context with the function, scale, and design intent described in the policies of Chapter E - Urban Systems and Designations and other policies of this Plan.

3.3.1 Urban Design Goals

The following goals shall apply in the urban area:

3.3.1.1 Enhance the sense of community pride and identification by creating and maintaining unique places.

3.3.1.2 Provide and create quality spaces in all public and private development.

3.3.1.3 Create pedestrian oriented places that are safe, accessible, connected, and easy to navigate for people of all abilities.

3.3.1.4 Create communities that are transit-supportive and promote active transportation.

3.3.1.5 Ensure that new development is compatible with and enhances the character of the existing environment and locale.

3.3.1.6 Create places that are adaptable and flexible to accommodate future demographic and environmental changes.
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3.3.1.7 Promote development and spaces that respect natural processes and features and contribute to environmental sustainability.

3.3.1.8 Promote intensification that makes appropriate and innovative use of buildings and sites and is compatible in form and function to the character of existing communities and neighbourhoods.

3.3.1.9 Encourage innovative community design and technologies.

3.3.1.10 Create urban places and spaces that improve air quality and are resistant to the impacts of climate change.

3.3.2 General Policies and Principles

This subsection contains policies describing general design principles and directions that contribute to the achievement of the goals stated in Section B.3.3.1. The successful integration of new development and redevelopment of in the urban area and its integration with surrounding neighbourhoods requires the form of development to follow appropriate urban design principles. Every design direction will not apply in all situations.

3.3.2.1 The physical design of a site shall:

a) relate to its role in the overall urban structure of the City;

b) enhance the function of the applicable urban structure element described in Section E.2.0 - Urban Structure; and,

c) be in accordance with the applicable policies of Chapter E - Urban Systems and Designations, secondary plans, specific design studies and other plans or studies that make specific design recommendations.

3.3.2.2 The principles in Policies B.3.3.2.3 through B.3.3.2.10 inclusive, shall apply to all development and redevelopment, where applicable.

Principles

3.3.2.3 Urban design should foster a sense of community pride and identity by:

a) respecting existing character, development patterns, built form, and landscape;

b) promoting quality design consistent with the locale and surrounding environment;

c) recognizing and protecting the cultural history of the City and its communities;

d) conserving and respecting the existing built heritage features of the City and its communities;

e) conserving, maintaining, and enhancing the natural heritage and topographic features of the City and its communities;
f) demonstrating sensitivity toward community identity through an understanding of the character of a place, context and setting in both the public and private realm;

g) contributing to the character and ambiance of the community through appropriate design of streetscapes and amenity areas;

h) respecting prominent sites, views, and vistas in the City; and,

i) incorporating public art installations as an integral part of urban design.

3.3.2.4 Quality spaces physically and visually connect the public and private realms. Public and private development and redevelopment should create quality spaces by:

a) organizing space in a logical manner through the design, placement, and construction of new buildings, streets, structures, and landscaping;

b) recognizing that every new building or structure is part of a greater whole that contributes to the overall appearance and visual cohesiveness of the urban fabric;

c) using materials that are consistent and compatible with the surrounding context in the design of new buildings;

d) creating streets as public spaces that are accessible to all;

e) creating a continuous animated street edge in urban environments;

f) including transitional areas between the public and private spaces where possible through use of features such as landscaping, planters, porches, canopies, and/or stairs;

g) creating public spaces that are human-scale, comfortable, and publicly visible with ample building openings and glazing;

h) creating, reinforcing, and emphasizing important public vistas and view corridors; and,

i) minimizing excessive street noise and stationary noise source levels through the design, placement, and construction of buildings and landscaping.

3.3.2.5 Places that are safe, accessible, connected and easy to navigate shall be created by using the following design applications, where appropriate:

a) connecting buildings and spaces through an efficient, intuitive, and safe network of streets, roads, alleys, lanes, sidewalks, and pathways;

b) providing connections and access to all buildings and places for all users, regardless of age and physical ability;

c) ensuring building entrances are visible from the street and promoting shelter at entrance ways;
d) integrating conveniently located public transit and cycling infrastructure with existing and new development;

e) providing appropriate way-finding signage considering size, placement, and material that clearly identifies landmarks, pathways, intersections, cycling and transit routes, and significant natural and cultural heritage features;

f) providing pedestrian-scale lighting;

g) designing streets and promoting development that provides real and perceived safety for all users of the road network;

h) including *urban braille* components in streetscape improvements;

i) considering traffic calming techniques in redevelopment projects and secondary planning; and,

j) creating places and spaces which are publicly visible and safe.

3.3.2.6 Where it has been determined through the policies of this Plan that compatibility with the surrounding areas is desirable, new development and redevelopment should enhance the character of the existing environment by:

a) complementing and animating existing surroundings through building design and placement as well as through placement of pedestrian amenities;

b) respecting the existing cultural and natural heritage features of the existing environment by re-using, adapting, and incorporating existing characteristics;

c) allowing built form to evolve over time through additions and alterations that are in harmony with existing architectural massing and style;

d) complementing the existing massing patterns, rhythm, character, colour, and surrounding context; and,

e) encouraging a harmonious and compatible approach to infilling by minimizing the impacts of shadowing and maximizing light to adjacent properties and the public realm.

3.3.2.7 Places that are adaptable in accommodating future change are desirable and should be created by:

a) designing buildings, sites, and public spaces that can be used for a variety of uses in the future in response to changing social, economic, and technological conditions;

b) encouraging design that accommodates the changing physical needs of people and their lifestyles through all stages of their lives; and,

c) encouraging innovative design of built forms and public spaces.
3.3.2.8 Urban design should promote environmental sustainability by:

a) achieving compact development and resulting built forms;

b) integrating, protecting, and enhancing environmental features and landscapes, including existing topography, forest and vegetative cover, green spaces and corridors through building and site design;

c) encouraging on-site storm water management and infiltration through the use of techniques and technologies, including storm water management ponds, green roofs, and vegetated swales;

d) encouraging the use of Leadership in Energy and Environmental Design (LEED) or other environmental building rating tools for buildings and infrastructure for all development and redevelopment;

e) encouraging the reduction of resource consumption in building and site development and avoiding the release of contaminants into the environment; and,

f) encouraging energy efficiency in neighbourhood design and development as set out in Section B.3.7.1.

3.3.2.9 Urban design plays a significant role in the physical and mental health of our citizens. Community health and well-being shall be enhanced and supported through the following actions, where appropriate:

a) creating high quality, safe streetscapes, parks, and open spaces that encourage physical activity and active transportation;

b) ensuring an equitable distribution of accessible and stimulating amenity areas, including the development of places for passive and active recreation and use;

c) encouraging development of complete and compact communities or neighbourhoods that contain a variety of land uses, transportation, recreational, and open space uses; and,

d) reducing air, noise, and water pollution through the following:

i) facilitating and promoting the use of active transportation modes through building and site design;

ii) providing adequate green space, landscaped buffering, and storm water management facilities;

iii) using appropriate pavement treatments;

iv) promoting energy efficient design of sites and buildings; and,

v) promoting innovative construction materials and techniques.

3.3.2.10 Streets shall be designed not only as a transportation network but also as important public spaces and shall include, where appropriate:
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3.3.3.1 a) adequate and accessible space for pedestrians, bicycles as well as transit, other vehicles, and utilities;

b) continuous sidewalks;

c) landscaping such as street trees and landscaped boulevards;

d) pedestrian amenities such as lighting, seating, way-finding signage, and urban braille;

e) on-street parking;

f) public art; and,

g) amenities and spaces that encourage pedestrian activity and animate the streetscape such as public gathering places, patios and sidewalk cafés.

3.3.3 Built Form

Built form shapes the visual qualities of streets and open spaces but also affects how the public spaces around buildings are used, experienced, and perceived. Our city is built one building at a time and each building contributes to the overall design of the City, therefore attention to each building is an important step in the city building process. Built form plays a large role in defining the character of an area. New development shall serve to maintain and support existing character, or create and promote the evolution of the character in areas where transformations are appropriate and planned.

3.3.3.1 New development shall be located and organized to fit within the existing or planned context of an area as described in Chapter E - Urban Systems and Designations.

3.3.3.2 New development shall be designed to minimize impact on neighbouring buildings and public spaces by:

a) creating transitions in scale to neighbouring buildings;

b) ensuring adequate privacy and sunlight to neighbouring properties; and,

c) minimizing the impacts of shadows and wind conditions.

3.3.3.3 New development shall be massed to respect existing and planned street proportions.

3.3.3.4 New development shall define the street through consistent setbacks and building elevations. Design directions for setbacks and heights are found in Chapter E - Urban Systems and Designations and in the Zoning By-law.

3.3.3.5 Built form shall create comfortable pedestrian environments by:

a) locating principal façades and primary building entrances parallel to and as close to the street as possible;

b) including ample glazing on ground floors to create visibility to and from the public sidewalk;
c) including a quality landscape edge along frontages where buildings are set back from the street;

d) locating surface parking to the sides or rear of sites or buildings, where appropriate; and,

e) using design techniques, such as building step-backs, to maximize sunlight to pedestrian areas.

3.3.4 Gateways

Gateways are visually prominent sites located at the entry points into the City, local communities, or specific areas or districts, such as the Downtown, and serve to enhance community image.

3.3.4.1 Gateway locations shall be established at strategic locations within the municipality through secondary plans or other City programs and initiatives.

3.3.4.2 Gateway intersections and entry points shall be designed to convey a sense of arrival and portray the community image and identity through:

a) design of the built form;

b) building orientation;

c) street configuration;

d) infrastructure items and projects;

e) landscaping;

f) recognition of significant views and vistas;

g) signage; and/or,

h) public art installations.

3.3.4.3 Gateways to the City are special places requiring a greater level of scrutiny in terms of land use and design in order to achieve higher quality landmark buildings or built form. The City may undertake gateway studies to identify locations of gateway areas for the City, identify most appropriate land uses, and establish design guidelines for future development within identified gateway areas.

3.3.4.4 The City shall work with adjacent property owners, adjacent municipalities, and applicable governmental agencies with jurisdiction over road rights-of-way on the design and installation of appropriate gateway features.

3.3.5 Views and Vistas

Public views and vistas are significant visual compositions of important public and historic buildings, natural heritage and open space features, landmarks, and skylines which enhance the overall physical character of an area when viewed from the public realm. Vistas are generally panoramic in nature while views usually refer to a strong individual feature often framed by its surroundings.
Views and vistas created in newly developing areas play a large role in creating a sense of place and neighbourhood identity.

Examples of existing significant vistas include the panorama of the Niagara Escarpment, Hamilton Harbour and the Downtown skyline as viewed from various vantage points throughout the City. Examples of views include significant historic and public buildings, natural heritage features, and monuments.

3.3.5.1 The City shall undertake a comprehensive study to identify significant views and vistas and recommend strategies for their protection and enhancement. In the absence of such a study, the identification, preservation, enhancement and/or creation of significant public views and vistas shall occur through secondary planning.

3.3.5.2 Views and vistas shall be achieved through alignment of rights-of-way, layout of pedestrian circulation and open space systems, and the siting of major features, public uses, and built form.

3.3.5.3 The principal façades of public buildings and parks are encouraged to locate at the termination of a street or view corridor or at street intersections to act as focal points for views except in situations where such building placement would compromise existing significant views or vistas.

3.3.6 Urban Services and Utilities

3.3.6.1 The City encourages urban services and utilities to be located underground to maintain a pleasant visual environment along public roads. The City may consider relocating existing above ground utilities to underground locations as part of roads improvements and streetscape installation projects. The feasibility of the relocation shall be determined through discussions with utility providers.

3.3.6.2 Above ground utility service providers shall be encouraged to cooperate with the City in identifying locations which minimize visual intrusions. In accordance with Section C.3.4 – Utility Designation, screening and buffering of utilities shall be required. Innovative methods of containing utility services within streetscape features such as gateways, light standards, public art installations, or transit shelters are encouraged when determining appropriate locations for large utility equipment and utility cluster sites.

3.3.6.3 Site and building services and utilities such as waste storage facilities, loading, air handling equipment, hydro and telecommunication facilities, and metering equipment shall be located away from and/or screened from public streets and adjacent residential areas or other sensitive land uses, to minimize their visual impacts and operational effects. Location and screening of telecommunications antennas shall be in accordance with the telecommunications antenna siting protocol policy described in Policy C.3.4.10.

3.3.7 Storage, Service and Loading Areas

3.3.7.1 Service and loading areas shall be located away from streets so as to minimize disruption or conflicts with adjacent land uses and pedestrian routes and shall be screened as necessary from views from the public right-of-way.

3.3.7.2 Service and loading areas shall be buffered to reduce visual and noise impacts, particularly when located adjacent to residential areas. Buffering methods
should include berms, tree and shrub plantings, noise walls, fences, and/or the use of quality construction materials and methods.

3.3.7.3 Outside storage areas shall be sited and organized to reduce their potential negative impacts on the streetscape. Open storage areas should be located in the rear or side yards and screened from public view or from views from adjacent properties.

3.3.7.4 Outside storage and loading areas shall be paved with a hard surface to reduce dust and promote improved air quality.

3.3.8 Signage, Display Areas, and Lighting
3.3.8.1 All signs shall be designed as an integral element of the site layout and building design.

3.3.8.2 Signs shall not dominate the overall character of a site or development and should complement the site, architecture, and context in which they are to be placed.

3.3.8.3 Signs on cultural heritage properties or within heritage conservation districts or cultural heritage landscapes shall be compatible with the architecture and character of the property or district.

3.3.8.4 Outdoor display areas shall be designed to make a positive contribution to the streetscape and the overall site development. Display areas shall be well defined through architecture and landscaping to work in harmony with adjacent buildings and display areas.

3.3.8.5 Lighting of buildings and display areas shall be provided at levels sufficient for building identification and safety. All building lighting shall be oriented so as not to cause glare on adjacent properties or public roads. Outdoor lighting fixtures that reduce energy consumption and direct light away from the night sky shall be encouraged.

3.3.9 Access and Circulation
3.3.9.1 Joint access driveways shall be considered between adjacent sites to minimize disruption of the public sidewalk, maximize the areas available for landscaping, and minimize expanses of pavement.

3.3.9.2 On large sites, clearly defined internal driving aisles shall be provided to provide visual and functional definition of the site, to direct traffic, and to frame parking areas.

3.3.9.3 To ensure safety and promote their priority over vehicular traffic, pedestrian walkways shall differ in material and appearance from driving surfaces.

3.3.9.4 Landscaped walkways shall be provided along buildings, particularly in areas with high levels of pedestrian traffic. Walkways shall be connected to other pedestrian routes on the site and linked to pedestrian entry points at the street, and where appropriate to adjacent developments.

3.3.9.5 Pedestrian walkways shall be made continuous across driving aisles as well as across driveway entrances at the street where appropriate.
3.3.9.6 Transit access shall be enhanced by:

a) connecting sidewalks to transit stops and shelters;

b) locating transit stops and principal building entrances in close proximity to each other, where appropriate; and,

c) ensuring lighting, seating, trash receptacles, and route information are available at each transit stop.

3.3.10 Parking

3.3.10.1 To create and enhance safe, attractive pedestrian oriented streetscapes, surface parking shall be discouraged, and parking located below grade or in parking structures shall be encouraged.

3.3.10.2 Shared parking facilities shall be encouraged, where appropriate.

3.3.10.3 Provision of parking shall be in accordance with the design directions described in Section E - Urban Systems and Designations.

3.3.10.4 Where surface parking is proposed, it should be located to the sides or rear of buildings to enable the development of a continuous street edge and the creation of quality urban spaces consistent with Section B.3.3.2 - General Policies and Principles.

3.3.10.5 Parking areas shall be connected to the street through safe, landscaped pedestrian walkways.

3.3.10.6 Perimeters of surface parking lots shall be landscaped with appropriate materials that allow visibility from the public realm to the interior of the parking area.

3.3.10.7 Interiors of parking lots shall include landscaped islands, when possible, to provide shade and visual relief from hard surfaces. Landscaped islands should be of sufficient size to ensure growth of vegetation.

3.3.10.8 Parking lots shall be paved with hard surfaces to reduce dust and promote improved air quality. The use of permeable pavement systems or other low impact development practices is encouraged for storm water management, when technically possible.

3.3.10.9 Parking lots shall be lit with sufficient light for safety. On surface parking lots, lighting shall be internally oriented so as not to cause glare on adjacent properties or public roads. Outdoor lighting fixtures that reduce energy consumption and direct light away from the night sky are encouraged.

3.3.10.10 Bicycle parking facilities shall be located as close as possible to the entry points to buildings. A variety of bicycle parking formats, such as sheltered racks and lockers, catering to both employees and visitors is encouraged.

3.3.11 Barrier Free Design

Barrier free access to services, facilities, and amenities is essential to achieving an efficient and equitable City. The City has established the Advisory Committee for Persons with Disabilities and implements the City of Hamilton
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Barrier Free Design Guidelines to ensure that all residents of Hamilton can live in a barrier free environment.

3.3.11.1 All newly constructed and/or renovated City of Hamilton owned, leased, or operated facilities, parks and open spaces, infrastructure, and any other space that are accessible to the public, shall comply with the City of Hamilton Barrier Free Design Guidelines.

3.3.11.2 The City shall require barrier free design, wherever possible, on private sector sites and in private sector buildings and facilities through site plan approval, enforcement of the Ontario Building Code, and implementation of all applicable provincial legislation, standards and guidelines.

3.3.11.3 The City shall pursue the implementation of an urban braille network throughout the Downtown Urban Growth Centre and other existing and planned Nodes, as appropriate. Urban braille installation may be required as part of new development and redevelopment and shall be implemented through the site plan approval process.

3.3.12 Public Art

Public art is a vital component of the built environment, creating and enhancing a sense of community pride and identity. Public art installations make living in Hamilton, and traveling through the city's streets, public and private spaces an engaging and more pleasurable experience for residents and visitors. Public art, as an important expression of community identity and culture, enhances tourism and economic development and the overall vitality of the City. Public Art includes art created by artists or in collaboration with artists through a public process and installed on city owned or privately owned publicly accessible land.

3.3.12.1 Public art may include murals, sculptures, fountains, benches, walkway design, pavement designs and amenity design.

3.3.12.2 Public art that fosters community identity through interpreting local history, traditions and culture is encouraged in all public and private spaces.

3.3.12.3 The City shall pursue the installation of public art in public locations in accordance with the Public Art Master Plan.

3.3.12.4 In addition to locations for public art identified in the Public Art Master Plan, locations for public art shall be identified through secondary planning, other planning processes, and initiatives, where appropriate.

3.3.12.5 Private developments that include spaces attracting significant pedestrian traffic are encouraged to include public art in the design of the building and/or site.

3.3.12.6 The City shall consider the inclusion and installation of public art as part of the following public infrastructure projects, where appropriate:

   a) bridges;

   b) roadway designs;

   c) noise barriers;
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d) transit stations, stops and facilities;

e) paving design;

f) street furniture; and,

g) other infrastructure that is highly visible from the public right-of-way.

3.3.12.7 The City shall initiate partnerships with other public institutions in the development of public art projects on publicly assessable lands.

Other Policies

3.3.13 The policies of this section shall be implemented through mechanisms such as zoning, plans of subdivision and condominium, site plan control, site plan guidelines, and urban design guidelines as specified in Chapter F - Implementation.

3.3.14 The City, as owners of many public buildings and places, shall apply the design policies of this Section and other sections of this Plan when planning for and developing new, and making improvements to, streets, public spaces, community facilities, and infrastructure.

3.3.15 The City shall increase awareness of the importance of urban design in the community by undertaking the following, where appropriate:

a) design charrettes as part of secondary planning and complex development projects;

b) partnering with private sector and professional associations on awareness and education programs/opportunities;

c) award programs that recognize excellence in urban design; and,

d) other means or opportunities that raise the profile and understanding of urban design in the City.
3.4 Cultural Heritage Resources Policies

Wise management and conservation of cultural heritage resources benefits the community. Cultural heritage resources may include tangible features, structures, sites, or landscapes that, either individually or as part of a whole, are of historical, architectural, archaeological, or scenic value. Cultural heritage resources represent intangible heritage, such as customs, ways-of-life, values, and activities. The resources may represent local, regional, provincial, or national heritage interests and values.

This section establishes a number of goals and policies for the conservation of the City's cultural heritage resources organized around three key components: archaeology, built heritage, and cultural heritage landscapes. These policies shall be read in conjunction with all other policies of this Plan.

3.4.1 Policy Goals

The following goals apply to the care, protection, and management of cultural heritage resources in Hamilton:

3.4.1.1 Identify and conserve the City's cultural heritage resources through the adoption and implementation of policies and programs, including partnerships among various public and private agencies and organizations.

3.4.1.2 Encourage a city-wide culture of conservation by promoting cultural heritage initiatives as part of a comprehensive environmental, economic, and social strategy, where cultural heritage resources contribute to achieving sustainable, healthy, and prosperous communities.

3.4.1.3 Ensure that all new development, site alterations, building alterations, and additions are contextually appropriate and maintain the integrity of all on-site or adjacent cultural heritage resources.

3.4.1.4 Encourage the rehabilitation, renovation, and restoration of built heritage resources in order that they remain in active use.

3.4.1.5 Promote public and private awareness, appreciation, and enjoyment of Hamilton's cultural heritage through public programmes or heritage interpretation activities, heritage tourism, and guidance on appropriate conservation practices.

3.4.2 General Cultural Heritage Policies

3.4.2.1 The City of Hamilton shall, in partnership with others where appropriate:

a) Protect and conserve the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage landscapes for present and future generations.

b) Identify cultural heritage resources through a continuing process of inventory, survey, and evaluation, as a basis for the wise management of these resources.

c) Promote awareness and appreciation of the City's cultural heritage and encourage public and private stewardship of and custodial responsibility for the City's cultural heritage resources.
d) Avoid harmful disruption or disturbance of known archaeological sites or areas of archaeological potential.

e) Encourage the ongoing care of individual cultural heritage resources and the properties on which they are situated together with associated features and structures by property owners, and provide guidance on sound conservation practices.

f) Support the continuing use, reuse, care, and conservation of cultural heritage resources and properties by encouraging property owners to seek out and apply for funding sources available for conservation and restoration work.

g) Ensure the conservation and protection of cultural heritage resources in planning and development matters subject to the Planning Act either through appropriate planning and design measures or as conditions of development approvals.

h) Conserve the character of areas of cultural heritage significance, including designated heritage conservation districts and cultural heritage landscapes, by encouraging those land uses, development and site alteration activities that protect, maintain and enhance these areas within the City.

i) Use all relevant provincial legislation, particularly the provisions of the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act, the Municipal Act, the Niagara Escarpment Planning and Development Act, the Cemeteries Act, the Greenbelt Act, the Places to Grow Act, and all related plans and strategies in order to appropriately manage, conserve and protect Hamilton's cultural heritage resources.

3.4.2.2 The City consists of many diverse districts, communities, and neighbourhoods, each with their own heritage character and form. The City shall recognize and consider these differences when evaluating development proposals to maintain the heritage character of individual areas.

Heritage Designation

3.4.2.3 The City may by by-law designate individual and groups of properties of cultural heritage value under Parts IV and V respectively of the Ontario Heritage Act, including buildings, properties, cultural heritage landscapes, heritage conservation districts, and heritage roads or road allowances.

Listing of Properties in the Heritage Register

3.4.2.4 The City shall maintain, pursuant to the Ontario Heritage Act, a Register of Property of Cultural Heritage Value or Interest. In considering additions and removals of non-designated cultural heritage property to or from this Register, the City shall seek and consider advice from its Municipal Heritage Committee.

3.4.2.5 In addition to the provisions of the Ontario Heritage Act respecting demolition of cultural heritage properties contained in the Register, the City shall ensure that such properties shall be protected from harm in the carrying out of any undertaking subject to the Environmental Assessment Act or the Planning Act.
Protection of Non-Designated or Non-Registered Heritage Properties

3.4.2.6 The City recognizes there may be cultural heritage properties that are not yet identified or included in the Register of Property of Cultural Heritage Value or interest nor designated under the Ontario Heritage Act, but still may be of cultural heritage interest. These may be properties that have yet to be surveyed, or otherwise identified, or their significance and cultural heritage value has not been comprehensively evaluated but are still worthy of conservation.

3.4.2.7 The City shall ensure these non-designated and non-registered cultural heritage properties are identified, evaluated, and appropriately conserved through various legislated planning and assessment processes, including the Planning Act, the Environmental Assessment Act and the Cemeteries Act.

3.4.2.8 To ensure consistency in the identification and evaluation of these non-designated and non-registered cultural heritage properties, the City shall use the criteria for determining cultural heritage value or interest established by provincial regulation under the Ontario Heritage Act and set out in Policy B.3.4.2.9.

Cultural Heritage Evaluation Criteria

3.4.2.9 For consistency in all heritage conservation activity, the City shall use, and require the use by others, of the following criteria to assess and identify cultural heritage resources that may reside below or on real property:

a) prehistoric and historical associations with a theme of human history that is representative of cultural processes in the settlement, development, and use of land in the City;

b) prehistoric and historical associations with the life or activities of a person, group, institution, or organization that has made a significant contribution to the City;

c) architectural, engineering, landscape design, physical, craft, or artistic value;

d) scenic amenity with associated views and vistas that provide a recognizable sense of position or place;

e) contextual value in defining the historical, visual, scenic, physical, and functional character of an area; and,

f) landmark value.

3.4.2.10 Any property that fulfills one or more of the foregoing criteria listed in Policy B.3.4.2.9 shall be considered to possess cultural heritage value. The City may further refine these criteria and provide guidelines for their use as appropriate.

Cultural Heritage Conservation Plan Statements

3.4.2.11 The City shall prepare cultural heritage conservation plan statements for areas where the concentration or significance of cultural heritage resources require that detailed guidance be provided for the conservation and enhancement of these resources, in accordance with Section F.3.1.4 - Cultural Heritage Conservation Plan Statements. The statements will, in part, be prepared to ensure that development, site alteration and redevelopment proposals
demonstrate appropriate consideration for their impact on cultural heritage resources.

Cultural Heritage Impact Assessments

3.4.2.12 A cultural heritage impact assessment shall be required by the City and submitted prior to or at the time of any application submission pursuant to the Planning Act where the proposed development, site alteration, or redevelopment of lands (both public and private) has the potential to adversely affect the following cultural heritage resources through displacement or disruption:

a) Properties designated under any part of the Ontario Heritage Act or adjacent to properties designated under any part of the Ontario Heritage Act;

b) Properties that are included in the City’s Register of Property of Cultural Heritage Value or Interest or adjacent to properties included in the City’s Register of Property of Cultural Heritage Value or Interest;

c) A registered or known archaeological site or areas of archaeological potential;

d) Any area for which a cultural heritage conservation plan statement has been prepared; or,

e) Properties that comprise or are contained within cultural heritage landscapes that are included in the Register of Property of Cultural Heritage Value or Interest.

3.4.2.13 Cultural heritage impact assessments shall be prepared in accordance with any applicable guidelines and Policy F.3.2.3 - Cultural Heritage Impact Assessments. The City shall develop guidelines for the preparation of cultural heritage impact assessment.

3.4.2.14 Where cultural heritage resources are to be affected, the City may impose conditions of approval on any planning application to ensure their continued protection. In the event that rehabilitation and reuse of the resource is not viable and this has been demonstrated by the proponent, the City may require that affected resources be thoroughly documented for archival purposes at the expense of the applicant prior to demolition.

Public Awareness

3.4.2.15 Public awareness and enjoyment of the City of Hamilton’s cultural heritage shall be promoted. In order to enhance opportunities for conserving cultural heritage resources, the City may:

a) participate in cultural heritage programs, including management, planning, and funding programs, of other levels of government or any other agencies and groups, that are intended to conserve, restore, protect, interpret, or communicate or otherwise assist in the management of cultural heritage resources;

b) initiate or support public programmes or heritage interpretation activities intended to increase community awareness and appreciation of the City’s
heritage, including its recent history and distant past in order to represent either popular or under-represented stories, themes and histories of people or groups:

c) participate in public programmes or heritage interpretation activities of other levels of government or other agencies and groups;

d) encourage active citizen participation in cultural heritage conservation activities; and,

e) name roads, streets, water courses, and other public places and facilities to recognize all persons, groups, themes, activities, landscapes, or landmarks of interest in the City that have contributed to the cultural heritage and diversity of Hamilton's history.

3.4.3 General Cultural Heritage Policies for Urban Areas

Downtowns

3.4.3.1 The City includes several downtown areas that are historical centres of the community and typically contain a high concentration of cultural heritage resources and associated historical streetscapes, including buildings, such as town halls, landmark institutional buildings, commercial terraces, churches, railway stations, parks, and distinctive residential areas. These downtowns are generally located within the Downtown Urban Growth Centre and the Community Nodes associated with the downtowns of the former municipalities of Ancaster, Dundas, Stoney Creek, and Waterdown. The City shall define downtown boundaries through secondary planning processes or other detailed planning initiatives.

3.4.3.2 Within these downtown areas, the City shall conserve individual cultural heritage properties and areas of heritage value, including streetscape features, traditional circulation patterns, and important views, and ensure that new development respects and reflects the design of surrounding heritage buildings.

3.4.3.3 New development or redevelopment in downtown areas containing heritage buildings or adjacent to a group of heritage buildings shall:

a) encourage a consistent street orientation in any new building forms;

b) maintain any established building line of existing building(s) or built form by using similar setbacks from the street;

c) support the creation of a continuous street wall through built form on streets distinguished by commercial blocks or terraces;

d) encourage building heights in new buildings that reflect existing built form wherever possible or encourage forms that are stepped back at upper levels to reflect established cornice lines of adjacent buildings or other horizontal architectural forms or features; and,

e) reflect the character, massing, and materials of surrounding buildings.

3.4.3.4 The City shall encourage the use of contemporary architectural styles, built forms, and materials which respect the heritage context.
3.4.3.5 Where alterations are proposed to built heritage resources within the Downtown areas, the following principles shall be followed:

a) maintain the basic relations of the horizontal divisions of the building;
b) maintain original façade components and materials wherever possible;
c) replicate the original parts and materials wherever possible; and
d) remove elements that are not part of or hide the original design.

Established Historical Neighbourhoods
Established historical neighbourhoods are neighbourhoods that were substantially built prior to 1950. These neighbourhoods exhibit unique character, provide examples of historical development patterns, and contain concentrations of cultural heritage resources.

3.4.3.6 The City shall protect established historical neighbourhoods, as identified in the cultural heritage landscape inventory, secondary plans and other City initiatives, by ensuring that new construction and development are sympathetic and complementary to existing cultural heritage attributes of the neighbourhood, including lotting and street patterns, building setbacks and building mass, height, and materials.

3.4.3.7 Intensification through conversion of existing built heritage resources shall be encouraged only where original building fabric and architectural features are retained and where any new additions, including garages or car ports, are no higher than the existing building and are placed to the rear of the lot or set back substantially from the principal façade. Alterations to principal façades and the paving of front yards shall be avoided.

Commercial and Industrial Heritage Properties
3.4.3.8 The City shall encourage the intensification and adaptive reuse of commercial and industrial heritage properties. Any permitted redevelopment shall ensure, where possible, that the original building fabric and architectural features are retained and that any new additions will complement the existing building in accordance with the policies of this Plan.

3.4.3.9 To facilitate the intensification and adaptive reuse of such properties, the City may allow reduced parking or other site and amenity requirements.

3.4.4 Archaeology Policies
The City shall require the protection, conservation, or mitigation of sites of archaeological value and areas of archaeological potential as provided for under the Planning Act, the Environmental Assessment Act, the Ontario Heritage Act, the Municipal Act, the Cemeteries Act, or any other applicable legislation.

3.4.4.1 The City shall maintain mapping of areas of archaeological potential as defined by provincial guidelines and identified on Appendix F-4 – Archaeological Potential, to assist in the assessment of development proposals and the development of future conservation initiatives.
Archaeological Assessment Requirements

3.4.4.2 In areas of archaeological potential identified on Appendix F-4 – Archaeological Potential, an archaeological assessment shall be required and submitted prior to or at the time of application submission for the following planning matters under the Planning Act:

a) official plan amendment or secondary plan amendment unless the development proposed in the application in question or other applications on the same property does not involve any site alteration or soil disturbance;

b) zoning by-law amendments unless the development proposed in the application in question or other applications on the same property does not involve any site alteration or soil disturbance; and,

c) plans of subdivision.

3.4.4.3 In areas of archaeological potential identified on Appendix F-4 – Archaeological Potential, an archaeological assessment:

a) may be required and submitted prior to or at the time of application submission for the following planning matters under the Planning Act when they involve soil disturbance or site alteration:

   i) site plan applications; and,
   
   ii) plans of condominium.

b) may be required for the following planning matters under the Planning Act when they involve soil disturbance or site alteration:

   i) minor variances; and,
   
   ii) consents/severances.

3.4.4.4 Archaeological assessments shall be prepared in accordance with any applicable guidelines and Policy F.3.2.4 - Archaeological Assessments.

3.4.4.5 Prior to site alteration or soil disturbance relating to a Planning Act application, any required archaeological assessment must be approved, in writing by the Province and the City, indicating that there are no further archaeological concerns with the property or concurring with the final resource management strategy to be implemented. The City may also require a higher standard of conservation, care and protection for archaeological resources based on prevailing conditions and circumstances within the City and the results of any dialogue with First Nations and their interests.

3.4.4.6 The City considers the following archaeological resources to be of particular interest, value and merit:

a) spatially large, dense lithic scatters (peak levels of more than 99 artifacts per square-metre);

b) deeply buried or stratified archaeological sites;
c) undisturbed or rare Native archaeological sites;
d) sacred archaeological sites;
e) archaeological sites comprising human burials;
f) Paleo-Indian archaeological sites;
g) Early-Archaic archaeological sites;
h) Woodland period archaeological habitation sites;
i) post-contact archaeological sites predating 1830 AD;
j) post 1830 archaeological site(s) where background documentation or archaeological features indicate heritage value; and,
k) underwater archaeological sites.

3.4.4.7 To conserve these resources, avoidance and protection in situ shall be the preferred conservation management strategies. Where it has been demonstrated in an archaeological assessment by a licensed archaeologist that avoidance is not a viable option, alternative mitigation measures shall be agreed upon by the Province and the City and in accordance with the Archaeology Management Plan.

3.4.4.8 The City may use all relevant provisions of the Planning Act to prohibit the use of land and the placement of buildings and structures in order to protect and conserve sites or areas of significant archaeological resources.

3.4.4.9 Where a marked or unmarked cemetery or burial place is encountered during any archaeological assessment or excavation activity, the provisions of the Cemeteries Act and associated regulations, and the policies of this Plan shall apply.

3.4.4.10 Where a marked or unmarked cemetery or burial place is found, the nearest First Nation shall be notified.

3.4.5 Built Heritage Resource Policies

3.4.5.1 An inventory of built heritage resources shall be prepared by the City and, as appropriate, may be included in the Register of Property of Cultural Heritage Value or Interest. Registered properties containing built heritage resources may be considered for designation under the Ontario Heritage Act and shall be protected in the carrying out of any undertaking subject to the Environmental Assessment Act or the Planning Act.

3.4.5.2 The City shall encourage the retention and conservation of significant built heritage resources in their original locations. In considering planning applications under the Planning Act and heritage permit applications under the Ontario Heritage Act, there shall be a presumption in favour of retaining the built heritage resource in its original location.

3.4.5.3 Relocation of built heritage resources shall only be considered where it is demonstrated by a cultural heritage impact assessment that the following options, in order of priority, have been assessed:
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3.4.5.4 Where it has been demonstrated that retention of the built heritage resource in its original location is neither appropriate nor viable the following options, in order of priority, shall be considered:

a) relocation of the building within the area of development; or,

b) relocation of the building to a sympathetic site.

3.4.5.5 Where a significant built heritage resource is to be unavoidably lost or demolished, the City shall ensure the proponent undertakes one or more of the following mitigation measures, in addition to a thorough inventory and documentation of the features that will be lost:

a) preserving and displaying of fragments of the former buildings’ features and landscaping;

b) marking the traces of former locations, shapes, and circulation lines;

c) displaying graphic and textual descriptions of the site’s history and former use, buildings, and structures; and,

d) generally reflect the former architecture and use in the design of the new development, where appropriate and in accordance with Section B.3.3 - Urban Design Policies.

3.4.6 Cultural Heritage Landscapes

3.4.6.1 A cultural heritage landscape is a defined geographical area characterized by human settlement activities that have resulted in changes and modifications to the environment, which is now considered to be of heritage value or interest. Cultural heritage landscapes may include distinctive rural roads, urban streetscapes and commercial mainstreets, rural landscapes including villages and hamlets, designed landscapes such as parks, cemeteries and gardens, nineteenth and twentieth century urban residential neighbourhoods, as well as commercial areas and industrial complexes.

3.4.6.2 An inventory of cultural heritage landscapes shall be prepared by the City and may be included in the Register of Properties of Cultural Heritage Value or Interest. Cultural heritage landscapes may also be considered for designation under the Ontario Heritage Act and shall be protected in the carrying out of any undertaking subject to the Environmental Assessment Act or the Planning Act.

Heritage Conservation Districts

3.4.6.3 The City, in consultation with its Municipal Heritage Committee, may designate properties including cultural heritage landscapes as heritage conservation districts under the Ontario Heritage Act where it has been determined that the district possesses one or more of the following attributes:
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a) a group of buildings, features, and spaces that reflect an aspect of local history, through association with a person, group, or activity;

b) buildings and structures that are of architectural or vernacular value or interest; and,

c) important physical and aesthetic characteristics that provide an important context for cultural heritage resources or associations within the district, including features such as buildings, structures, landscapes, topography, natural heritage, and archaeological sites.

3.4.6.4 The City shall in accordance with the Ontario Heritage Act:

a) define and examine study areas for future heritage conservation district designation;

b) prepare area studies of prospective heritage conservation districts; and,

c) prepare heritage conservation district plans.

3.4.6.5 The City may in accordance with the Ontario Heritage Act by by-law prohibit or set limitations with respect to property alteration, erection, demolition, or removal of buildings or structures, or classes of buildings or structures, within the heritage conservation district study area.

Heritage Roads

3.4.6.6 The City shall identify, conserve, and manage identified heritage roads and associated features in accordance with Section C.4.5.3 - Special Character Roads.
3.5 Community Facilities/Services Policies

Community facilities/services are an integral part of the fabric of the City and fundamental cornerstones that make communities complete. They make neighbourhoods livable and support a high quality of life by providing space and amenities for a host of services, programs, and activities. Community facilities/services are lands, buildings, and structures that provide services for health, education, recreation, social or cultural activities, security, and safety. Community facilities/services may include community and recreation centres, arenas, parks, health care and social service facilities, day care centres, seniors' centres, emergency medical services, fire services, police services, cultural facilities, places of worship, museums, schools, universities and colleges, and libraries. Community facilities/services may be publicly or privately owned or operated.

To create a high quality of life and to be adaptable to meet changing community needs, community facilities/services must be flexible. Flexibility is particularly important in newly built or renovated facilities which must meet the needs of our changing population.

Preserving and improving access to community facilities/services in established neighbourhoods, meeting changing needs, and providing for a full range of community facilities/services in areas experiencing growth is a responsibility shared by the City, senior levels of government, public agencies, the private non-profit service delivery and voluntary sector, community groups, and citizens. Making the best use of what we have, promoting shared facilities and shared responsibility, and integrating planning of community facilities/services with planning for growth and change are necessary for Hamilton to attain and maintain a high quality of life.

The City recognizes that the planning and provision of community facilities/services requires partnership, consultation, coordination, and cooperation among all levels of government, public agencies, the non-profit service delivery and voluntary sector, and citizens. It is the role of the City to facilitate and support a process of integrated planning and cooperation.

3.5.1 Policy Goals

3.5.1.1 Create a vibrant, active and supportive City by providing community facilities/services that support a high quality of life for all residents.

3.5.1.2 Achieve equitable and efficient access, distribution, and integration of community facilities/services which meet the needs of people of all ages, backgrounds, and capabilities throughout all stages of their lives and across the City.

3.5.1.3 Provide community facilities/services in an efficient sustainable manner that optimizes their use, minimizes their environmental impacts, and promotes their flexibility to adapt to changing needs.

3.5.2 General Policies

Privately and Publicly Owned or Operated Community Facilities/Services

3.5.2.1 All new public buildings which are publicly or privately owned and/or operated community facilities:
a) shall comply with Section B.3.3 - Urban Design Policies and B.3.4 - Cultural Heritage Policies;

b) shall be easily accessible by walking, cycling, and public transit where provided;

c) shall be located and designed to be barrier free and to comply with all accessibility legislation, standards, and guidelines;

d) where proposed adjacent to residential uses, shall be designed and operated to limit noise, traffic, and privacy impacts on neighbouring residents; and,

e) should meet all of the following design criteria where possible:

i) main entrances shall front onto a public road;

ii) parking shall be provided to the side or rear of the main building and be screened and landscaped;

iii) pedestrian walkways shall link parking facilities and public sidewalks to entrances;

iv) cycling infrastructure such as bicycle parking and paths shall be provided;

v) the design of landscaping and lighting shall be of high quality and appropriate to the site; and,

vi) lighting should highlight the design of buildings.

3.5.2.2 New public buildings and publicly or privately owned or operated community facilities developed on lands designated Neighbourhoods shall comply with Sections B.3.3 - Urban Design Policies and E.3.0 - Neighbourhoods Designation.

3.5.2.3 Large public buildings that serve the City or larger region or campuses containing clustered community facilities/services shall be encouraged to locate in the following highly visible and central locations:

a) within the Downtown Urban Growth Centre, Sub-regional Service Nodes, and Community Nodes, designated on Schedule E - Urban Structure, as the preferred location; or,

b) in Primary or Secondary Corridors designated on Schedule E - Urban Structure.

3.5.2.4 New or renovated community facilities can create a focus for neighbourhood rejuvenation, and are encouraged to locate in transition areas identified in secondary plans or by other City initiatives.

3.5.2.5 Where new community facilities are clustered or co-located in campus-like settings, the following criteria shall apply:

a) The campus or shared facility shall be integrated into adjacent areas and neighbourhoods through building placement such as peripheral buildings
which address the public streets, built form, massing, design, landscaping, and attention to the intensity of uses.

b) The design of individual buildings shall relate to one another.

c) Care and attention shall be given to the pedestrian environment, with pedestrian linkages between buildings and pedestrian circulation plans.

d) Transit stops or stations shall be integrated into or adjacent to the site.

e) Cycling facilities, including cycling routes and bicycle parking, shall be integrated into the site.

f) Wayfinding signage and pedestrian scale lighting sufficient for public safety shall be provided.

g) Underground parking or above-ground parking structures shall be encouraged.

h) Entryways and gateways shall be identified and marked with entryway features.

i) Care and attention shall be given to traffic flow onto and within the site.

3.5.2.6 New public buildings and community facilities shall be encouraged to include publicly accessible space such as meeting rooms and multi-purpose rooms for the use of community groups, where feasible.

Policies for Publicly Owned or Operated Community Facilities/Services

3.5.2.7 The City's responsibilities for community facilities/services include parks, community centres, recreation facilities, libraries, and museums, among others. Where appropriate, the City shall establish standards for the level of these community facilities/services through policies of this Plan and other municipal studies and strategies.

3.5.2.8 Proposals for new development and redevelopment shall take into account the availability and location of existing and proposed public community facilities/services, and be phased so new public community facilities/services can be provided efficiently, effectively, and in a logical fashion.

3.5.2.9 Public community facilities/services shall be provided in an equitable, sustainable, efficient manner and their use optimized through application of the following policies:

a) Partnership and collaboration among providers and funders of community facilities/services, including the City, shall be strongly encouraged.

b) The use of existing community facilities/services shall be optimized to serve the surrounding community, wherever feasible, before the development of new facilities is considered.

c) Where community facilities/services are deemed to be surplus, other community facility/service uses shall be given first priority in disposal of the property.
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d) Shared use of sites and buildings, including clustering/co-locating of facilities into campus-like settings with shared parking facilities, shall be strongly encouraged.

3.5.2.10 Public buildings and public community facilities/services provide a focal point, image and sense of identity for communities. Clustering/co-locating of new facilities which support a range of services on a shared site or in a shared building optimizes efficiency and improves convenience and accessibility. Clustering also creates a major destination that can be readily served by transit, facilitates service integration, and provides flexibility for program or use change as community needs change.

3.5.2.11 New public buildings and public community facilities/services shall be designed and strategically located to support the urban structure and intensification policies. Sections B.2.4 – Residential Intensification and E.2.0 – Urban Structure, and support the effective and efficient delivery of emergency medical, fire and police services.

3.5.2.12 All new public buildings and public community facilities/services shall:

a) be designed to reflect and enhance local community character, image, identity, and sense of place; and,

b) be encouraged to include public art as part of overall site and/or building design.

3.5.2.13 Policies B.3.5.2.1 to B.3.5.3.3 inclusive, B.3.5.2.5, B.3.5.2.6, and B.3.5.2.9 to B.3.5.2.12 inclusive shall not apply to the renovation, expansion, or adaptive reuse of existing buildings for community facilities.

3.5.3 Parkland Policies

3.5.3.1 The uses permitted on lands identified as Parkette, Neighbourhood Park, Community Park, City-Wide Park, General Open Space, and Natural Open Space on Appendix A – Parks Classification Map and designated on secondary plans of Volume 2 shall be parks for both active and passive recreational uses, community/recreational facilities, and other open space uses.

3.5.3.2 Notwithstanding Policy C.3.3.4, ancillary commercial uses that are complementary to Community and City-Wide Parks and support the primary open space use such as food concessions, recreational equipment rentals, and water oriented recreational uses, may be permitted provided such uses do not interfere with or have negative impacts on the open space nature of the land.

3.5.3.3 Lands designated Natural Open Space in the secondary plans are generally part of a park or conservation area. They have environmental features and are intended to be preserved in their natural state. Where appropriate, limited recreational activities/uses may be permitted including trails, picnic areas, forest management, and conservation management.

Parks Hierarchy and Open Space Categories

3.5.3.4 The City shall establish a hierarchy of parks as follows:
a) Parkettes are small open spaces which have no or limited recreational facilities. They are generally located in the older urban areas where they serve an important function in the provision of open space opportunities.

b) Neighbourhood Parks primarily cater to the recreational needs and interests of the residents living within its general vicinity. Residents can easily walk or bike to these parks. Neighbourhood Parks are generally comprised of municipal parkland, containing a mixture of passive areas, sports facilities, informal and formal play areas, and may include natural areas. They serve a population of approximately 5,000 people and have a minimum size of approximately 2 hectares.

c) Community Parks serve more than one neighbourhood, but are not intended to serve the City as a whole. Community Parks have more intensive recreational facilities such as sports fields, and recreational and community centres. These facilities shall have good transportation access along adjacent arterial or collector roadways and provide adequate parking to meet anticipated demand. Community Parks in the urban area should appropriately be located along transit routes. They serve a population of approximately 20,000 people and have a minimum size of approximately 7 hectares city wide.

d) City-Wide Parks are municipally, regionally, provincially or nationally significant destinations that meet the needs of residents and are of interest to visitors. These facilities are often associated with major recreation, education or leisure activities and may have natural, historic, or unique features. They range greatly in size and type.

3.5.3.5 In addition to the parks hierarchy outlined in Policy B.3.5.3.4, there are two open space categories not considered as parks but which contribute to the City's open space and parks system:

a) General Open Space shall include golf courses, community gardens, pedestrian and bicycle trails, walkways, picnic areas, beaches, remnant parcels of open space lands, and urban plazas, squares and core spaces. These areas do not function as parks but are used for both active and passive recreational activities.

b) Natural Open Space shall include lands with significant natural features and landscapes such as woodlots, hazard lands, forested slopes, creek/ravine corridors, the Niagara Escarpment, environmentally sensitive areas (of natural and scientific interest), and areas of wildlife habitat. These areas perform important biological and ecological functions and provide passive recreational opportunities.

3.5.3.6 Notwithstanding Policy B.3.5.3.4, the City may consider a smaller minimum size for Neighbourhood or Community Parks provided one or more of the following criteria are met:

a) There is a demonstrated deficiency of existing parkland in the surrounding area.

b) The subject lands are currently used for recreational or public uses (eg. playground of a surplus school).
c) The subject lands are designated for park purposes in a secondary plan or identified for such in a neighbourhood plan.

d) The subject lands fulfill identified recreational needs.

e) Designation of the subject lands does not adversely impact operational priorities.

3.5.3.7 In certain cases, single parks may have dual classifications, such as Natural Open Space and Community Park, which recognize that parks can have multiple functions.

3.5.3.8 The City has identified City-Wide Parks or General Open Spaces which contain significant cultural heritage and historic resources, and have been identified on Appendix A and the applicable secondary plan land use plans of Volume 2. The City shall protect these sites through such mechanisms as programming or use restrictions.

3.5.3.9 Parks and natural areas shall be linked in a continuous public open space and parks system, including those lands identified in the Niagara Escarpment Parks and Open Space System, wherever possible.

3.5.3.10 Parkland classifications shall be identified on Appendix A – Parks Classification Map or designated in secondary plans of Volume 2. These classifications shall be used to determine parkland needs in accordance with Policy B.3.5.3.11.

3.5.3.11 To ensure the provision of an adequate amount of parkland, the standards of Table 3.5.3.1 – Parkland Standards, shall be used in the determination of parkland needs.

<table>
<thead>
<tr>
<th>Park Classification</th>
<th>Per 1,000 Population (Ratios)</th>
<th>Minimum Service Radius/Walking Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighbourhood Parks</td>
<td>0.7 ha/1000</td>
<td>800 m</td>
</tr>
<tr>
<td>Community Parks</td>
<td>0.7 ha/1000</td>
<td>2 km</td>
</tr>
<tr>
<td>City-Wide Parks</td>
<td>0.7 ha/1000</td>
<td>n.a.</td>
</tr>
</tbody>
</table>

3.5.3.12 Parkettes have no parkland standards because of their small size and limited recreational opportunities. Parkettes shall only be purchased in exceptional circumstances where no other parks or open spaces exist in the vicinity nor are there any other opportunities to purchase Neighbourhood or Community Parks.

3.5.3.13 General Open Space and Natural Open Space Areas are not considered parkland. Therefore no standards are applied.

3.5.3.14 Where parkland standards may not be met in existing built-up areas, the City shall endeavour to increase the supply of parkland through bequests, donations, partnerships with other public agencies, and other methods as set out in Section F.4.0 - Municipal Land and Building Acquisition.

3.5.3.15 Notwithstanding Policy B.3.5.3.11, the City may consider a lower parkland standard where a Neighbourhood and Community Park may be feasibly combined on the same site.
3.5.3.16 Through the preparation of secondary plans or neighbourhood plans, the City shall determine the amount and type of park required based on the following considerations:

   a) the parkland standards in Policy B.3.5.3.11;

b) projected population;

c) the location of other parks in adjacent areas;

d) the feasibility of locating parks near schools and Natural Open Spaces; and,

e) site characteristics (slope, natural features, frontage in a public road) as defined by the Landscape Manual for Parks, adopted by Council.

3.5.3.17 Preference shall be given to locating Neighbourhood or Community Parks adjacent to school sites.

3.5.3.18 Where lands are deemed surplus by the City or a public agency or are being sold by a private land owner, the following criteria shall be used in the evaluation of parkland needs:

   a) the amount of parkland deficit/surplus based on the standards in Policy B.3.5.3.11;

b) the size, location and site characteristics of the subject lands;

c) the size and location of other Neighbourhood, Community, or City-Wide Parks in the area; and,

d) available municipal funds.

3.5.3.19 Whenever land designated or used for Open Space and Parks purposes, as designated on Schedule E-1 – Urban Land Use Designations, the maps of the secondary plans or identified on the Appendices relating to Open Space and Parks is acquired or used by a city department or other public agency for non-recreational public purposes, the City or public agency shall be required to compensate for the resulting loss of parkland by paying the full current market value of the parcel of land into the Parkland Reserve.

3.5.4 Library Services

Libraries provide a collection of resources for information, knowledge, learning, and entertainment and also serve as venues for community functions and focal points for communities.

3.5.4.1 New libraries shall be accessible and barrier free to all residents.

3.5.4.2 Where established library facilities are inadequate to serve area residents, the City shall encourage the Hamilton Public Library Board to provide alternative or additional branch libraries or services. To ensure the provision of suitable library sites, the City shall encourage the inclusion of the Library Board in secondary planning processes as well as the planning of other community facilities/services.
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3.5.4.3 Every effort shall be made to co-locate new libraries with other community facilities/services and central to the area being served, with a preference for library locations in Nodes or along Corridors, designated on Schedule E - Urban Structure.

3.5.4.4 New libraries shall comply with Sections B.3.5 - Community Facilities/Services Policies, and B.3.3 - Urban Design Policies.

3.5.5 Educational Facilities

The City recognizes that schools (elementary and secondary) are one of the building blocks of Hamilton's communities, and not only provide education, but also recreational space and resources to the neighbourhood. Universities and colleges not only serve the City, but attract students and faculty from across Canada and the world.

3.5.5.1 The decision to operate a school is at the sole discretion of the school board or private agency, and is guided by the requirements of the Province. The City shall work in cooperation with the school boards and other educational service providers to ensure that educational facilities are located in close proximity to the population they are intended to serve to minimize motor vehicle dependence and to maximize pedestrian, cycling, and public transit access.

3.5.5.2 Where existing schools are deemed surplus by school boards the City shall endeavour to collaborate with school boards regarding disposition of the land, in a manner that meets both school board and City requirements, needs, and objectives.

3.5.5.3 The City shall consider purchase and adaptive reuse or redevelopment of surplus school sites for public purposes where other community facilities/services do not meet established standards and resources are available.

3.5.5.4 The City shall, in the case of a proposed shift in the location of a designated or zoned school site at the subdivision approval stage, ensure that such changes are minor in nature or the shift is designed to improve the centrality of the school site relative to its intended service area or to improve its overall functionality.

3.5.5.5 Redevelopment of surplus school sites for residential and other uses shall be compatible with the surrounding neighbourhood and comply with Sections B.2.4 - Residential Intensification, B.3.3 - Urban Design Policies, and E.3.0 - Neighbourhoods Designation.

3.5.5.6 Schools shall provide landscaped open space for outdoor student activities and be designed and operated to limit noise, traffic, privacy impacts on neighbouring residents.

3.5.5.7 New elementary schools may be located adjoining parks provided the School Board provides adequate outdoor space on their lands to meet their needs.

3.5.5.8 New educational facilities shall comply with Sections B.3.5 - Community Facilities/Services Policies, and B.3.3 - Urban Design Policies.

3.5.6 Healthcare Facilities

Healthcare facilities such as hospitals are primarily the responsibility of the Province. The City shall collaborate with senior levels of government and their
agencies to identify needs and ensure provision of high quality healthcare facilities and related services to the community.

3.5.6.1 Healthcare facilities shall be located in proximity to major roads and transit routes for ease of access by all forms of transportation, including walking and cycling.

3.5.7 Emergency Medical, Fire, and Police Services

3.5.7.1 Emergency services are comprised of emergency medical, fire, and police services and their associated stations. Design of communities and siting of emergency service stations can impact response times and efficiency of emergency medical, fire, and police services delivery.

3.5.7.2 Where feasible and in compliance with the other policies of this Plan, the City shall ensure that the efficiency of emergency medical, fire, and police services be considered in the formulation of plans of subdivision and condominium, official plan amendments, severances, zoning by-law amendments, and site plans.

3.5.7.3 The preferred location for emergency medical, fire, and police stations is fronting minor arterial, major arterial, or collector roads.

3.5.7.4 Safe, direct, and unobstructed access to roads shall be required for emergency services including the use of controlled intersections, lighting, and signage.

3.5.8 Cultural Facilities

Cultural facilities are publicly owned or operated lands, buildings and structures used for the creation, production, and dissemination of culture and arts or cultural activities. Cultural services, such as public programming, conservation, and presentation of cultural resources are also integral to the City's cultural experiences. Cultural facilities include museums, art galleries, exhibition facilities, and managed historical sites.

3.5.8.1 City-wide or regional scale cultural facilities contribute to Hamilton's image and identity. The prominence of a city-wide or regional cultural facility should be reflected in its design. New cultural facilities that serve the City or larger region and are not linked to an existing cultural heritage resource, shall be designed to reflect the character, identity, and image of Hamilton and the region served by the facility.

3.5.8.2 The preferred location for new cultural facilities that serve the City or larger region is the Downtown Urban Growth Centre. The preferred locations for new cultural facilities that primarily serve a local community are Sub-Regional Service Nodes, Community Nodes, or Primary Corridors, or other locations deemed appropriate by the City.

3.5.8.3 Design competitions or other mechanisms to stimulate innovative design shall be strongly encouraged for new cultural facilities.

3.5.8.4 Adaptive reuse of a protected heritage property or cultural heritage landscape for new cultural facilities shall be exempt from all locational and design requirements of this Plan provided the following conditions are met to the satisfaction of the City:
a) The heritage attributes are conserved.

b) The heritage attributes are considered in the design of any new additions, features, related buildings or structures, or landscaping.

3.5.8.5 New cultural facilities shall comply with Sections B.3.5 - Community Facilities/Services Policies, B.3.3 - Urban Design Policies and B.3.4 - Cultural Heritage Policies.
3.6 Health and Public Safety Policies

3.6.1 Contaminated Sites Policies

Contaminated sites are a legacy from the past with impacts on environmental and human health that are becoming increasingly apparent as lands are proposed for redevelopment; however, remediation of contaminated sites can provide redevelopment opportunities which can further the goals of intensification and rejuvenation. Prior to permitting development on contaminated or potentially contaminated properties, it is important to identify these sites and ensure they are suitable or have been made suitable for the proposed land use(s) in accordance with provincial legislation, regulations, and standards.

3.6.1.1 The City shall require proponents of development or redevelopment proposals to document previous uses of the property(s) affected by the proposal for lands currently or previously used for:

a) employment (industrial), commercial, community, transportation, or utility purposes;

b) activities involving the elimination or disposal of waste and other residues, including landfill sites or waste disposal facilities;

c) any activities involving the storage or use of hazardous substances, including fuels, oils, chemicals, paints, or solvents; and,

d) any use with the potential for site contamination, such as dry cleaning facilities, and gas stations.

3.6.1.2 Where there is potential for site contamination due to previous uses of a property and a more sensitive land use is proposed, a mandatory filing of a Record of Site Condition is triggered as outlined in provincial guidelines. The Record of Site Condition shall be submitted by the proponent to the City and the Province. The Record of Site Condition shall be to the satisfaction of the City.

3.6.1.3 The City shall continue to identify other circumstances pertaining to specific development or redevelopment proposals where the filing of a Record of Site Condition may be required beyond those circumstances contemplated in Policy B.6.1.2. These circumstances may include the age of a building proposed for redevelopment, historic land use, and potential off-site sources of contamination.

3.6.1.4 Where there is potential for site contamination due to a previous use or uses on lands subject to development or redevelopment proposals, and a mandatory filing of a Record of Site Condition is triggered, the City shall:

a) withhold final approval of an application until acceptance of a Record of Site Condition. In the interim, conditional approval may be considered; or,

b) defer or establish conditions of approval for applications involving official plan amendments, zoning by-law amendments, plans of subdivision, and site plan approvals where a Record of Site Condition is necessary.

3.6.1.5 Application submissions involving land use changes on or within 200 metres, or greater distance as required by the City or province, of lands identified on
Appendix E - Contaminated Sites as former landfill sites, may not be considered complete unless accompanied by written permission for redevelopment, proof that remediation is complete from the appropriate authority, or a landfill impact assessment, according to all applicable provincial guidelines and requirements.

3.6.1.6 In approving applications involving land use changes on or near former landfill sites, the City may require a higher standard of remediation or safety than the Province.

3.6.1.7 As a condition of approval of applications involving land use changes within 200 metres of lands identified on Appendix E - Contaminated Sites as Former Landfill Sites, future purchasers and tenants shall be advised of existing and potential impacts of the former landfill. Such a warning provision shall be included as a clause in a lease or rental agreement, agreement of purchase and sale, and development agreement where applicable, and registered on title where possible.

3.6.1.8 No activity associated with the proposed use shall be permitted on a contaminated site or potentially contaminated site until any required Record of Site Condition has been filed and it has been demonstrated to the satisfaction of the City that there will be no adverse effects.

3.6.1.9 Development on, abutting, or adjacent to lands affected by oil, gas, and salt hazards; or former mineral mining operation, mineral aggregate operations, or petroleum resource operations may be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are underway or are complete to the satisfaction of the City.

3.6.1.10 The Taro East Quarry/Landfill site and former Taro West Quarry/Landfill site are addressed in Section B.7.5 - Nash Neighbourhood Secondary Plan of Volume 2.

3.6.2 Air Quality and Climate Change

Air quality and climate change have significant direct and indirect impacts on community health, the environment, and the economy of Hamilton. Local sources of air pollutants that can compromise clean air include personal and commercial vehicles, industry, and energy sources used for heating and cooling.

Climate change can be caused by natural processes and human activities. Increased fossil fuel use and permanent forest loss has increased the concentrations of greenhouse gases, leading to accelerated changes in our climate. A high concentration of heavy industries and transportation corridors are contributing local sources of greenhouse gases in the City.

Addressing climate change requires two complementary actions: mitigation (i.e. reduction) and adaptation. Mitigation involves actions to reduce greenhouse gases or actions to avoid or delay climate change. Adaptation involves actions or planning to minimize a city’s vulnerabilities to the impacts of climate change.

Several goals and policies of this Plan, both directly and indirectly contribute to the improvement of air quality and reduce greenhouse gases:

a) promoting compact, mixed use urban communities;
b) integrating the transportation network to include all modes of transportation;

c) promoting walking, cycling, and use of public transit;

d) achieving a natural heritage ecosystem through the protection and enhancement of natural heritage features and functions;

e) implementing urban design features to reduce fugitive dust;

f) enhancing vegetative cover; and,

g) reducing the heat island effect through the use of reflective roofs, green roofs, natural landscaping, and increasing the tree canopy.

Many of these goals and policies also contribute to the adaptation to climate change by minimizing vulnerabilities to climate impacts. Prohibiting new development on hazard lands, and incorporating urban design features that reduce climate impacts on public works and urban infrastructure - roads and associated infrastructure, bridges, water and waste waters systems, and energy distribution, are climate change adaptation strategies.

**Partnerships**

3.6.2.1 The City shall partner with community groups, such as Clean Air Hamilton, to develop actions to reduce air pollutants and improve air quality.

3.6.2.2 The City shall partner and work with other levels of governments, other municipalities, academics, community groups, and local industries to develop:

a) actions that reduce air pollutants and greenhouse gases, improve air quality, reduce and respond to the impacts of climate change in the City; and,

b) a Hamilton Air Quality and Climate Change Plan.

3.6.2.3 The City shall promote and support public and private education and awareness of air quality and climate change, associated health impacts, and linkages to transportation and land use development in the City.

**Monitoring**

3.6.2.4 The City shall undertake an air pollutant and greenhouse gas emissions inventory and assess the conditions of Hamilton’s local air quality and climate to inform actions to reduce emissions of air pollutants and greenhouse gases generated in the City.

3.6.2.5 The City may partner with other organizations to monitor, track, and assess the conditions of Hamilton’s local air quality and climate to identify local emission sources and take action to reduce air pollutant and greenhouse gas emissions at these sources.

3.6.2.6 The City shall monitor and reduce air pollutants and greenhouse gases generated by the City’s corporate activities and services to achieve the targets set out in the Corporate Air Quality and Climate Change Strategic Plan.
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3.6.2.7 The City shall prepare an annual Air Quality and Climate Change report to monitor the City's progress toward its goals and to increase awareness of air quality and climate change.

3.6.3 Noise, Vibration, and Other Emissions

Noise, vibration, and other emissions such as dust and odours from roads, airports, railway lines and stationary sources have the potential to negatively impact the quality of life of residents. The objective of the following policies is to protect residents from unacceptable levels of noise, vibration, and other emissions and to protect the operations of transportation facilities, commercial, and employment (industrial) uses.

General Policies for Noise and Vibration Emissions

3.6.3.1 Development of noise sensitive land uses, in the vicinity of provincial highways, parkways, minor or major arterial roads, collector roads, truck routes, railway lines, railway yards, airports, or other uses considered to be noise generators shall comply with all applicable provincial and municipal guidelines and standards.

3.6.3.2 Any required noise or vibration study shall be prepared by a qualified professional, preferably a professional engineer with experience in environmental acoustics, in accordance with recognized noise and vibration measurement and prediction techniques, to the satisfaction of the City, and in accordance with all applicable guidelines and standards.

3.6.3.3 Where feasible and in compliance with other policies, the City shall ensure that land use arrangements which minimize the impact of noise and vibration be considered in the formulation of plans of subdivision and condominium, official plan amendments, severances, and zoning by-law amendments.

3.6.3.4 Where noise or vibration attenuation measures are required, these measures, for both outdoor and indoor space, may include the following:

a) sound-proofing measures, construction techniques, and materials;

b) layout and design of the structure or outdoor living areas;

c) spatial separation from the source, including the insertion of permitted sound-insensitive uses between the source and receivers;

d) building setbacks;

e) acoustical barriers such as berms, living walls, walls, favourable topographic features, or other intervening structures, where appropriate and according to all other policies; and,

f) the use of suitably designed higher density residential structures.

3.6.3.5 New technologies may offer opportunities for innovative noise and vibration abatement techniques not yet contemplated. The development and use of such techniques shall be encouraged.
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Airport Noise and Vibration

3.6.3.6 Development within the vicinity of John C. Munro International Airport shall be in accordance with Section C.4.8 - Airport.

Road and Railway Traffic Noise and Vibration

3.6.3.7 A noise feasibility study, or detailed noise study, or both, shall be submitted as determined by the City prior to or at the time of application submission, for development of residential or other noise sensitive land uses on lands in the following locations:

a) 100 metres of a minor arterial road, as identified on Schedule C - Functional Road Classification;

b) 400 metres of a major arterial road, as identified on Schedule C - Functional Road Classification;

c) 400 metres of a truck route, as identified on Appendix B - Major Transportation Facilities;

d) 400 metres of an existing or proposed parkway or provincial highway (controlled access), as identified on Schedule C - Functional Road Classification; and,

e) 400 metres of a railway line.

3.6.3.8 Proponents of development proposals for which noise studies are submitted shall satisfy all of the following requirements and conditions to the satisfaction of the City and in accordance with provincial guidelines:

a) Proponents shall provide evidence that predicted noise levels in outdoor living areas meet the daytime objective of 55 dBA.

b) If predicted noise levels in outdoor living areas exceed 55 dBA but are less than or equal to 60 dBA, noise mitigation measures may be required.

c) If predicted noise levels in outdoor living areas exceed 60 dBA, noise mitigation measures shall be required.

d) Every effort should be made to reduce noise levels in the outdoor living area to as close to 55 dBA as technically, economically, and administratively feasible. If noise levels will not be reduced to 55 dBA, the proponent shall demonstrate with options and cost estimates why it is not feasible or practical to achieve 55 dBA, or shall provide justification as to why it may not be aesthetically appropriate or desired to mitigate noise levels to 55 dBA. If noise levels will not be mitigated to 55 dBA, appropriate warning clauses shall be included in lease or rental agreements, agreements of purchase and sale, and within required development agreements.

e) Provide evidence that provincial indoor sound level criteria are met. If sound levels exceed provincial guidelines for either daytime or nighttime hours, appropriate mitigation measures shall be incorporated into the development, according to provincial guidelines, and appropriate warning
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clauses shall be included in lease or rental agreements, agreements of purchase and sale, and within development agreements.

3.6.3.9 New residential and other noise sensitive land uses that include outdoor living areas shall not be permitted in locations where attenuated outdoor noise levels from road and railway traffic are forecast to exceed 60 dBA.

3.6.3.10 A vibration study may be required to be submitted prior to or at the time of application submission for development on lands located within 75 metres of a railway line or railway yard.

Design of Mitigation Measures Adjacent to Roads

3.6.3.11 Design of noise mitigation measures adjacent to collector roads, or major or minor arterial roads shall address streetscape quality through compliance with the following policies:

a) Noise mitigation measures shall avoid the use of noise barriers (walls and berms) wherever possible.

b) The use of noise barriers shall only be considered if it can be demonstrated to the satisfaction of the City that no other noise mitigation measures are practical or feasible and their long term maintenance and replacement has been addressed.

c) The use of noise barriers shall be prohibited adjacent to Primary, Secondary, or Potential Expansion of Secondary Corridors designated on Schedule E - Urban Structure, and adjacent to pedestrian predominant streets as identified in Section E.4.3 - Pedestrian Predominant Streets.

d) Noise mitigation measures shall comply with Section 3.3 - Urban Design Policies, and all other design policies of this Plan unless it is determined in the detailed noise study, to the satisfaction of the City, that compliance with the design policies is not practical or feasible.

3.6.3.12 Design of noise mitigation measures adjacent to parkways and provincial highways shall comply with the following policies:

a) Noise mitigation shall avoid the use of noise walls wherever possible.

b) Preferred noise mitigation measures shall be spatial separation, building orientation, and earth berms. Berms or berm/wall combinations shall be preferred over walls alone.

c) The use of noise walls shall only be considered if it can be demonstrated to the satisfaction of the City that no other noise mitigation measures are practical or feasible and their long term maintenance and replacement has been addressed.

Future Roads, Provincial Highways, and Parkways

3.6.3.13 Where new development precedes the construction of planned roads, provincial highways, or parkways, where noise mitigation measures are anticipated, the City may require as a condition of approval that:
a) sufficient lands be conveyed to the City at no cost for the erection and maintenance of noise mitigation measures;

b) a pro-rated cost contribution be made by the proponent prior to final approval for construction of noise mitigation measures, where deemed appropriate by the City; and,

c) the proponent construct noise mitigation measures in advance of road construction and on private property.

Railway Corridors and Yards General Policies

3.6.3.14 As determined by the City, a noise feasibility study, or detailed noise study, or both, shall be submitted prior to or at the time of application submission, for development of residential or other noise sensitive land uses on lands within 400 metres of a rail yard.

3.6.3.15 The City shall consult with the appropriate railway company in the review of any noise or vibration study required as a consequence of proximity to railway lines or yards. All noise and vibration studies and associated applications required as a consequence of proximity to railway lines or railway yards shall be circulated to the appropriate railway company for comment.

3.6.3.16 All proposed development adjacent to railways or railway yard shall ensure that appropriate safety measures such as setbacks, berms, and security fencing are provided to the satisfaction of the City and in consultation with the appropriate railway company.

3.6.3.17 As a condition of approval of development applications where noise or vibration studies are required as a consequence of proximity to railway lines or railway yards, appropriate warning clauses shall be included in lease or rental agreements, agreements of purchase and sale, and within development agreements.

Noise, Vibration and other Emissions from Stationary Sources, Including Railway Yards

3.6.3.18 The City shall ensure that all development or redevelopment with the potential to create conflicts between sensitive land uses and point source or fugitive air emissions such as noise, vibration, odour, dust, and other emissions complies with all applicable provincial legislation, provincial and municipal standards, and provincial guidelines, and shall have regard to municipal guidelines. The City may require proponents of such proposals to submit studies prior to or at the time of application submission, including the following: noise feasibility study; detailed noise study; air quality study; odour, dust and light assessment; and any other information and materials identified in Section F.1.19 – Complete Application Requirements and Formal Consultation.

3.6.3.19 Development or redevelopment with the potential to create conflicts between sensitive land uses and point source or fugitive air emission such as noise, vibration, odour, dust, and other emissions may include:

a) development or redevelopment of sensitive land uses in the vicinity of commercial or any other uses with the potential to produce point source or fugitive air emission such as noise, vibration, odour, dust, and other emissions, including those with a high number of deliveries, loading areas,
and other noise generating features such as a drive-through speaker, or car wash:

b) development or redevelopment of new employment (industrial) facilities including railway yards in the vicinity of sensitive land uses;

c) commercial or any other uses with the potential to produce point source or fugitive air emission such as noise, vibration, odour, dust, and other emissions, including those with a high number of deliveries, loading areas, and other noise generating features such as a drive-through speaker, or car wash, in the vicinity of sensitive land uses; and,

d) development or redevelopment of sensitive land uses in the vicinity of significant employment (industrial) facilities including railway yards.

3.6.3.20 Where noise attenuation measures are required to address noise from stationary sources, noise barriers shall only be used where other attenuation methods are not feasible or sufficient. If noise barriers must be used, the barrier shall be designed to complement the streetscape and community design.

3.6.4 Water Quality

The City shall protect water quality and quantity in accordance with Sections C.2.0 - Natural Heritage System, Section C.5.0 - Infrastructure, and F.3.1 - Supporting Plans.

3.6.5 Hazard Lands

The City has a diversity of landscapes and topography due to our location in the Great Lakes-St. Lawrence River watershed and the proximity of the Niagara Escarpment. While this topography is responsible for a unique and beautiful setting in which to live, it also provides some inherent hazards to human settlement.

Hazard lands are lands that have an inherent risk to life or property due to a variety of natural hazards such as flooding, erosion, or unexpected collapse of land. Hazard lands are areas susceptible to flooding, erosion, slope failure, or other physical conditions which are severe enough to pose a risk to residents, loss of life, property damage, and social disruption either at a specific location or to upstream or downstream lands within the watershed, if these lands were to be developed. In many places, hazard lands coincide with the lands of the Natural Heritage System; however, this is not always the case. In many situations, the natural heritage system extends beyond the limits of hazard lands.

In the City of Hamilton, hazard lands are defined, mapped, and regulated by the Conservation Authorities in accordance with the Conservation Authorities Act. The Niagara Escarpment Commission regulates lands that also have inherent hazards through the Niagara Escarpment Planning and Development Act.

The general intent of this Plan is that development be directed to areas outside of hazard lands and that there should be no development on, or site alterations to hazard lands.

Policy Goal

The following goal shall apply in the urban area:
3.6.5.1 The City shall reduce the risk to its residents or potential for public cost from natural hazards.

Policies

3.6.5.2 Hazard lands include hazardous lands and hazardous sites.

3.6.5.3 Hazard lands are identified, mapped, and regulated by the Conservation Authorities. Boundaries of most hazard lands are determined by the appropriate Conservation Authority.

3.6.5.4 Hazard lands shall be placed in a separate zoning classification in the Zoning Bylaw.

3.6.5.5 Lands identified on Schedule A – Provincial Plans, as Niagara Escarpment Plan Natural Area are also recognized as having inherent environmental hazards such as flood and erosion susceptibility. Any development must be in accordance with Section C.1.1 – Niagara Escarpment Plan and Section F.2.1 – Niagara Escarpment Development Control. Consultation with the Niagara Escarpment Commission shall be encouraged to determine suitability and compatibility with the objectives, permitted uses, and development criteria of the Niagara Escarpment Plan.

3.6.5.6 Hazard lands shall be conserved and land uses or activities which could be affected by prevailing hazardous conditions such as flooding or erosion, or could increase the inherent hazard, shall be prohibited in hazard lands and on lands adjacent to hazard lands.

3.6.5.7 Uses permitted within hazard lands shall be limited to conservation, fish and wildlife management areas, passive public or private recreational uses, flood or erosion control facilities, and uses legally existing at the time of approval of this Plan.

3.6.5.8 Development and site alteration shall be prohibited in hazard lands.

3.6.5.9 Notwithstanding Policy B.3.6.5.6, B.3.6.5.7, and B.3.6.5.8, development and site alteration may be permitted on hazard lands:

a) where a Special Policy Area, under Section 3.1.3 a) of the Provincial Policy Statement has been approved by the Province. Such special policy areas permitting development and site alteration on hazard lands shall be included as Area Specific Policies in Volume 3;

b) where the development is limited to uses which by their nature must locate within the floodway such as flood or erosion control works;

c) where development is a minor addition or a passive non-structural use which does not affect flood flows to the satisfaction of the applicable Conservation Authority;

d) where the effects and risk to public safety are minor so as to be managed or mitigated in accordance with provincial standards as determined by the applicable Conservation Authority.
3.6.5.10 Development and site alteration permitted through Policy B.3.6.5.9 above shall comply with Section C.2.0 – Natural Heritage System.

3.6.5.11 Development approvals shall not be granted within hazard lands or on lands adjacent to hazard lands that are regulated by a Conservation Authority until written consent is obtained from the applicable Conservation Authority.

3.6.5.12 The City shall discourage the expansion of existing legal non-complying uses within hazard lands.

3.6.5.13 Where an existing legal non-conforming or non-complying building or structure lying within all or part of hazard lands is destroyed in a manner not related to the inherent environmental hazards of the land, the City shall permit the building or structure to be rebuilt only if the Conservation Authority having jurisdiction permits the reconstruction.

3.6.5.14 Where lands with inherent hazards exist that are not regulated by the Province or a provincial body, such as steep slopes not associated with a watercourse or shoreline, the City shall as part of applications for development under the Planning Act, require the preparation of appropriate studies to:

a) map the hazard;

b) assess the existing and future stability of the hazard;

c) identify appropriate setbacks from the hazard; and,

d) identify other mitigation measures necessary to protect the site, the hazard, adjacent lands, and public safety.

3.6.5.15 Hazards identified under Policy B.3.6.5.14 shall be zoned in the same manner as hazard lands.
3.7 Energy and Environmental Design

Complete communities require a mix of land uses including housing, uses which provide goods and services, and a range of transportation modes including public transit, all of which depend on energy. Energy efficiency, environmental design, and increasing the supply of energy through renewable energy systems and alternative energy systems, benefits human and environmental health, protects the global climate, and reduces the demand for energy resources and the infrastructure needed for its production and distribution.

These policies may be amended once the Green Energy Act is adopted.

Energy Efficiency

3.7.1 The City supports energy efficient land use patterns. The policies of this Plan, in particular, Policy B.3.3.2.8, C.4.2.8 – Urban Design and Complete Streets, and E.2.0 – Urban Structure, support:

a) a compact urban form with a nodes and corridors urban structure;

b) development of mixed use urban environments that support public transit and active transportation;

c) employment opportunities in proximity to housing thereby reducing commuting distances and traffic congestion; and,

d) designs that facilitate the establishment or expansion of public transit in the future.

3.7.2 The City shall support energy efficient and environmental designed development through:

a) approval of planning applications, including applications for zoning by-law amendments, site plan approval, and plans of subdivision or condominium, as appropriate;

b) the use of environmental building rating systems such as certification under the Leadership in Energy and Environmental Design (LEED) program or an equivalent rating system for upgrading/retrofitting of existing development and new development;

c) designs which use renewable energy systems or alternative energy systems;

d) designs which use cogeneration energy systems;

e) designs which minimize building heat loss and capture or retain solar heat energy in winter, and minimize solar heat penetration in summer. Consideration shall be given to such measures as green roofs or reflective roofs, discouraging excessive surface parking, allowing direct access to sunlight, and effective landscaping;

f) building or structure orientations that maximize solar or wind energy;

g) designs that encourage sustainable forms of transportation, including active transportation, transit, and energy conserving vehicles;
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h) designs that facilitate cooperation/joint energy efficiency between developments to optimize the efficient use of resources;

i) energy conservation initiatives, including energy demand management;

j) water and storm water conservation/management practices such as green roofs, water recycling systems, urban storm water swales, etc.;

k) encouraging the use of reclaimed building materials as appropriate;

l) pilot projects and community energy plans as appropriate; and,

m) other environmental development standards that encourage energy efficiency and environmental design as contained in the City's approved engineering policies and standards and master planning studies, and are supported by the City's financial incentive programs.

3.7.3 Corporately, the City shall support energy efficiency by:

a) implementing the City’s approved Corporate Energy Policy;

b) participating in energy conservation programs;

c) supporting City and City/private partnership pilot projects which are energy efficient and have good environmental design;

d) marketing and educational initiatives; and,

e) advocating/lobbying senior levels of government for programs and funding to support energy efficiency and environmental design, and for changes to the Building Code Act and Regulations.

Increased Energy Supply

3.7.4 The City shall promote increasing the supply of energy and in particular, the supply of sustainable energy by:

a) permitting energy generation facilities to meet existing and planned needs, including renewable energy systems and alternative energy systems, both as principal and accessory uses. These facilities shall be permitted in all land use designations subject to the other relevant policies of this Plan, Policy B.3.7.3, compatibility with the surrounding land uses, and in accordance with the provisions of the Zoning By-law; and,

b) protecting existing and future utility corridors.

Renewable Energy and Alternative Energy System Locations

3.7.5 Renewable energy systems and alternative energy systems shall be permitted in accordance with all federal and provincial requirements and Policy B.3.7.4 a).

3.7.6 Renewable energy systems and alternative energy systems may be subject to studies to demonstrate to the satisfaction of the City how the potential adverse impacts, such as noise, dust, vibration, air quality, and water quality and quantity shall be mitigated.
CHAPTER C - CITY WIDE SYSTEMS AND DESIGNATIONS

This Section of the Plan contains designations and land use policies that are intended to apply across the City. The purpose is to provide for consistent approaches to the policy directives that relate to both urban and rural areas. Specifically:

- General land use provisions and detail land uses that are allowed “as-of-right” in all designations, provided certain conditions are met.

- Both the Open Space and Utilities designations are common to the rural and urban areas and have the same general policy framework.

- The natural heritage policies are based on a systems wide approach which requires that policy directions and requirements are comprehensive on this basis.

- The transportation network which is comprised of walking, bicycling, roads, transit, rail, port and airport are critical to both movement of goods and people in the City.

- The infrastructure policies clearly provide direction of municipal services such as water, wastewater, waste management and storm water.

However, in a few cases, there may be slight differences between the rural and urban areas in terms of policy directives or mapping.
Chapter C - City Wide Systems and Designations

C.1.0 PROVINCIAL PLANS WITH DESIGNATIONS

The planning regime within the City is affected and is directed by provincial legislation, plans and policies, including the Provincial Policy Statement, the Niagara Escarpment Plan, the Greenbelt Plan, the Parkway Belt West Plan, and the Growth Plan for the Greater Golden Horseshoe.

The Official Plan must be consistent with the Provincial Policy Statement and conform to the Greenbelt Plan. However, in some areas of provincial policy, the municipality can be more restrictive than the provincial directions. Where land use designations exist, this section details the interrelationship between the various provincial documents and this Plan.

1.1 Niagara Escarpment Plan

The Niagara Escarpment is a prominent natural feature that traverses the breadth of the City. It provides a distinctive landscape and performs many ecological functions. The natural and physical features of the Escarpment should be protected through policies which apply to the physical features themselves and to a protective buffer.

The Niagara Escarpment Plan provides for the protection of the Niagara Escarpment and adjacent lands as a continuous natural environment and to ensure that development within these lands under the jurisdiction of the Niagara Escarpment Plan is compatible with the natural environment.

1.1.1 Any development within the Niagara Escarpment Plan area, as shown on Schedule A - Provincial Plans, shall meet the requirements of this Plan and the Niagara Escarpment Plan and Section 3.3 of the Greenbelt Plan. Where there is discrepancy between this Plan and the Niagara Escarpment Plan, the most restrictive policies will prevail.

1.1.2 In Rural Hamilton Official Plan.

1.1.3 In Rural Hamilton Official Plan.

1.1.4 In Rural Hamilton Official Plan.

1.1.5 In Rural Hamilton Official Plan.

1.1.6 To minimize the impact and further encroachments in the Escarpment environment, for those lands located within the Niagara Escarpment Plan area identified on Schedule A - Provincial Plans, the following policies shall apply:

a) The design of the development shall be compatible with the visual and natural environment;

b) Setbacks and screening adequate to minimize the visual impact of development on the Escarpment landscape shall be required; and

c) No new lots shall be created in Escarpment Natural or Protection Areas unless such lot creation is for the purposes of correcting conveyances, enlarging existing lots or acquisition by a public body or authority.

d) In Rural Hamilton Official Plan.
1.1.7 In Rural Hamilton Official Plan.

1.1.8 On lands located within *Urban Hamilton* and identified as Niagara Escarpment Natural Area on Schedule A - Provincial Plans, the following policies shall apply:

a) The uses contained in Section C.3.3 - Open Space shall be permitted except for:

i) golf courses;

ii) cemeteries; and

iii) intensive recreational activities such as formal sports fields, community centres, arenas.

1.1.9 On lands located within *Urban Hamilton* and identified as Niagara Escarpment Protection Area on Schedule A - Provincial Plans, the following policies shall apply:

a) Where lands are designated Open Space on Schedule E-1 - Urban Land Use Designations, the policies contained in Section C.3.3 - Open Space designation shall apply except for:

i) golf courses;

ii) cemeteries; and

iii) intensive recreational activities such as formal sports fields, community centres, arenas.

1.1.10 On lands located within *Urban Hamilton* and identified as Niagara Escarpment Plan Urban Area on Schedule A - Provincial Plans, the following policies shall apply:

a) Where lands are designated Neighbourhoods on Schedule E-1 - Urban Land Use Designations, the policies contained in Section E.3.0 - Neighbourhoods Designation shall apply;

b) Where lands are designated Commercial and Mixed Use Areas on Schedule E-1 - Urban Land Use Designations, the policies contained in Section E.4.0 - Commercial and Mixed Use Areas Designation shall apply;

c) Where lands are designated Institutional on Schedule E-1 - Urban Land Use Designations, the policies contained in Section E.6.0 - Institutional Designation shall apply;

d) Where lands are designated Open Space on Schedule E-1 - Urban Land Use Designations, the policies contained in Section C.3.3 - Open Space designation shall apply; and,

e) Where lands are designated Utility on Schedule E-1 - Urban Land Use Designations, the policies in Section C.3.4 - Utilities Designation shall apply.
1.1.11 Portions of the Winona Urban Area which are designated as Niagara Escarpment Minor Urban Centre on Schedule A - Provincial Plans, shall meet the following criteria:

a) Development and growth shall not extend into the designated Niagara Escarpment Protection Area;

b) Development and growth shall minimize land use conflicts and, where appropriate, incorporate adequate screening and/or setbacks to reduce visual impact on the Escarpment landscape; and,

c) Development and growth generally shall take place as a logical extension of existing development in the form of planning groups rather than linear or scattered development.

1.2 Greenbelt Plan
In Rural Hamilton Official Plan.

1.3 Parkway Belt West Plan
In Rural Hamilton Official Plan.
C.2.0 NATURAL HERITAGE SYSTEM

The City contains many natural areas and features that contribute to the municipality's beauty, unique character, and quality of life.

A large portion of the City has been identified as part of the Natural Heritage System of the Protected Countryside in the Greenbelt Plan. The Greenbelt Plan seeks to ensure that natural areas are managed as an integrated system so as to enhance key features of that system, as well as to support environmental objectives contained in the Niagara Escarpment Plan. Beyond provincial plan boundaries, the City has identified locally and provincially significant natural areas that warrant similar consideration.

The Natural Heritage System, identified on Schedule B – Natural Heritage System, consists of the Greenbelt Natural Heritage System, the Greenbelt Protected Countryside, the Niagara Escarpment Plan area, and Core Areas and Linkages identified by the City, based on requirements of the Provincial Policy Statement. Together, provincial and local planning objectives for the Natural Heritage System focus on protecting and restoring these features and natural functions as a permanent environmental resource for the community. The City shall focus on protecting and enhancing the natural heritage system through stewardship, education and awareness, land use planning policies, habitat restoration and management, and acquisition.

The Natural Heritage System consists of Core Areas, Linkages, and the matrix of lands between them which may be suitable for restoration. The systems approach involves delineating a Natural Heritage System which includes Core Areas, as well as smaller, less significant habitat (Linkages) or degraded areas to provide a connected system of natural areas. Connecting natural areas allows wildlife and plants to move between habitat patches. These connections are important for maintaining biodiversity, and the long-term health and viability of natural systems. Protection and restoration of impaired or degraded habitat and habitats in diminishing supply, such as meadows, is vital for a fully functional Natural Heritage System. Using the systems approach, the City shall look at the restoration potential of natural areas adjacent to Core Areas, not just the habitat that currently exists. The systems approach also involves setting targets for the amount of habitat Hamilton needs for a healthy, functioning ecosystem. Looking beyond what exists to consider what could or should exist moves habitat protection towards a fully sustainable natural heritage system.

2.1 Policy Goals

The following goals apply to designation and management of the Natural Heritage System in Hamilton.

2.1.1 Protect and enhance biodiversity and ecological functions.

2.1.2 Achieve a healthy, functional ecosystem.

2.1.3 Conserve the natural beauty and distinctive character of Hamilton's landscape.

2.1.4 Maintain and enhance the contribution made by the Natural Heritage System to the quality of life of Hamilton's residents.

2.1.5 Restore and enhance connections, quality and amount of natural habitat.
2.1.6 Provide opportunities for recreational and tourism uses where they do not impact natural heritage features.

2.1.7 Monitor and periodically assess the condition of Hamilton’s natural environment.

2.2 General Policies

2.2.1 The Natural Heritage System shown on Schedule B - Natural Heritage System, comprised of privately-owned land is not available for use by the general public nor shall there be any intent or obligation by the City or other public agency to purchase such lands.

2.2.2 The policies in this Plan do not prohibit the continuation of existing agricultural uses, agriculture-related uses and secondary uses adjacent to the Natural Heritage System lands. Harvesting timber shall be permitted within or adjacent to the Natural Heritage System according to sustainable forestry practice and the requirements of the applicable tree cutting by-laws.

2.2.3 The boundaries of Core Areas and Linkages, shown on Schedule B - Natural Heritage System, are general in nature. Minor refinements to such boundaries may occur through Environmental Impact Statements, watershed studies or other appropriate studies accepted by the City without an amendment to this Plan. Major changes to boundaries, the removal or addition of Core Areas and Linkages identified on Schedule B - Natural Heritage System, require an amendment to this Plan.

2.2.4 In Rural Hamilton Official Plan.

2.2.5 Areas of significant habitat of threatened, endangered, and special concern species, fish habitat, significant valley lands, significant wildlife habitat, and groundwater seepage areas and springs or Core Areas outside of the Greenbelt Plan area are not mapped on Schedule B - Detailed Natural Heritage Features, at this time. Other land containing these natural features may be identified through appropriate studies such as a sub-watershed plan, natural area inventory, or an Environmental Impact Statement. The policies governing these natural features shall apply to such natural features notwithstanding the designations on Schedule E-1 - Urban Land Use Designations.

2.2.6 The City shall conduct studies in the future to identify the precise location of Core Areas identified by provincial policy but not presently mapped in this Plan. Schedule B - Natural Heritage System and Schedules B1-B8 - Natural Heritage Features shall be amended as these features are identified. The Province is responsible for defining criteria for determining the significance of certain natural heritage features in the Natural Heritage System. The criteria established in this Plan and used by the City to identify natural heritage features shall be updated and amended to reflect provincial direction as required.

2.2.7 Where land contains two or more natural features of differing significance which overlap in the Natural Heritage System, the more restrictive policies pertaining to those natural features shall apply. If more than one policy applies to a natural feature, such as may occur with hazardous lands defined in the Conservation Authorities Act or with fisheries under the Federal Fisheries Act, the more restrictive policy or standard shall apply.
2.2.8 All natural features, required vegetation protection zones, and enhancement or restoration areas on a property shall be placed under appropriate zoning in the zoning by-law and/or protected through a conservation easement to the satisfaction of the City or the relevant Conservation Authority, or deeded to a public authority. Acquisition by a public body may also be considered as an option for protecting natural features and functions.

2.2.9 The City will work with the Conservation Authorities to implement the recommendation of recovery strategies in order to meet the objectives of the Provincial Policy Statement related to endangered and threatened species.

2.3 Natural Heritage System - Core Areas

2.3.1 The Greenbelt Plan has identified a Natural Heritage System within the Protected Countryside, which shall be incorporated on Schedule B - Natural Heritage System. In accordance with Greenbelt Plan policies, Schedule B - Natural Heritage System identifies Core Areas to include key natural heritage features and key hydrologic features. Core Areas of the City's Natural Heritage System also include other locally and provincially significant natural areas that have been identified within and outside the Greenbelt Plan Area. Schedule B - Natural Heritage System shall be amended when new Core Areas are identified.

2.3.2 Core Areas include local natural areas that are more specifically identified by Schedules B1-8 - Detailed Natural Heritage Features. Core Areas are the most important components in terms of biodiversity, productivity, and ecological and hydrological functions. It is the intent of this policy to preserve and enhance Core Areas and to ensure that any development or site alteration within or adjacent to them shall not negatively impact their environmental features or ecological functions.

2.3.3 The natural features and ecological functions of Core Areas shall be protected and enhanced. To accomplish this protection and enhancement, vegetation removal and encroachment into Core Areas shall generally not be permitted, and appropriate vegetation protection zones shall be applied to all Core Areas.

2.4 Core Areas - Within the Greenbelt Plan Area

In Rural Hamilton Official Plan.

2.5 Core Areas - Outside the Greenbelt Plan Area

2.5.1 Permitted uses within Core Areas as identified on Schedule B - Natural Heritage System and which may be further refined by the completion of an Environmental Impact Statement, including any associated vegetation protection zone shall include:

a) in Rural Hamilton Official Plan;

b) forest, fish and wildlife management;

c) conservation, and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered;
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d) existing uses, in accordance with Section F.1.12 - Existing, Non-Complying and Non-Conforming Uses, and according to the requirements in Section C.2.6 - Environmental Impact Statements;

e) passive recreation uses and small scale structures for recreation uses (such as boardwalks, footbridges, fences, docks, and picnic facilities) where permitted by Conservation Authority policies; however, the negative impacts on these features should be minimized;

f) in Rural Hamilton Official Plan; and,

g) infrastructure projects, in accordance with Section C.5.0 - Infrastructure.

2.5.2 New development and site alteration shall not be permitted within provincially significant wetlands, significant coastal wetlands or significant habitat of threatened and endangered species.

2.5.3 New development and site alteration shall not be permitted within fish habitat, except in accordance with provincial and federal requirements.

2.5.4 New development and site alteration shall not be permitted within significant woodlands, significant valleylands, significant wildlife habitat and significant areas of natural and scientific interest unless it has been demonstrated that there shall be no negative impacts on the natural features or on their ecological functions.

2.5.5 New development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in Section C.2.5.2 to C.2.5.4 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there shall be no negative impacts on the natural features or on their ecological functions.

2.5.6 The construction of a single dwelling on an existing lot of record having frontage on a public road may be permitted within or adjacent to Core Areas, subject to Section F.1.12 - Existing, Non-Complying and Non-Conforming Uses and Conservation Authority policies.

2.5.7 Streams are mapped in Schedule B - Natural Heritage System. Streams have been separated into two classes: Coldwater Watercourse/Critical Habitat and Warmwater Watercourse/Important/Marginal Habitat. If the stream has not been classified as part of an EIS, subwatershed study, or other study, a scoped EIS is required to determine the classification.

2.5.8 New development or site alteration subject to Policies C.2.5.3 to C.2.5.7 requires, prior to approval, the submission and approval of an Environmental Impact Statement which demonstrates to the satisfaction of the City and the relevant Conservation Authority that:

a) There shall be no negative impacts on the Core Areas or their ecological functions.

b) Connectivity between Core Areas shall be maintained, or where possible, enhanced for the movement of surface and ground water, plants and wildlife across the landscape.
c) The removal of other natural features shall be avoided or minimized by the planning and design of the proposed use or site alteration wherever possible.

2.5.9 An Environmental Impact Statement shall propose a vegetation protection zone which:

a) has sufficient width to protect the Core Area and its ecological functions from impacts of the proposed land use or site alteration occurring during and after construction, and where possible, restores or enhances the Core Area and/or its ecological functions; and

b) is established to achieve, and be maintained as natural self-sustaining native vegetation.

2.5.10 Where vegetation protection zone widths have not been specified by watershed and sub-watershed plans, secondary or rural settlement area plan policies, Environmental assessments and other studies, the following minimum vegetation protection zone width objectives shall be evaluated and addressed by Environmental Impact Statements. Other agencies, such as Conservation Authorities, may have greater vegetation protection zone requirements.

a) Coldwater Watercourse and Critical Habitat - 30-metre vegetation protection zone on each side of the watercourse, measured from the bankfull channel.

b) Warmwater Watercourse and Important and Marginal Habitat - 15-metre vegetation protection zone on each side of the watercourse, measured from the bankfull channel.

c) Provincially Significant Wetlands and Locally Significant Wetlands (all evaluated wetlands) - 30-metre vegetation protection zone, measured from the boundary of the wetland, as approved by the Conservation Authority or Ministry of Natural Resources.

d) Unevaluated wetlands - Unevaluated wetlands greater than 2 hectares in size require a 30-metre vegetation protection zone, measured from the boundary of the wetland, as approved by the Conservation Authority or Ministry of Natural Resources. Unevaluated wetlands 2 hectares or less in size require a 30-metre vegetation protection zone, unless an Environmental Impact Statement recommends a more appropriate vegetation protection zone.

e) Woodlands - 10-metre vegetation protection zone, measured from the edge (drip line) of the woodland.

f) Significant woodlands - 15-metre vegetation protection zone, measured from the edge (drip line) of the significant woodland.

g) Areas of Natural and Scientific Interest (ANSI) - Life and Earth Science ANSIs require a 15-metre vegetation protection zone.

h) Valleylands - As required by the relevant Conservation Authority.
2.5.11 Vegetation protection zone widths greater than specified in a) to j) above may be required if ecological features and functions warrant it, as determined through an approved Environmental Impact Statement. The minimum vegetation protection zone widths in Policy C.2.5.10 are guidelines. Widths shall be determined on a site-specific basis, by considering factors such as the sensitivity of the habitat, the potential impacts of the proposed land use, the intended function of the buffer, and the physiography of the site.

2.5.12 Where the Greenbelt Plan Natural Heritage System abuts the Urban Area, the Greenbelt Plan vegetation protection zone requirements apply for the purposes of conducting Environmental Impact Studies, watershed plans, and subwatershed studies.

2.5.13 At disturbed sites which are undergoing re-development adjacent to Core Areas, vegetation protection zone widths narrower than those minimums recommended in Policy C.2.5.10 may be considered on constrained sites and when an Environmental Impact Statement (EIS) confirms that reduced vegetation protection zones will not negatively impact the existing features and functions of the Core Area.

2.5.14 Permitted uses within a vegetation protection zone shall be limited to low impact uses, such as vegetation restoration, resource management, and open space. Septic tanks, holding tanks, impervious surfaces, and grading works shall not be permitted within the vegetation protection zone. Storm water management facilities and recreational trails shall generally not be permitted within the vegetation protection zone. New development or site alteration areas shall be located outside of the vegetation protection zone. Private sewage disposal systems and new impervious surfaces associated with the development shall not be permitted within the vegetation protection zone. Permitted uses within the vegetation protection zone should be similar to those within the protected natural area and the vegetation protection zone should remain in or be returned to a natural state.

2.5.15 All plantings within vegetation protection zones shall use only non-invasive plant species native to Hamilton. The City may require that applicants for development or site alteration develop a restoration or management plan for the vegetation protection zone as a condition of approval.

2.6 Environmental Impact Statements

2.6.1 Any required Environmental Impact Statement shall be completed in accordance with Section F.3.2.1 - Environmental Impact Statements, and comply with all provisions of Section C.2.5 - Core Areas - Outside of Greenbelt Plan Area.

2.7 Linkages

Linkages are remnant natural areas within the landscape that connect Core Areas. Connections between natural areas provide opportunities for plant and animal movement, hydrological and nutrient cycling, and maintain ecological health and integrity of the overall Natural Heritage System. The City recognizes the importance of Linkages to be shown on Schedule B - Natural Heritage System in reducing the adverse impacts of habitat fragmentation of natural areas. Habitat fragmentation results in loss of species diversity and reduced ecosystem health and resilience. It is the intent of this policy that Linkages be protected and enhanced to sustain the Natural Heritage System wherever
possible. In addition, there may be areas where a natural area is degraded, presenting an opportunity to recreate or enhance a Linkage.

2.7.1 Linkages have not been fully mapped at this time. The City shall prepare mapping of Linkages to be added to Schedule B - Natural Heritage System, and Schedules B1-8 - Detailed Natural Heritage Features, within the Natural Heritage System by amendment to this Plan.

2.7.2 The City shall encourage the connection of Core Areas within the municipality and adjacent to its municipal boundaries through the identification of Linkages in Environmental Impact Statements, Secondary Plans, watershed plans, and other studies. Linkages include the following:

   a) woodland linkages (e.g. small woodlands);

   b) other natural vegetation types (e.g. meadows, old field, thickets); or

   c) streams and watercourses that connect Core Areas.

2.7.3 On its own properties, including road rights-of-way, utilities, major infrastructure facilities, and storm water management ponds the City shall enhance Linkages by restoring natural habitat, where appropriate. The City shall support the naturalization of vegetation in inactive sections of parks and open space areas, where appropriate.

2.7.4 The City shall require the incorporation of Linkages into a design of new development requiring approval by this Plan to retain and enhance the cultural, aesthetic, and environmental qualities of the landscape, wherever possible.

2.7.5 Since Linkages are best enhanced and protected through larger-scale planning processes, Secondary Plans shall identify and evaluate Linkages identified in Schedule B - Natural Heritage System in greater detail. Linkages shall be mapped in Secondary Plans and policies for their protection and enhancement included.

2.7.6 Where new development or site alteration is proposed within a Linkage in the Natural Heritage System as identified in Schedule B - Natural Heritage System, the applicant shall prepare a Linkage Assessment. On sites where an Environmental Impact Statement (EIS) is being prepared, the Linkage Assessment can be included as part of the EIS report. Any required Linkage Assessment shall be completed in accordance with Policy F.3.2.1.11 - Linkage Assessments.

2.7.7 Linkage Assessments shall include the following information:

   a) identify and assess the Linkage including its vegetative, wildlife, and/or landscape features or functions;

   b) assess the potential impacts on the viability and integrity of the Linkage as a result of the development proposal; and,

   c) make recommendations on how to protect, enhance or mitigate impacts on the Linkage(s) and its functions through planning, design and construction practices.
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2.7.8 In addition to the Linkages identified on Schedule B – Natural Heritage System, there may be Hedgerows that are worthy of protection, especially where:

a) they link Core Areas;

b) there is evidence that wildlife regularly use them as movement corridors or habitat;

c) they are composed of mature, healthy trees and generally provide a wide, unbroken linkage between Core Areas;

d) they contain trees which are rare, unique, culturally important, or old (more than 100 years); or,

e) they represent an important cultural feature and contribute to the aesthetics of the landscape, particularly adjacent to the Niagara Escarpment.

2.8 Watershed Planning

2.8.1 Watershed planning is an ecosystem approach to land use and infrastructure planning based on the boundaries of a watershed or sub-watershed. The City recognizes watershed planning as an important mechanism for guiding land use and infrastructure decisions to protect water and land resources from site specific or cumulative degradation in urban and rural areas.

2.8.2 The City shall work co-operatively with the Conservation Authorities, stakeholders, and other agencies to prepare and implement watershed plans, subwatershed plans, and master drainage plans.

2.8.3 All applications for development shall conform to the recommendations in a secondary plan as it pertains to sub-watershed plan requirements.

2.9 Restoration and Management

2.9.1 The City shall pursue partnerships to rehabilitate Core Areas and re-establish and strengthen Linkages. The City shall encourage naturalization, or the re-establishment of native indigenous vegetation throughout the Natural Heritage System to maintain ecological functions.

2.9.2 City owned properties containing natural habitat should be managed to maintain and enhance the environmental value of these features, where ever possible.

2.9.3 The City has identified opportunities for habitat restoration using a science-based approach and is committed to enhancing Linkages through habitat restoration on its properties where ever possible. In parks or other City owned property adjacent to natural Core Areas, the City shall establish naturalized vegetation to enhance Linkages and Core Areas where ever feasible.

2.10 Remedial Action Plans

2.10.1 The City supports and shall undertake such actions as Council considers necessary for the implementation of the Hamilton Harbour Remedial Action Plan
and Niagara River Remedial Action Plan for the portion of the Welland River watershed within the municipality.

2.11 Tree and Woodland Protection

2.11.1 The City recognizes the importance of trees and woodlands to the health and quality of life in our community. The City shall encourage sustainable forestry practices and the protection and restoration of trees and forests, including significant woodlands, wooded areas, hedgerows, and tree cover within urban and rural settlement areas.

2.11.2 Opportunities for tree planting on City-owned lands (such as lands designated Open Space and inactive portions of parks) shall be identified and implemented in co-operation with government agencies and local interest groups. In restoration efforts, the City shall plant only native species, preferably those of local origin.

2.11.3 Where the City is undertaking infrastructure work, existing woodland resources shall be protected and preserved, where feasible. If it is necessary for infrastructure works to destroy any trees, the City shall endeavour to compensate by re-planting on site and/or planting trees elsewhere.

2.11.4 The City shall maintain and update as necessary a Woodland Conservation By-law and Tree Protection Policy. A Woodland Protection Strategy to protect tree cover on new development sites within urban and rural settlement areas and provides technical direction and practices to protect trees and other vegetation during construction shall be prepared to minimize the impacts on trees and woodlands to be retained.

2.12 Non-Regulatory Natural Heritage System Management

2.12.1 The City shall support agencies, community organizations, and private landowners in their efforts to protect and enhance natural heritage features through private habitat restoration and stewardship, land trusts, public acquisition, conservation easements, property tax mechanisms and similar tools.

2.12.2 The City shall continue to work with Conservation Authorities, other levels of government, landowners, and the community to support education, outreach, and landowner stewardship programs.

2.12.3 The City shall prepare a strategy for the use of non-regulatory measures for the management of natural areas which includes conservation easements, land trusts, public land dedication or acquisition, an environmental reserve fund to support the acquisition and management of natural areas and financial incentives such as tax relief or grants to landowners who manage and maintain significant natural areas on their land in a natural state.

2.12.4 The City shall continue to gather data on natural areas through its partnerships with local agencies and organizations to conduct periodic natural area inventories. This data shall be used to monitor the condition and health of natural areas and the wildlife and plants that inhabit them.

2.12.5 The City shall produce a "State of the Environment" report periodically, to track the City's progress towards its natural heritage protection goals.
2.13 Water Resources

2.13.1 The City shall protect, improve or restore the quality and quantity of water by using the watershed as the ecologically meaningful scale for planning and minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts.

2.13.2 The City shall promote efficient and sustainable use of water resources, including practices for water conservation and sustaining water quality.

2.13.3 Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features and tributaries including those tributaries defined by the City's Source Protection Plan such that these features and their related hydrologic functions and water quality functions shall be protected, improved or restored. Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.
C.3.0 GENERAL LAND USE PROVISIONS AND DESIGNATIONS

General land use provisions identify land uses which are permitted in all or multiple designations provided certain conditions are met. These uses include: uses over which the City has no jurisdiction; public uses, such as municipal infrastructure, that are required for day to day operations, and other uses that implement the goals, objectives and policies of this Plan without detracting from a primary land use function.

In addition to general land use provisions there are two land use designations that will be applied and implemented on a city-wide basis – Open Space and Utility.

3.1 Rural Area General Provisions
In Rural Hamilton Official Plan.

3.2 Urban Area General Provisions (Policies)

3.2.1 The following uses shall be permitted in all land use designations:

a) conservation uses such as forest, wildlife and fisheries management provided the use complies with Section C.2.0 - Natural Heritage System;

b) utilities, municipal infrastructure and transportation facilities, corridors and easements, wind turbines, electrical facilities used directly for the generation and distribution of electric power, natural gas and oil pipeline lines, telecommunication and new facilities approved under all relevant statutes, where the land(s) are less than 4 hectares in size, provided that the facility is not used for the purposes of maintenance or storage or railway yard;

c) wherever possible, the uses identified in C.3.2.1.b) shall be integrated with the general character of the surrounding uses through the provision of landscaping, screening and buffering, siting of structures, height control, and any other measures deemed to be appropriate by the City;

d) any operation of the Government of Canada, Province of Ontario or City of Hamilton, not described in Policy C.3.2.1a) and b);

e) uses regulated for the purposes of Shipping and Navigation or uses incidental thereto, authorized by the Hamilton Harbour Commissioners Act, or any by-law, regulation or other provision adopted pursuant to the Hamilton Harbour Commissioners Act or other federal regulation; and,

f) community gardens.

3.2.2 The following uses shall be permitted in the Neighbourhoods, Commercial, Mixed Use, and Institutional designations:

a) A home business shall be permitted accessory to a dwelling provided that all the following conditions and criteria are met:
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i) Limitations on the number of employees, the gross floor area and the types of home business permitted, as well as and other regulations, shall be established in the Zoning By-law; and,

ii) No outside storage shall be permitted in conjunction with a home business; and,

b) A bed and breakfast establishment shall be permitted provided all the following conditions and criteria are met:

i) The establishment is accessory to the main residential use of the existing dwelling. Limitations on the number of guest rooms as well as other regulations of the use shall be established in the Zoning By-law;

ii) A maximum of one bed and breakfast establishment shall be permitted in a dwelling unit; and,

c) A small scale residential care facility shall be permitted as-of-right, provided it complies with all applicable policies and the Zoning By-law; and,

d) A second dwelling unit shall be permitted within single and semi-detached dwellings provided it complies with all applicable policies and the Zoning By-law.

3.2.3 Small scale wind turbines, accessory to a single residential dwelling unit for domestic use, shall be permitted where residential dwellings are permitted in accordance with the other relevant policies of this Plan and subject to the provisions of the Zoning By-law. (This policy may be amended once the Green Energy Act is adopted).

3.2.4 Large scale wind turbines, wind turbines servicing more than one residential dwelling unit or a non-residential use on-site, or wind turbines primarily intended to provide energy to the electrical grid, shall be permitted in all land use designations subject to the other relevant policies of this Plan, compatibility with the surrounding land uses, the provisions of the Zoning By-Law, and the requirements of the Environmental Assessment Act. (This policy may be amended once the Green Energy Act is adopted).

3.3 Open Space Designations

Hamilton has a diverse and complex network of open spaces including the Niagara Escarpment - a world biosphere reserve, significant environmental features such as wetlands, woodlands, environmentally significant areas; city wide parks and small neighbourhood parks. The Bruce Trail is an essential component of the Niagara Escarpment Parks and Open Space System, linking parks, open space areas, and natural features. Open spaces, both individually and collectively, provide health, environmental, aesthetic and economic benefits that are essential elements for a good quality of life in our community. In addition, open spaces play an important role in defining the character of the City and in preserving its natural environment. Open space is an essential part of the urban and rural fabric of our City, providing linkages between communities and complementing and enhancing our built and rural environments and heritage and cultural fabric.
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It is the City’s goal to establish and maintain an integrated parks and recreation system. This system contributes to a healthy, environmentally sound, and economically diverse community by providing benefits critical for good quality of life. As part of the natural fabric of a community, parks and open spaces are a source of pride and identity. Wherever possible, parks shall be linked with other open space lands, walkways, bicycle/multi-use paths and trails. Parkland classifications and standards shall be used to determine the amount and type of parkland required for the community.

Policies ensure sufficient and viable opens spaces are retained, enhanced, expanded and appropriately acquired. Such policies are necessary to achieve the environmental, social, economic, health and aesthetic benefits that parklands and open space provide for our communities.

Function

3.3.1 Lands designated as Open Space are public or private areas where the predominant use of or function of the land is for recreational activities, conservation management and other open space uses.

3.3.2 The Open Space designation applies to lands greater than 4 hectares in size designated open space on Schedule E-1 - Urban Land Use Designations. Lands used for open space purposes less than 4 hectares shall be permitted within the Neighbourhoods designation subject to the provisions of this Plan.

3.3.3 Open Space designations shall be further refined in secondary plans and rural settlement area plans or identified in Appendix A - Parks Classification in accordance with Section B.3.5.3 - Parkland Policies.

Permitted Uses

3.3.4 The following uses shall be permitted on lands designated Open Space on Schedule E-1 - Urban Land Use Designations:

   a) parks for both active and passive recreational activities;
   b) publicly owned and operated recreation/community centres or historic sites;
   c) pedestrian pathways, trails, bikeways and walkways;
   d) marinas;
   e) forest, fish and wildlife management areas; and,
   f) cemeteries.

3.3.5 Secondary commercial uses such as food concessions, recreational equipment rentals, and water-oriented recreational uses may be permitted provided they are complementary to the permitted uses specified in Policy C.3.3.4 and provided they do not interfere with or have any negative impacts on the open space nature of the land.

3.3.6 Where land is designated Open Space and is under private ownership, it is not intended this land shall necessarily remain so indefinitely, nor shall the Plan be
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3.3.7 Open Space lands which are identified in the Niagara Escarpment Parks and Open Space System shall comply with the policies of the Niagara Escarpment Plan. Open Space lands which are identified as Core Areas of the Natural Heritage System shall comply with the policies of Section C.2.0 - Natural Heritage System.

3.3.8 The City shall promote healthy, active communities by providing opportunities for public access to shorelines.

3.3.9 Whenever land designated or used for Open Space and Parks purposes, as designated on Schedule E-1 - Urban Land Use Designations, the maps of the secondary plans, or identified on Appendices relating to Open Space and Parks, is acquired or used by a city department or other public agency for non-recreational public purposes, the City or public agency shall be required to compensate for the resulting loss of parkland by paying the full current market value of the parcel of land into the Parkland Reserve.

3.4 Utility Designation

It is the intent of this Plan to ensure that utility uses are developed in an orderly manner consistent with the needs of the City. The planning, design and development of utility uses shall complement the intent of policies for other land uses.

Function

3.4.1 The Utility designation applies to lands greater than 4 hectares in size designated Utility on Schedule E-1 - Urban Land Use Designations. Lands used for utility purposes less than 4 hectares shall be permitted within the other land use designation in accordance with Policies C.3.2.1 and C.3.4.10.

Permitted Uses

3.4.2 The following uses shall be permitted on lands designated Utility on Schedule E-1 - Urban Area Land Use Designations:

a) major facilities, corridors, easements and rights-of-way for utilities and services, such as electric power, natural gas and oil pipelines, telecommunication, storm water management, solid waste management outside Employment Areas, water and wastewater service;

b) municipal works yards outside Employment Areas;

c) parking lots in conjunction with adjacent uses;

d) open space uses such as trails and community gardens;

e) transportation yards;

f) heavy rail corridors and main lines; and,

g) Waste management facilities.
3.4.3 Notwithstanding C.3.2.1 b), any individual turbine which is used for commercial purposes beyond an individual property shall meet the following conditions:

a) the use shall not be permitted on lands designated as Niagara Escarpment Plan Natural Area, or Protection Area on Schedule A – Provincial Plans;

b) the use shall address location of structures, height control, and any other measures as may be deemed to be appropriate by the City;

c) the use shall not have negative impacts on surrounding land uses; and

d) the proponent shall apply for and receive approval of:

i) a Zoning By-law amendment to address setbacks, the location and maximum height of wind energy facilities and related buildings and structures;

ii) a site plan to address, matters such as access, parking, lighting, drainage, landscaping, buffering and screening; and

iii) any application for a Zoning By-law amendment or site plan approval adjacent to the Niagara Escarpment Plan boundaries shall be submitted to the Niagara Escarpment Commission for review.

(This policy may be amended once the Green Energy Act is in effect).

3.4.4 In Rural Hamilton Official Plan.

3.4.5 The location and construction of new water supply and wastewater service facilities shall comply with the provisions of Section C.5.3.2 – Lake Based Municipal Water and Wastewater Systems.

3.4.6 Only essential utility facilities, the maintenance of and minor upgrading of existing facilities shall be permitted within the Niagara Escarpment Plan Natural Area, as identified on Schedule A – Provincial Plans.

3.4.7 Additional uses may be permitted on lands of the City, public authorities and corporations of the Province responsible for the generation and transmission of electric power, Hydro lands and all other lands designated Utility where deemed by Council to be compatible with adjacent land uses.

Waste Management Facilities
3.4.8 Waste management facilities shall be subject to the Sections E.5.3.6, E.5.3.7, and E.5.3.8, inclusive.

Other Provisions
3.4.9 Utilities shall integrate with the general character of the surrounding uses through the provision of landscaping, screening and buffering, siting of structures, height control, and any other measures as may be deemed to be appropriate by the City.
3.4.10 The City of Hamilton shall prepare a telecommunications antenna siting protocol to ensure effective local participation in decisions respecting the siting of proposed antennas and their supporting structure.
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C.4.0 INTEGRATED TRANSPORTATION NETWORK

Movement in the City of Hamilton is comprised of various transportation modes, which together form an integrated transportation network that supports all land uses and contributes to the well-being of the community. The integrated transportation network offers a range of travel options for moving both people and goods on roads, rail, air and water. The options on the roadway network include, transit, active transportation (non-motorized movements), commercial vehicles and automobiles. The function of the integrated transportation network and overarching objective of the Official Plan is to safely and efficiently move people and goods seamlessly and effectively, and serve as an economic enabler.

The transportation network and land uses are mutually inclusive; land uses are connected and accessible through the transportation network. Equally, transportation is made more efficient when complemented by appropriate locations and densities for various land uses. The City shall plan for an integrated transportation network contributing to complete communities through the policies of this Plan, provincial policies, and requirements of the Planning Act. Accordingly, the integrated transportation network shall support and implement the urban structure including mixed use nodes, Urban Corridors, Major Activity Centres, Neighbourhoods and Employment areas. The integrated transportation policies will help in achieving the shared goal of Vision 2020, the Growth Related Integrated Development Strategy and the Transportation Master Plan, of an integrated sustainable transportation network for people, goods and services, which is safe, environmentally friendly, affordable, efficient, convenient and accessible.

This Plan recognizes the relationship between the transportation network and its impact on quality of life and economic development potential. The integrated transportation network will offer a greater range of transportation mode choice. An improved and efficient transportation network is a key component of complete communities - creating the vital link between activities and land uses throughout the City. Improved mode choice can be accomplished through a better balance between the competing needs of the street network including cars, transit, active transportation, goods movement and parking. A balanced integrated transportation network shall contribute to vibrant streets where pedestrians and cyclists feel comfortable and can co-exist with traffic on the street, improving health and quality of life.

Transportation demand management (TDM) is an essential part of an overall integrated transportation network and part of a more sustainable transportation system. The policies of this Plan, together with the directions and programs from the Transportation Master Plan, will contribute to an overall transportation demand management strategy for the City.

4.1 Policy Goals

The following goals apply to the integrated transportation network in Hamilton:

4.1.1 Provide a balanced and integrated transportation network which includes all modes of transportation such as active transportation, transit, automobiles, goods movement vehicles, rail, air and marine.
Recognize the relationship of transportation and land use planning in connecting communities, land uses and activities and the role of the integrated transportation network in creating complete communities and improving overall quality of life.

Facilitate the safe and efficient movement of goods and services within and between Hamilton, neighbouring municipalities and regions through various modes within the integrated transportation network.

Plan urban areas so that travel by automobile is an option not a necessity.

Work in cooperation with other levels of government and government agencies to further develop inter-regional travel plans including expansion of GO Transit in the Hamilton area, proposals for rapid transit within the City and other inter-regional transit and highway, marine, and airport initiatives.

Provide a convenient, fast, frequent and affordable public transportation service that features adequate carrying capacity and serves all residents and businesses.

Facilitate an increase in active transportation in the City and contribute to transportation demand management initiatives.

The City shall maintain the existing transportation network and ensure the continued sustainability of existing transportation infrastructure before new infrastructure developments are considered.

Transportation infrastructure shall be designed and implemented to support the growth objectives and urban structure as described in Section E.2.0 - Urban Structure.

All land use planning and design decisions shall be coordinated with, and consider, the integrated transportation network goals and policies of Section E.4.0 - Integrated Transportation Network.

The timing of new developments shall be coordinated with the availability of adequate, matched transportation network capacity.

Transportation demand management measures shall be evaluated in all transportation related studies, master plans, environmental assessments, neighbourhood traffic management plans and new development plans including the degree to which it can help achieve transportation goals in accordance with Section C.4.1 - Policy Goals.

Transportation demand management measures may include:

a) provision of active transportation features including secure bicycle storage facilities and pedestrian and cycling access to the road network facilities;

b) supporting transit through reduced parking standards for some land uses where appropriate and making provisions for car-sharing spaces through the site plan process where feasible and appropriate; and,
c) other measures detailed in the Transportation Master Plan and described in Section F.3.1.8 – Transportation Master Plan.

4.2.5 Public transit shall be an integral component of planning for new development and redevelopment of residential uses and all new commercial, employment, institutional and mixed use centres within the urban areas of the City. Accordingly, new secondary plans shall include provisions for safe, convenient, accessible and direct access to the public transit network via active transportation.

4.2.6 The City, in consultation with the Province and adjacent municipalities, shall work to implement inter-city transit projects prior to, and in conjunction with, provincial transportation projects in order to encourage a balanced transportation network.

4.2.7 City has been identified as part of the Greater Toronto and Hamilton Area (GTHA) in The Big Move - Regional Transportation Plan (RTP) developed by Metrolinx. As such, the City shall work with Metrolinx to implement the recommendations of the RTP through the policies of this Plan and the Transportation Master Plan.

Urban Design and Complete Streets

4.2.8 New secondary plans and designs for major transit generators shall incorporate the following design directions:

a) establishment of a continuous grid road network as the preferred street layout to allow pedestrians, cyclists, transit vehicles, automobiles and goods and services vehicles to move efficiently through communities;

b) efficient spacing of arterial and collector roads within the grid network;

c) organization of land uses in a manner that reduces automobile dependence and improves modal choice and the movement of goods;

d) placement of higher density land uses near existing and planned transit stop/station locations;

e) street design and layout which reduces and minimizes the need for future traffic calming and/or unnecessary traffic control devices; and,

f) all other applicable design guidelines and design policies of Volume 1, including Section B.3.3 – Urban Design Policies and Chapter E - Urban Systems and Designations.

4.2.9 Direct access to transit facilities shall be provided via sidewalks and walkways from the interior block areas of neighbourhoods. Within existing and planned development, the City shall encourage the creation of mid-block connections for pedestrians, transit, and active transportation modes.

4.2.10 Development of major transit generators shall provide safe and convenient pedestrian and cycling environments and access through building orientation, site layout, traffic management, and the provision of facilities such as sidewalks, crosswalks, bike lanes and trails, bicycle parking and loading, and connections to transit service.
4.2.11 The City shall encourage new development to be located and designed to minimize walking distances to existing or planned transit and facilitate the efficient movement of goods where feasible.

4.2.12 The road network shall be planned and designed to:
   a) be shared by all modes of transportation;
   b) maximize safety for all uses; and,
   c) minimise lifecycle environmental impacts in accordance with Section C.4.5 - Road Network.

Barrier Free Transportation

4.2.13 Hamilton’s transportation network shall be developed to be inclusive of the needs of persons with disabilities, seniors, children and those with reduced mobility through the following provisions:
   a) ensuring that new transit facilities, transit stops, and vehicles are accessible and utilize barrier free design principles in accordance with the Accessibility for Ontarians with Disabilities Act;
   b) ensuring that sidewalks are accessible and accommodate people with impaired or reduced mobility using techniques including curb cuts, urban braille, and appropriately designed crosswalks at intersections and roundabouts;
   c) encouraging the use of voice signals at crosswalks to allow for safe passage for persons with limited vision;
   d) modifying existing transportation facilities over time to enhance accessibility;
   e) requiring minimum off-street parking spaces for the disabled regulated through the Zoning By-Law; and,
   f) taking accessibility considerations into account for the design of new developments in accordance with Policy B.3.3.11 - Barrier Free Design.

4.2.14 The City shall continue to be a leader in providing accessible sidewalks and other public spaces by maintaining and expanding the urban braille network.

4.2.14.1 Priority areas for expanding the City’s urban braille network shall be within the Downtown Urban Growth Centre and within Sub-Regional Service Nodes in accordance with Policy B.3.3.11 - Barrier Free Design and Section E.2.0 - Urban Structure, and in areas that will create connections to existing urban braille areas.

4.2.15 In accordance with Policy C.4.1.6, recognizing that an increasing proportion of the population is aging and many will possess mobility challenges, the City shall continue to ensure that it is able to provide an appropriate range of public transit services and programs on the conventional, specialized and rapid transit networks in an efficient and effective manner to all existing and planned trip generators throughout the urban area.
New Transportation Corridors

4.2.1 Additional transportation corridors may be added to the integrated transportation network in Hamilton in the future. Recognizing the need to plan proactively for future infrastructure requirements and sustainable transportation solutions, the City supports active participation with provincial, inter-provincial and federal transportation planning studies such as the ongoing Niagara to Greater Toronto Area (NGTA) corridor planning and Environmental Assessment study and the Ontario-Quebec Continental Gateway and Trade Corridor Study.

a) The NGTA study will address congestion, economic growth, and better gauge a long term land use and transportation framework extending from the Niagara Peninsula to the Greater Toronto Area.

b) The Ontario-Quebec Continental Gateway and Trade Corridor Study will develop a multi-modal strategy to improve goods movement and trade.

4.3 Active Transportation Network

Active transportation which includes pedestrian movement, cycling and any other non-motorized modes of transportation, is a key component of the City’s transportation network. Active Transportation provides a sustainable alternative to travel by private automobile, resulting in physical, economic and social benefits from improved air quality, reduced energy consumption and increased physical activity. This Plan recognizes that active transportation is an essential component of the overall integrated transportation network. Together, land use planning, transportation planning and the design of the built form creates an environment that encourages and enables people to use active transportation for travel to work, school, exercise, recreation and social interaction.

4.3.1 The City shall require, provide, and maintain infrastructure that maximizes safe and convenient passage for pedestrians and cyclists along streets.

4.3.2 The City shall accommodate commuter cycling needs on the road network and major recreational pathways to the greatest extent possible in accordance with the City’s Cycling Master Plan and Trails Master Plan.

4.3.3 The City shall build and maintain the active transportation network which recognizes the importance of the sidewalk and cycling network while achieving a high standard of connectivity. Active Transportation shall be promoted and accommodated in street design and operation through:

a) continuous improvement and expansion of the existing network of pedestrian and bicycle infrastructure, including multi-use paths, bike lanes, and on-street bike routes;

b) establishment of pedestrian-oriented design guidelines in secondary plans and undeveloped areas that promote active transportation; and,

c) provision of traffic calming measures and signage, where appropriate.

4.3.4 Within the designated right-of-way, the design of streets and sidewalks shall provide a buffer between vehicular and pedestrian flow where feasible.

4.3.5 The City shall design pedestrian friendly streets by:
4.4 Public Transit Network

Public transit entities under municipal jurisdiction include conventional, specialized and rapid transit networks. Inter-regional networks are under the jurisdiction of provincial/federal authorities.

Public transit has been and shall continue to be a key component of the City's integrated transportation network. The use of public transit has environmental, economical and social advantages over the automobile, such as improving air quality and reduced traffic congestion. It is the intent of this Plan that transit provide access to residential areas, employment areas, school and other institutions, shopping and recreational facilities in an efficient and reliable manner. Transit shall continue to increase connectivity and integration with other forms of transportation.

4.4.1 The City shall provide public transit at a level of service to enhance its use as a viable alternative to the automobile and achieve transportation demand targets stipulated in the Transportation Master Plan in accordance with Section F.1.3.8 – Transportation Master Plan.

4.4.2 Transit service levels shall be increased incrementally, in conjunction with other policies to improve the viability of transit, with a goal of increasing annual transit ridership per capita. Service level increases shall be primarily directed to:

a) urban nodes and urban corridors as identified on Schedule E – Urban Structure;

b) areas developed according to transit orientated development principles;

c) designated Employment Areas;
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d) new urban communities where there is a sufficient density and mix of land uses to support transit service.

4.4.3 The City shall improve the speed and reliability of transit service by providing transit-priority measures to lessen delays on transit vehicles caused by other traffic and traffic control signals where feasible.

4.4.4 The City shall encourage public transit supportive practices for new developments and redevelopments and incorporate required facilities in the road pattern of secondary plans and plans of subdivision, where and when applicable, to allow for convenient access to public transit service.

Conventional Transit

4.4.5 The City of Hamilton shall continue to provide conventional bus transit to the majority of the urban areas of Hamilton. Conventional transit shall serve local communities.

4.4.5.1 Further to the forgoing policy, once rapid transit is implemented, conventional bus transit shall continue to serve areas outside of identified rapid transit corridors, provide local service within the corridor where appropriate, and provide feeder service to rapid transit. Until rapid transit is implemented, conventional bus transit shall be the primary mode of transit within the City.

4.4.6 The City shall introduce transit service/infrastructure as early as possible to newly developed residential, commercial, employment and mixed use areas to promote the use of public transportation and reduce the need for automobiles.

4.4.6.1 New transit service/infrastructure shall be subject to sufficient density, demand and operational feasibility.

Specialized Transit

4.4.7 The City shall continue to provide specialized transit service to ensure equal access and mobility for all residents in accordance with Policy C.4.2.15, for those unable to use conventional or rapid transit or other transportation modes.

Rapid Transit

4.4.8 The City shall evaluate the potential to establish rapid transit within the Primary and Secondary Corridors identified on Schedule E - Urban Structure, and the proposed corridors identified as Potential Rapid Transit Lines on Appendix B - Major Transportation Facilities and Routes.

4.4.9 Rapid transit may operate on its own right-of-way, as a separate system or in shared corridors, where possible, to ensure that it is not delayed in general traffic. The rapid transit network shall consist of an interconnecting network of existing and planned rights-of-way along corridors in which a rapid transit facility may be located.

4.4.9.1 Rapid transit may be developed in a staged manner whereby various transit-priority measures may be implemented to improve the quality of transit service in terms of speed and reliability as an interim stage in the long-term development of a full rapid transit network.
4.4.10 The City may require park-and-ride facilities to enhance accessibility to rapid transit services at selected stations and other appropriate sites outside of the Downtown Urban Growth Centre. In this regard, the City shall encourage the proponents of major developments at existing or planned rapid transit stations to provide sufficient land for park-and-ride facilities, for which the City may enter into agreements for purchase, lease, and operation or shared use.

4.4.11 Rapid transit services shall be integrated with other transportation modes and with the conventional, specialized and inter-regional transit networks where feasible.

4.4.12 Prior to the construction and in conjunction with implementation of rapid transit in Hamilton, corridor studies shall be undertaken and shall consider the following:

a) compatible and transit supportive land uses along the selected corridor;

b) urban design considerations;

c) accessibility concerns;

d) redevelopment impacts;

e) environmental and social/community impacts; and,

f) potential impacts and connections to other modes.

Inter-Regional Transit Network

4.4.13 The City of Hamilton supports the expansion of GO Transit through increased service to the City and additional expansion to the eastern portions of the City.

4.4.13.1 A proposed inter-modal transportation terminal has been identified at Fifty Road and the Queen Elizabeth Highway shown on Appendix B – Major Transportation Facilities and Routes. The proposed location of the inter-modal transportation terminal shall be an access point/destination for future inter-regional and multi-modal travel.

4.4.14 Access to the GO Transit network at GO Transit stations shall be promoted through provision of adequate conventional and specialized transit, rapid transit, and active transportation facilities, as well as limited commuter parking facilities where appropriate outside of the Downtown Urban Growth Centre.

4.4.15 The City shall work together with other municipalities and transit providers to implement seamless integration and coordination between transit networks across municipal jurisdictions from both planning and operational perspectives.

4.4.16 The City along with Metrolinx has identified the northern portion of the Downtown Urban Growth Centre as the location for the establishment of a GO/VIA transit station. This station, along with the existing GO Station identified on Appendix B – Major Transportation Facilities and Routes, shall be the principal access points for inter-regional rail.
4.5 **Roads Network**

The road network is a component of the overall transportation network. The City shall provide an efficient road network that will accommodate anticipated traffic volumes at a reasonable level of service while balancing the needs of all road users and vehicles for the efficient movement of people and goods and providing a right-of-way for underground utilities.

Functional road classifications and associated policies will recognize differing needs for rural and urban roads, and employment and neighbourhood-oriented roads.

**Functional Classification**

4.5.1 The road network shall be comprised of Provincial highways, parkways, major arterial roads, minor arterial roads, collector roads and local roads. The road network, except for local roads, is identified on Schedule C - Functional Road Classification. The road alignments of proposed roadways shown are diagrammatic and may be altered provided the general intent of this Plan is maintained.

4.5.2 The road network shall be planned and implemented according to the following functional classifications and right-of-way widths:

- **a) Provincial highways**, subject to the following general policies:
  
  i) There are two primary provincial highways located within the City – Highway 403 and the QEW. Additionally, Highway 6, Highway 8, and Highway 5, are provincially owned facilities and have unique classifications. Development which falls within the Ministry of Transportation’s permit control area is subject to the requirements of the provincial government.

  ii) New entrances or the upgrading of entrances within the Ministry of Transportation’s permit control area of a provincial highway shall be subject to the approval of the Ministry of Transportation.

  iii) The City and the Ministry of Transportation shall work cooperatively with respect to the planning of land development and associated access connections within the Ministry of Transportation’s permit control area adjacent to all provincial highways and interchanges within the City, to protect the future capacity and operation of both the provincial highway network and the City’s transportation facilities.

- **b) Parkways**, subject to the following policies:

  i) There are two parkways within the City of Hamilton – the Lincoln Alexander Parkway and the Red Hill Valley Parkway. The primary function of a parkway shall be to carry relatively high volumes of intra-municipal and inter-regional traffic through the City.

  ii) The basic maximum right-of-way widths for Parkways shall be 60.960 metres.

  iii) Direct land access shall not be permitted.

  iv) Cyclists and pedestrians shall not be permitted on Parkways.
c) Major arterial roads, subject to the following policies:

i) The primary function of a major arterial road shall be to carry relatively high volumes of intra-municipal and inter-regional traffic through the City in association with other types of roads.

ii) Although land accesses are permitted, they shall generally be controlled/restricted.

iii) The basic maximum right-of-way widths for major arterial roads shall be 45.720 metres unless otherwise specifically described in Schedule C-2 - Future Road Widenings.

iv) The right-of-way widths of major arterial roads shall include sufficient width for left turn lanes and right turn lanes at major intersections.

v) Major arterial roads should generally be organized in a grid pattern with collectors, other major and minor arterials, parkways and provincial highways.

vi) Bicycle lanes may be in place to accommodate cyclists and sidewalks shall generally be provided on both sides of the street for pedestrians.

vi) On street parking and loading may be prohibited or at minimum be restricted in the peak hours.

d) Minor arterial roads, subject to the following policies:

i) The primary function of a minor arterial road shall be to carry moderate volumes of intra-municipal and inter-regional traffic through the City in association with other types of roads.

ii) Land accesses shall be permitted with some controls.

iii) The basic maximum right-of-way widths for minor arterial roads shall be 36.576 metres unless otherwise specifically described in Schedule C-2 - Future Road Widenings.

iv) Minor arterial roads shall generally be organized in a grid pattern with collectors, major and minor arterials, parkways and provincial highways.

v) Bicycle lanes may be in place to accommodate cyclists and sidewalks shall generally be provided on both sides of the street for pedestrians.

vi) Gateway features may be permitted where required.

vii) On street parking and loading may be prohibited or at minimum be restricted in the peak hours.

e) Collector roads, subject to the following policies:

i) The function of a collector road shall be equally shared between providing direct land accesses and the movement of moderate
volumes of traffic within and through designated Employment or Neighbourhood Areas.

ii) The basic maximum right-of-way widths for urban collector roads shall be 30.480 metres in designated Employment Areas and 26.213 metres in all other areas, unless specifically described otherwise in Schedule C-2 - Future Road Widenings.

iii) Collector roads in the urban area shall generally be organized in a grid-network and connect to minor arterial roads and major arterial roads.

iv) Short connecting link-roads which generally connect local internal neighbourhood ring road networks to external arterial roads shall be classified as collector roads. Several connecting link-roads are located in between arterial roads and function as mid block collector roads.

v) Trucks shall generally be restricted from collector roads, except in designated Employment Areas. Wider lanes or separate facilities shall generally be in place to accommodate cyclists and sidewalks shall be provided on both sides of the street.

vi) Horizontal traffic calming features such as curb extensions, median islands, and roundabouts shall be permitted where appropriate subject to meeting City Traffic Calming warrants, except in designated Employment Areas.

t) Local roads, subject to the following policies:

i) The primary function of a local road shall be to provide direct land accesses. The secondary function shall be to enable the movement of low volumes of traffic to collector roads.

ii) The basic maximum right-of-way widths for local roads shall be 26.213 metres in designated Employment Areas and 20.117 metres in all other areas, unless specifically described otherwise in Schedule C-2 - Future Road Widenings;

iii) The City recognizes that in older urban built up areas there are existing road right-of-way widths significantly less than 20.117 metres. Notwithstanding the other road right-of-way widening policies of this Plan, it is the intent of the City to increase these existing road rights-of-ways to a minimum of 15.24 metres with daylight triangles at intersections instead of the minimum required 20.117 metre road right-of-way width, provided all the required road facilities, municipal sidewalks and utilities can be accommodated in this reduced road right-of-way width.

iv) Trucks shall be restricted from local roads, except for local deliveries and in Employment Areas.

v) Sidewalks should be provided on one or both sides of the street, but cycling facilities shall not be required.
vi) Horizontal and vertical traffic calming measures, including speed humps, may be implemented where appropriate subject to meeting City Traffic Calming warrants, except in designated Employment Areas.

vii) Local roads ending in cul-de-sacs shall generally be discouraged, except under the following criteria:

1. where the topography, natural features, wetlands, watercourses, existing development, etc. prevent the construction of a through street;

2. where the road extension would have to cross a railway right-of-way or any other utility corridor;

3. where it has been determined by the City that public street connectivity is not essential to the street circulation network or the underground services and utility grid network of the adjacent area; or,

4. where the local road network is arranged such that connections for pedestrians and cyclists are direct and continuous.

g) Arterial roads (Rural Area), in Rural Official Plan.

h) Collector roads (Rural Area), in Rural Official Plan.

i) Local roads (Rural Area), in Rural Official Plan.

Special Character Roads

4.5.3 Notwithstanding the foregoing, the City may decide to reduce or waive certain functional requirements in the following circumstances:

a) where a roadway has been defined as a heritage road in accordance with Policies C.4.5.3.1 to C.4.5.3.4 inclusive, of this Official Plan; or,

b) where it has been determined through an environmental assessment, area master plan, secondary planning study, or development planning approval process that a reduced right-of-way width is required to maintain existing neighbourhood character or to provide pedestrian friendly areas within neighbourhoods, and does not affect the safe operation of the roadway.

4.5.3.1 The City shall identify, conserve and manage identified heritage roads and associated features. Heritage roads shall be defined as those roads which exhibit one or more of the following attributes:

a) historical associations with a theme of human history that is representative of cultural processes in the development and use of land in the City;

b) historical associations with the life or activities of a person, group, institution or organization that has made a significant contribution to the local or regional municipality; and,

c) scenic amenity with a recognizable sense of position or place either viewed from within the road right of way or viewed from an exterior viewpoint.
4.5.3.2 The City, in consultation with its Municipal Heritage Committee, may designate heritage roads or road allowances under the Ontario Heritage Act.

4.5.3.3 Heritage roads shall be conserved and protected by the appropriate road authority without jeopardizing health and safety with a presumption against any works or undertakings that would adversely affect identified heritage attributes. In particular the City shall endeavour to retain and protect:

a) existing road surface widths where they contribute to the heritage character of the road;

b) existing trees and treelines within the road right-of-way;

c) other vegetation, plantings and features such as boulevards, hedgerows, ditches, grassed areas and fencelines; and,

d) transportation related heritage features, such as bridges, where they contribute to the special character of the road.

4.5.3.4 Works or undertakings, such as intersection improvements, may be undertaken at specific locations to remedy clearly demonstrated deficiencies at that location provided that they do not adversely affect the character or attributes of the heritage road. Additionally, development shall not be encouraged where it adversely affects or has the potential to adversely affect the character or attributes of a heritage road, such as the removal of distinctive tree lines and tree canopies, fencelines or hedgerows or the placement or introduction of berms, screens, gateway or entrance features or other unsympathetic barriers.

Design and Maintenance

4.5.4 The road network shall be designed and maintained according to the following policies:

a) The Functional Road Classification System shown on Schedule C - Functional Road Classification shall be used as the basis for decisions regarding design standards for road construction, transit, bicycle and truck routes, road widenings and access policies. The City may re-classify roads by:

i) re-classifying an existing road to a higher classification where considered necessary, as traffic conditions change in response to development, through an amendment to this Plan; or,

ii) re-classifying an existing road to a lower classification, which shall be permitted without an amendment to this Plan.

b) The City shall be permitted to design a roadway according to an urban or rural cross-section regardless of whether the roadway is in an urban or rural area.

c) The City shall initiate construction and maintenance programs to improve the safety and operation of the road network.
d) Only essential transportation routes, as well as, maintenance and major/minor upgrading and repairs of existing routes shall be permitted in the Escarpment Natural Area.

Condominium Roads

4.5.5 A common element condominium road shall be considered as a public road for the purposes of the Zoning By-law.

Road Widening

4.5.6 The City shall reserve or obtain road widenings for rights-of-way as described in Schedule C-2 – Future Road Widenings. Where a road right-of-way is not described in Schedule C-2 – Future Road Widenings, the City shall reserve or obtain road widenings for rights-of-way as described in Section C.4.5.2. The aforesaid road widenings shall be reserved or obtained through subdivision approval, condominium approval, land severance consent, site plan approval or by gift, bequeathment, purchase or through expropriation where necessary and feasible.

4.5.6.1 No development or redevelopment shall be permitted which does not front on a public road of an acceptable standard of construction. Further, the City shall require, as a condition of site plan approval, subdivision approval, condominium approval and land severance consent, that sufficient lands are conveyed to provide for a road right-of-way in accordance with the designated widths as set out in Section C.4.5.2 or Schedule C-2 – Future Road Widenings.

4.5.6.2 Road widening obtained through land severance or consent shall be taken from both the severed and retain parcels of land unless in the opinion of the City obtaining the widening from both parcels would not be practicable or feasible.

4.5.6.3 Where a proposed development is subject to site plan approval as detailed in Policy F.1.7 – Site Plan Control, the following provisions shall apply:

a) Further to Policy 4.5.6.1 above, the City shall require as a condition of site plan approval, the dedication of property abutting roads with future rights-of-way widths as specified on in Schedule C-2 – Future Road Widenings, as applicable.

b) Where feasible, the City shall acquire land through dedication, equally from both sides of the road unless otherwise specified. However, in the built up areas of the City, it may be necessary to acquire more than half of the total dedication from one side of the road. Where the City requires more than one half of the widening from one side of the road, the City shall require, from said side of the road, dedication at no cost to the City of one half of the total proposed widening and shall acquire the remaining land required for the road widening through gift, bequeathment, purchase, expropriation or other methods.

c) Notwithstanding Policies C.4.5.6.2 to C.4.5.6.3 inclusive, the City shall require, as a condition of site plan approval, the dedication of additional property for daylighting triangles at road intersections. In this regard, the maximum amount of land to be dedicated shall not exceed 116.13 square metres in accordance with Policy C.4.5.7.
4.5.6.4 Notwithstanding Sections C.4.5.6 and C.4.5.7, the City may waive or accept less than the maximum road widening and/or daylighting triangle requirements where, in the opinion of City, constraints including but not limited to, the nature of existing development, topographic and/or natural features, cultural heritage and design features or other constraints make it impractical to widen the road to the established road allowance requirement.

4.5.6.5 Notwithstanding Section C.4.5.6, the City shall interpret the required right-of-way widths detailed in Section C.4.5.2 and Schedule C-2 – Future Road Widenings, where applicable to denote only the basic requirement for the section of the road. Additional rights-of-way may be required at intersections to provide for exclusive turning lanes, daylight triangles and other special treatments to accommodate the optimum road/intersection geometric design. There may also be additional requirements for rights-of-way to provide lands for environmental considerations, the construction of bridges, overpasses, earth-filled ramps, grade separations, depressed sections of roads, pathways, roundabouts, traffic control and transit priority measures, including rapid transit lanes and/or stations in accordance with Section C.4.5.7. Any such additional right-of-way requirements shall be determined at the time of design of the road facilities and shall become part of the total required right-of-way.

Daylighting Triangles

4.5.7 The City shall require the conveyance of property for appropriate daylighting triangles and corner rounding on existing roads at such times as the property is to be developed or redeveloped, as a condition of site plan approval, consent, or plan of subdivision approval, in accordance with City standards based on the intersecting roadways of the functional road classification detailed in Section C.4.5.2. Daylighting triangles at intersections shall generally be as follows:

a) Local to local roads: 4.57 m triangle or radius;

b) Collector to local or collector Roads: 9.14 m x 9.14 m triangle; and,

c) Arterial to collector or arterial (Urban): 12.19 m x 12.19 m triangle.

Access Management

4.5.8 The efficiency, safety and traffic carrying capacity of parkways, major arterial and minor arterial roads shall be protected by minimising the number and spacing of intersecting streets and access points.

4.5.8.1 To the extent feasible, the intersection of a new collector road with an arterial road shall provide sufficient separation from the nearest major intersection to allow for the efficient operation of traffic control devices.

4.5.8.2 Local roads with cul-de-sacs shall not be permitted to connect to arterial roads unless there are no reasonable alternatives.

4.5.8.3 Private access to arterial and collector roads shall be designed to minimize the number of driveways and to consolidate driveways for adjacent sites where possible.
New development or redevelopment shall only be permitted on a property that has direct frontage on a publicly assumed road constructed to municipal standards.

Traffic Management

Traffic calming shall be considered an effective means of reducing the negative impacts of traffic on the quality of life for Hamilton residents in existing and planned neighbourhoods and other built-up areas. New secondary plans and neighbourhoods shall be designed to minimize the future requirements for traffic calming or traffic management.

Traffic calming devices shall only be installed where warranted in accordance with current City traffic standards.

Traffic management plans for entire neighbourhoods (bounded by an arterial road network) shall be preferred over street-by-street solutions that may shift problems to adjacent roadways. Neighbourhood traffic management shall be explicitly addressed through secondary plans or Transportation Master Plans and, where appropriate, at the draft plan of subdivision or site plan stage for larger developments (i.e. consisting of multiple streets in a subdivision).

The City shall require transportation impact studies to assess the impact of proposed developments on current travel patterns and/or future transportation requirements. These studies shall be submitted as part of applications for Official Plan amendments, subdivision approvals, major rezoning and major site plan approvals.

Roundabouts shall be the preferred method for intersection traffic control over all-way stop and traffic signals. Design of roundabouts shall consider pedestrian and cycling safety and access.

Proactive safety measures for all road systems users, including persons with disabilities or reduced mobility, shall be considered in both new development and redevelopment proposals.

Parking and Loading

Parking and loading requirements regulated through the Zoning By-Law or site plan approval shall ensure adequate parking for the site, while avoiding excess parking supply that can discourage transit use and active transportation choices.

Parking options and related incentives for transit and active transportation use shall be improved through:

a) installation of secure bike parking in strategic high activity public locations, including municipal parking facilities; and,

b) adoption of Zoning regulations to require secure bike parking in new commercial, institutional, and multiple dwelling developments where appropriate.

To facilitate more efficient uses of off-street parking, the City shall encourage the use of shared parking and develop parking standards for mixed use development.
4.5.18 The negative impacts of parking on urban environments and pedestrian activity shall be minimized through:

a) placement of parking and loading areas at the rear of buildings where feasible;

b) use of alternative paving materials such as but not limited to permeable pavement systems;

c) alternative surface water management in parking areas such as urban swales, and ditches;

d) other considerations including promotion of green technology and public art as a component of parking structures;

e) landscaping treatments in accordance with Section B.3.3.10 and the Zoning By-Law; and,

f) other applicable design guidelines and design policies of Volume 1, including Section B.3.3 – Urban Design Policies and Chapter E - Urban Systems and Designations.

4.5.19 New development on properties adjacent to major arterial and minor arterials and where necessary, collector roads, shall include provisions for sufficient parking, loading, manoeuvring and off-street parking.

4.6 Goods Movement Network

An important component of Hamilton’s transportation network is an efficient system of goods and services movement, which helps attract and retain industries and business, thus contributing to the City’s economy. The goods movement network in Hamilton consists of provincial highways, the road network, rail, the John C. Munro Hamilton International Airport and the Port of Hamilton. The local goods movement network links to the wider inter-regional, inter-provincial, and inter-national goods movement network as detailed in the Growth Plan for the Greater Golden Horseshoe. Hamilton has access to a wide range of goods movement facilities and corridors. These facilities and corridors form a network which contributes to making the City an ideal location for a “goods movement gateway”.

4.6.1 The goods movement network in Hamilton shall be maintained, protected and enhanced to support Hamilton’s economic development strategy.

4.6.2 Goods movement corridors include truck and rail transportation routes, the John C. Munro Hamilton International Airport, and the Port of Hamilton as shown on Appendix B – Major Transportation Facilities and Routes. Heavy truck traffic may be restricted to designated truck routes to minimize negative impacts of truck traffic on local roads.

4.6.3 The City shall encourage the development of facilities, including inter-modal facilities, for the transfer of goods between rail, air, marine and truck modes of transportation in appropriate locations such as designated Employment Areas.
Chapter C - City Wide Systems and Designations

4.6.4 The City shall encourage the movement of goods to fully utilize John C. Munro International Airport and the Port of Hamilton, where feasible and in accordance with Sections C.4.8 - Airport and C.4.9 - Marine Network.

4.6.5 Land uses that generate or require significant movement of goods shall be directed to lands designated Employment Area, and Commercial and Mixed Use on Schedule E-1 - Urban Land Use Designations.

4.7 Rail Network

The use of heavy rail transportation shall be considered an efficient method of moving goods and people. Rail is an important mode within the integrated transportation network and shall be promoted while minimizing and eliminating potential conflicts with adjacent land uses.

4.7.1 The City shall support railway companies in providing service to the residents and businesses throughout the City.

4.7.1.1 The City shall encourage heavy rail connections to rapid transit and/or potential light rail transit corridors where feasible to increase the connectivity between modes.

4.7.2 All proposed development and redevelopment adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided to the satisfaction of the City and in consultation with the appropriate railway company.

4.7.3 The City shall support the acquisition of abandoned railway rights-of-way by public authorities, for transportation facilities, utility corridors, bicycle and foot paths, transit rights-of-way, outdoor recreation, reforestation, open space and linkages.

4.7.4 Development adjacent to rail yards and rail lines shall be in accordance with Section B.3.6.3 - Noise, Vibration, and Other Emissions.

4.8 Airport

4.8.1 It is the objective of this Plan to support John C. Munro International Airport as a 24 hour, seven day a week operation. The Airport and the adjacent Airport Business Park is one of the City's major economic nodes and a valued transportation facility which links the movement of goods and people.

4.8.2 The lands identified as John C. Munro International Airport on Schedule E-1 - Urban Land Use Designations are recognized as the City's major airport facility, which includes both airport uses and complementary uses supporting the primary function of the Airport. These lands are intended to have full municipal services.

4.8.3 The City shall support the Federal Government and airline companies in the provision of adequate airline and airport service to the residents and businesses of the City.

4.8.4 The City shall maintain Noise Exposure Forecast (NEF) contours and the Primary Airport Zoning Regulation, as amended from time to time, and formulate guidelines for development in the vicinity of John C. Munro International Airport.
4.8.5 The City shall minimize future conflicts between operation of the Airport and surrounding land uses to ensure:

a) there shall be no negative impact on the long-term operations of the Airport;

b) the opportunities for expansion of airport operations shall not be limited; and,

c) there are no land uses in the vicinity which may cause a potential aviation hazard.

4.8.6 NEF contours and the Airport Influence Area are identified on Appendix D (Urban) - Noise Exposure Forecast Contours and Primary Airport Zoning Regulations, and designated on Schedule G - Airport Influence Area of the Rural Hamilton Official Plan.

4.8.7 All development and redevelopment shall comply with all provincial and municipal standards, criteria and guidelines regarding noise and vibration from air traffic sources, including Section B.3.6.3 - Noise, Vibration and Other Emissions.

4.8.8 Proposals for development, infill development and redevelopment of residential or other sensitive land uses shall comply with the following requirements in Table C.4.8.1 - Requirement for Development in the Vicinity of John C. Munro International Airport, based on all applicable locational criteria. Proposals may meet more than one locational criteria and thereby be subject to more than one set of requirements.
Table C.4.8.1: Requirements for Development in the Vicinity of John C. Munro International Airport

<table>
<thead>
<tr>
<th>Locational Criteria</th>
<th>Requirements</th>
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| 35 NEF and greater, and/or within the Airport Influence Area | - All new development of residential and other sensitive land uses, including infill development and redevelopment, shall be prohibited.  
- New land uses which may cause a potential aviation hazard shall be prohibited. |
| 28 NEF and greater, but less than 35 NEF | - All new development of residential and other sensitive land uses, including infill development and redevelopment, shall be prohibited.  
- New land uses which may cause a potential aviation hazard shall be prohibited.  
- All development applications approved prior to approval of this Plan may proceed. |
| 25 NEF and greater, but less than 28 NEF | - All development and redevelopment proposals for residential and other sensitive land uses shall be required to submit a detailed noise study, employ noise mitigation measures and include appropriate warning clauses in accordance with Section B.3.6.3 - Noise, Vibration and Other Emissions, and Policy C.4.8.6.  
- New land uses which may cause a potential aviation hazard shall be prohibited. |

4.8.9 Any amendment to expand the urban boundary into the Airport Influence Area designated on Schedule G - Airport Influence Area of the Rural Hamilton Official Plan, shall comply with all Airport Influence Area policies and the Rural Hamilton Official Plan.

4.8.10 Any permitted development, redevelopment or infill development at or above 25 NEF or within the Airport Influence Area shall be required to submit a detailed noise study, implement noise mitigative measures in accordance with provincial and federal guidelines/standards or municipal approaches that achieve the same objective, and include appropriate warning clauses in lease or rental agreements, agreements of purchase and sale, and within development agreements.

4.9 Marine Network

The Port of Hamilton is recognized as a valued transportation facility, a significant employment area, and an important link in the movement of goods to and from the City. Other modes of transportation shall continue to provide a link to the marine network.

4.9.1 The City shall provide road access and encourage the provision of adequate rail service to the Port of Hamilton for the efficient use of harbour facilities and services.

4.9.2 The City shall support the Federal Government and the Port Authority in efforts to provide services for the Port of Hamilton that are consistent with the economic and environmental goals of the City subject to Section E.5.0 - Employment Area Designations.
C.5.0 INFRASTRUCTURE

5.1 Sustainable Private Water and Wastewater Services
In Rural Hamilton Official Plan.

5.2 Communal Water and Wastewater Systems
In Rural Hamilton Official Plan.

5.3 Lake-Based Municipal Water and Wastewater Systems
It is the objective of this Plan to prohibit the extension or expansion of all lake-based, municipal water and wastewater services outside the urban area boundary.

5.3.1 The Province requires municipalities to prohibit the extension or expansion of lake-based municipal services outside of urban area boundaries for properties within the City limits, except in response to public health emergencies. No extensions of the municipal lake-based water and wastewater systems shall be permitted by this Plan into lands detailed in the Rural Hamilton Official Plan unless the Medical Officer of Health declares an urgent public health emergency and there are no viable alternatives to rectify the emergency except by the provision of municipal water and/or wastewater systems to the affected population.

5.3.2 The City may allow existing lots and existing uses that front on a rural/urban boundary road, to connect to existing municipal water and wastewater systems, provided all the following conditions are met:

a) the area would remain designated Agriculture, Specialty Crop or Rural in the Rural Hamilton Official Plan; and,

b) sufficient supply and capacity are available to service the existing development.

5.3.3 Prior to the adoption of this Plan, the City has installed, approved specific Official Plan policies, entered into legal agreements and approved engineering plans in accordance with its former Official Plan policies to extend lake-based municipal water and wastewater services to certain properties in the in the Rural Hamilton Official Plan. This Plan recognizes and permits these existing and approved public works to be maintained or completed in accordance with previously policies, agreements and plans approved on or before December 16, 2004. No future lake-based municipal service extensions or expansions, agreements, plans or amendments to same shall be permitted by this Plan.

5.3.4 The City shall endeavour to recover the full lifecycle cost of providing sustainable municipal water and wastewater service as required by applicable municipal By-laws and provincial legislation.

5.3.5 All new development and redevelopment within the urban area shall be connected to the City’s water and wastewater system.

5.3.6 Where a private well(s) and/or private on-site septic system(s) is abandoned in favour of connection to the City’s water and wastewater system, the property
Chapter C - City Wide Systems and Designations

owner shall properly plug the well and decommission the septic tank in accordance with pertinent legislation and guidelines so as to reduce or eliminate potential safety hazards.

5.3.7 The City shall improve the quality of effluent discharged from the sewage treatment plants into Hamilton Harbour and Cootes Paradise by:

a) Aiming to eliminate entry of toxic and harmful contaminants into sewers;

b) Investigating and introducing where feasible, technologies to eliminate toxic and harmful contaminants and reduce pollution in discharge;

c) Using by-products of the sewage treatment plants where possible; and,

d) Preparing an annual monitoring report on the characteristics of discharge.

5.3.8 A wastewater treatment surcharge may be assessed to specific businesses as a means of recovering additional costs associated with the treatment of high concentration effluent at the City's wastewater treatment plant.

5.3.9 The nature or concentrations of wastewater from non-residential sources will be regulated by the City through the Sewer Use By-law, which may be periodically amended by Council. The City shall maintain and update a Water and Wastewater Master Plan which is supported by the policies of this Plan, providing direction for planning and staging of improvements to the City's water and sewer facilities and guides the operation of the City's day-to-day water and sewer programs.

5.3.10 The City shall discourage changes in land use designation and zoning which would result in the underutilization of previously planned and/or constructed water and wastewater systems.

5.3.11 The City shall ensure that any change in density can be accommodated within the municipal water and wastewater system.

5.3.12 Water and wastewater systems shall be designed and constructed in accordance with the specifications and standards of the City, provincial guidelines, and other applicable standards, regulations and guidelines.

5.3.13 The City shall limit development in the urban area to the ability and financial capability of the City to provide infrastructure services in accordance with its approved Development Charges By-laws and to meet provincial environmental standards governing municipal water and wastewater service. The provision of full municipal sewage and water services in the urban area shall be subject to the City’s financial and physical capabilities, as determined by Council.

5.3.14 Expansion of water and wastewater systems within the urban area, shall be in accordance with the Water and Wastewater Master Plan and Staging of Development Plan as well as supporting the City's density and intensification targets as detailed in Sections A.2.3.3 – Other Targets and B.2.4 – Residential Intensification.

5.3.15 The City shall be satisfied that adequate infrastructure services can be provided prior to any development or intensification proceeding and, where technically
and economically possible, the City shall require such services to be located underground.

5.4 Storm Water Management Facilities

The City shall ensure that appropriate storm water management facilities are built and maintained to provide a safe and secure system for storm water.

5.4.1 The City may consider the establishment of interim storm water management facilities on a temporary basis notwithstanding the underlying land use designation for the lands provided the interim facilities do not preclude or prejudice future development on the basis of the land use designations shown on Schedule E-1 - Urban Land Use Designations and Secondary Plan - Land Use Plans shown in Volume 2.

5.4.2 Any new development that occurs shall be responsible for submitting a detailed storm water management plan prior to development to properly address on site drainage and to ensure that new development has no negative impact on off site drainage.

5.4.3 Construction of new storm water management ponds and the expansion, extension, alteration and operations of existing facilities shall be to the satisfaction of the City and shall be accompanied by a storm water management plan which shall demonstrate that:

a) Planning, design and construction practices minimize vegetation removal, grading and soil compaction, sediment erosion, the creation of breeding areas for human disease vector species and impervious surfaces; and,

b) Where appropriate, an integrated approach is used to minimize storm water management flows and structures by such measures as controls and conveyance techniques on individual lots.

5.4.4 In addition to Sections C.5.4.3 a) and b), a storm water management plan otherwise required, by Section F.3.2. - Council Adopted Guidelines and Technical Studies, shall comply with recommendations, standards and targets of the Stormwater Master Plan, approved watershed plans, sub-watershed plans, and other relevant municipal and provincial studies and guidelines relating to the provision of storm water management.

5.4.5 Where possible, storm water management facilities should be designed in consultation with a qualified landscape architect, to achieve an open space setting.

5.4.6 The City shall not permit any new development which would interfere with, or reduce, the drainage capacity of any natural watercourse or result in drainage problems along watercourses and their tributaries.

5.4.7 The City shall encourage the use of measures that will enable the City to control and reduce storm water run-off and to maintain the receiving watercourses in a more natural condition.

5.4.8 Where feasible, storm water management facilities shall be designed to provide a benefit to the Natural Heritage System.
5.4.9 All land designated on Schedule E-1 - Urban Land Use Designations shall meet the following conditions:

a) development and/or redevelopment shall be connected to, or serviced by, a storm water drainage system or other appropriate system such as ditches, or any other techniques acceptable to the City, Conservation Authorities, or the Province and/or detailed in a Storm Water Master Plan or other relevant study;

b) development shall be in accordance with the system capacity for drainage and storm water management and where relevant, will conform to storm water site management plans, a Storm Water Master Plan, site plans and/to other relevant studies, guidelines or regulations; and,

c) storm water systems shall be designed and constructed, in accordance with the City's standards and guidelines, provincial guidelines, storm water master plans, master drainage plans and any other relevant study or legislation.

5.4.10 The City shall endeavour to recover the full lifecycle cost of providing sustainable municipal storm water services as required by applicable municipal and provincial legislation.

5.5 Waste Management Facilities
The City is responsible for the residential waste generated within its boundaries. Waste is managed through a variety of methods including landfill sites, composting household organics, and recycling. New methods of waste disposal will be pursued that will increase the amount of waste diverted from landfill.

5.5.1 The City shall maintain a landfill site that is efficiently designed and operated to protect human health.

5.5.2 In Rural Hamilton Official Plan.

5.5.3 The City shall cooperate with neighbouring municipalities to explore opportunities, implement partnerships and, where feasible, share waste management facilities.

5.5.4 The Solid Waste Management Master Plan recommendations shall be implemented through the Official Plan and Zoning By-law, where appropriate.

5.5.5 In Rural Hamilton Official Plan.

5.5.6 The City shall monitor the leachate seepage and methane gas conditions of all sanitary landfill sites managed by the City, and, in so doing, take every measure to protect the surrounding area and prevent adverse environmental effects that may be associated with the sanitary landfill site.

5.5.7 The City's waste management facilities shall comply with the policies of Section E.5.0 - Employment Area Designations.
CHAPTER D – RURAL SYSTEMS AND DESIGNATIONS

In Rural Hamilton Official Plan.
The City of Hamilton is an amalgamation of seven municipalities (six local and one regional). Most of the former municipalities contain compact cores that serve as focal areas for the local communities. Over time, these independent cores were connected to each other and beyond by way of major transportation spines comprised of roads, railways and transit lines. Today, the cores continue to be linked to each other and other important land uses such as the City's business parks, older industrial areas, commercial areas, and major institutional facilities. Nestled around these cores and between these spines are Hamilton's vibrant neighbourhoods and valued open spaces: the Niagara Escarpment, Cootes Paradise, Lake Ontario and the waterfront areas. This historic urban structure and the shape of the city we see today, will continue to influence Hamilton's future.

The City of Hamilton is committed to managing urban growth and development that is sustainable, comprehensive, and recognizes a balance between the economy, the environment, and the community's social needs. This Plan provides direction for to ensure that a high quality environment is created in a sustainable manner. Growth and development within Hamilton requires balancing all of these facets. The City's sustainable development framework is guided by the Nine Directions, which are identified in Section A of this Plan. In addition to the Nine Directions, goals and principles identified within this Chapter shall provide further direction for growth and development within Hamilton's urban area.
E.1.0 GOALS

The following goals shall apply to the urban systems and land use designations of this plan.

a) Designate land uses to facilitate the development of a node and corridor based urban structure.

b) Support and facilitate development and investment that contributes to the development of the overall urban structure.

c) Develop compact, mixed use urban environments that support transit and active transportation.

d) Develop complete communities where people can live, work, learn, and play.

e) Plan and designate lands for a range of housing types and densities, taking into account affordable housing needs.

f) Promote and support design which enhances and respects the character of existing neighbourhoods and creates vibrant, dynamic, and liveable urban places.

g) Promote and support appropriate residential intensification throughout the urban area and focused in Urban Nodes and Urban Corridors.

h) Recognize that Hamilton's neighbourhoods are stable, not static.

i) Protect and enhance a system of linked natural areas.

j) Protect Hamilton's existing and planned Employment Areas.

k) Plan for and promote the Downtown Urban Growth Centre as the pre-eminent centre in Hamilton for commercial and office development.
E.2.0 URBAN STRUCTURE

The urban structure builds upon the historic structure of the amalgamated city and forms the basis on which Hamilton's future is planned. The urban structure component of this Plan provides a policy approach for guiding long range growth and development challenges. The urban structure formally identifies how the City will physically grow over the long term and provides:

a) a foundation for consistent decision making;

b) a basis for infrastructure investment (i.e. water, wastewater, transportation and storm water);

c) a basis for investment in community facilities (i.e. public health, social services, parks, culture and recreation);

d) policy frameworks for employment land, commercial, and residential development; and,

e) a general, high level land use vision for the City.

2.1 Urban Structure Principles

Hamilton's urban structure shall be a node and corridor structure guided by the following general principles:

a) Nodes and corridors are the focus of reurbanization activities (i.e. population growth, private and public redevelopment, and infrastructure investment).

b) Nodes and corridors provide focal points of activity for Hamilton's local communities and neighbourhoods.

c) Nodes and corridors are connected to each other and are internally served by various modes of transportation, including higher order transit.

d) Nodes and corridors provide a vibrant pedestrian environment and facilitate active transportation through careful attention to urban design.

e) Nodes and corridors evolve with higher residential densities and mixed use developments to achieve their planned functions and support transit.

2.2 Urban Structure Elements

2.2.1 Hamilton's urban structure is identified on Schedule E - Urban Structure and includes the following structural elements:

a) Urban Nodes:

   i) Downtown Urban Growth Centre;

   ii) Sub-Regional Services Nodes; and,

   iii) Community Nodes:
Chapter E - Urban Systems and Designations

b) Urban Corridors:
   i) Primary Corridors; and,
   ii) Secondary Corridors;

c) Major Activity Centres;

d) Neighbourhoods;

e) Employment Areas; and,

f) Major Open Space.

2.2.2 In addition to the elements listed in Policy E.2.2.1, the major transportation and transit corridors, the John C. Munro International Airport, the Port of Hamilton, and the natural heritage system are also important to Hamilton's urban structure and are addressed in other sections of this Plan.

2.2.3 The structural elements on Schedule E - Urban Structure and the associated policies of the urban structure provide direction for specific land use designations and policies contained within Chapter E of Volume 1, Volume 2 and Volume 3.

2.2.4 Changes to the urban structure, including classification of elements, extensions and expansions of elements, or additions of new elements, shall be considered only during the five-year review of this Plan.

2.3 Urban Nodes

Urban Nodes are intended to provide for a broad range and mix of uses in an area of higher density and activity than surrounding Neighbourhoods. Most Urban Nodes will have access to higher order transit and will exhibit a wide variety of land uses and densities designed and oriented to support and facilitate transit and active transportation. These Urban Nodes shall be designed and planned to provide a recognized sense of place to adjacent neighbourhoods.

This Plan sets out a hierarchy of Urban Nodes, including the more intensely developed Downtown Hamilton which acts as a node within the context of the Greater Golden Horseshoe, Sub-Regional Service Nodes which are major centres of retail activity to the City, and Community Nodes which act as focal points to a former local municipality or to a number of neighbourhoods.

2.3.1 Downtown Urban Growth Centre

2.3.1.1 The Downtown Hamilton area is identified as an Urban Growth Centre in the Province’s Growth Plan for the Greater Golden Horseshoe. The Downtown Urban Growth Centre is identified on Schedule E - Urban Structure.

Function

2.3.1.2 The Downtown Urban Growth Centre shall be the pre-eminent node in Hamilton due to its scale, density, range of uses, function and identity by residents of the
City as the Downtown and accordingly, it shall be planned for a range of uses appropriate to its role as the City's pre-eminent node.

2.3.1.3 The Downtown Urban Growth Centre shall provide services to residents across the City as well as to neighbouring municipalities.

2.3.1.4 The Downtown Urban Growth Centre shall function as a major employment centre for the City. Major business, professional, and government offices shall be directed to the Downtown.

2.3.1.5 The Downtown Urban Growth Centre shall serve a regional retail function by providing retail stores and services which appeal to a broad regional market and serve residents across the City and the surrounding area as well as providing day-to-day retail facilities and services to serve Downtown residents.

2.3.1.6 The Downtown Urban Growth Centre shall function as a residential neighbourhood with a large and diverse population. A range of housing types, including affordable housing and housing with supports, shall be encouraged as set out in the Downtown Hamilton Secondary Plan and other associated secondary plans and policies of this Plan.

2.3.1.7 The Downtown Urban Growth Centre shall be promoted as the centre for major public facilities, cultural facilities and uses, and major entertainment uses, and shall function as the cultural and institutional centre of the City.

2.3.1.8 The Downtown Urban Growth Centre shall function as a major transit hub for the City with a GO rail station and higher order transit systems extending out from the Centre.

**Scale**

2.3.1.9 The Downtown Urban Growth Centre shall generally have the higher density within the City with a minimum overall density of 250 persons and jobs per hectare. Overall density in excess of this target may be achievable and warranted. Increases to this density target shall be considered as part of a review of the Downtown Hamilton Secondary Plan. The density targets shall be evaluated based, in part, on the results of the Downtown Office Strategy and the impacts on existing infrastructure and transportation networks.

2.3.1.10 It is anticipated that the Downtown Urban Growth Centre will accommodate approximately 20% of the City-wide residential intensification over the time period of this Plan which equates to a range of 5,000 to 6,000 dwelling units.

2.3.1.11 The Downtown Urban Growth Centre shall be planned and encouraged to accommodate in excess of 100,000 square metres of retail floor space.

2.3.1.12 Detailed policies on permitted building heights and densities shall be set out in the Downtown Hamilton Secondary Plan, other secondary plans covering lands within the Downtown Urban Growth, and other policies of this Plan.

**Design**

2.3.1.13 The Downtown Urban Growth Centre shall be designed with a strong pedestrian focus to create a comfortable and animated pedestrian environment.
Chapter E - Urban Systems and Designations

2.3.1.14 The Downtown Urban Growth Centre shall be designed to accommodate all modes of transportation with a focus on transit and active transportation including pedestrian and cycling trips within the Downtown and between the Downtown and the surrounding Neighbourhoods.

2.3.1.15 Parking shall continue to be provided within the Downtown Urban Growth Centre to serve the needs of residents, employees, and consumers, and shall increasingly be provided in underground or above ground structures where feasible.

2.3.1.16 Reduced parking requirements shall be considered to encourage a broader range of uses and densities and to support transit.

2.3.2 Sub-Regional Service Nodes

2.3.2.1 Sub-Regional Service Nodes include the Limeridge and Eastgate Nodes as identified on Schedule E - Urban Structure.

Function

2.3.2.2 Sub-Regional Service Nodes shall provide a range of uses that allow for access to housing, jobs, services, and recreation in close proximity to each other and may be accessible by higher order transit.

2.3.2.3 Sub-Regional Service Nodes shall provide a regional retail function by providing retail stores and services to serve the needs of residents across the City and surrounding area as well as serving the weekly and daily shopping needs of residents within the Node and in surrounding neighbourhoods.

2.3.2.4 Sub-Regional Service Nodes shall function as employment centres providing a range of employment largely in population serving offices, retail, personal services, and local institutions.

2.3.2.5 Sub-Regional Service Nodes shall function as vibrant, mixed use areas with a large and diverse population. A range of housing types, including affordable housing and housing with supports, shall be encouraged. The predominant form of new housing shall be in medium and high density buildings.

2.3.2.6 Sub-Regional Service Nodes play an important role in the future transit network in the City. Sub-Regional Service Nodes will contain major transit stations. The Nodes shall be designed to accommodate an increasing number of residents, visitors, and employees arriving via transit and other modes of transportation.

Scale

2.3.2.7 Sub-Regional Service Nodes shall generally have some of the higher densities within the City with a target density of 100 to 150 persons and jobs per hectare across each node.

2.3.2.8 Sub-Regional Service Nodes shall be planned to accommodate a significant proportion of the City-wide residential intensification over the time period of this Plan in accordance with Policy B.2.4.1.3.

2.3.2.9 The Sub-Regional Service Nodes shall contain a range of building heights and densities. To achieve the density targets, new development shall predominantly be in the form of multiple storey buildings with a mix of uses preferred.
2.3.2.10 The Sub-Regional Service Nodes shall be planned and encouraged to accommodate in excess of 100,000 square metres of retail floor space each.

2.3.2.11 Detailed secondary plans shall be undertaken for the Sub-Regional Service Nodes to provide greater direction on mix of uses, heights, densities, built form, and design, and shall be coordinated with rapid transit planning projects. Pending the completion of secondary plans for the Sub-Regional Service Nodes, the land use designations and policies set out in Chapter E - Urban Systems and Designations shall provide direction for development proposals.

**Design**

2.3.2.12 The Sub-Regional Service Nodes shall develop a pedestrian focus, particularly on the key retail and mixed use streets within the Nodes. A comfortable pedestrian environment shall be achieved through infilling with retail, service commercial, residential, and mixed use buildings.

2.3.2.13 Secondary plans prepared for each Node shall identify pedestrian predominant streets. On pedestrian predominant streets, buildings shall be built to the streetline with store fronts and other active uses opening onto the street. New development in other areas of the Nodes shall be designed and built to create a comfortable pedestrian environment.

2.3.2.14 Sub-Regional Service Nodes shall contain a broad mix of uses, which will be achieved largely through a greater infusion of residential uses. The mixing of uses should be in the form of mixed use buildings or a mix of uses on the same property. Redevelopment of larger sites provides significant opportunities to transform the character of a Node. Therefore, on sites greater than 2.5 hectares, a mix of uses shall be required in major redevelopments. Addition of a parking structure in conjunction with an existing building shall not be considered a major redevelopment.

2.3.2.15 Sub-Regional Service Nodes shall be designed to provide for a transition of built form to adjacent Neighbourhoods and Urban Corridors.

2.3.2.16 Streets within Sub-Regional Service Nodes shall be designed to improve and promote active transportation within the Nodes and between other Nodes and surrounding Neighbourhoods.

2.3.2.17 To accommodate additional densities and support transit, parking areas shall, where feasible, be accommodated in underground or above ground structures. Surface parking shall be screened from the primary pedestrian streets by buildings.

2.3.2.18 Reductions in parking requirements shall be considered to encourage a broader range of uses and densities and to support transit.

2.3.3 Community Nodes

2.3.3.1 The following areas are identified as Community Nodes on Schedule E - Urban Structure:

a) the downtowns of the former municipalities of Dundas, Ancaster, Flamborough (Waterdown), and Stoney Creek:
b) Centre Mall area, Meadowlands area, the East Mountain/Heritage Green Centre and the Upper James Street/Rymal Road area; and,

c) the Elfrida node.

**Function**

2.3.3.2 Within each Community Node a range of uses shall be provided that allow for access to housing, employment, services, and recreation in close proximity to each other and transit. The Community Nodes shall provide services to residents within the former area municipalities and surrounding neighbourhoods in a mixed use environment.

2.3.3.3 Community Nodes shall provide community scale retail stores and services to the residents within the Node and surrounding neighbourhoods.

2.3.3.4 Community Nodes shall provide an employment function consisting primarily of employment in retail, services, local institutions, and government services.

2.3.3.5 Community Nodes shall function as vibrant, mixed use areas containing a range of housing opportunities, including affordable housing and housing with supports. The unique characteristics of the individual Community Nodes lend themselves to a range of built forms.

2.3.3.6 Community Nodes shall be linked to the higher order transit system through connecting conventional transit or by rapid transit, where possible. Where possible, the City shall direct local routes through the Community Nodes.

**Scale**

2.3.3.7 Community Nodes shall generally be planned to achieve a target density of a 100 persons and jobs per hectare.

2.3.3.8 Community Nodes shall be planned to accommodate some residential intensification over the time period of this Plan. The location, scale and amount of residential intensification shall be established through detailed secondary plans described in Policy B.2.3.3.11.

2.3.3.9 The built form shall largely be in medium and low rise, mixed use buildings. Along the commercial and mixed use streets, single use commercial buildings shall be permitted along with residential housing forms on the periphery of the Nodes. However, the intent of this Plan is to increase the proportion of multiple storey, mixed use buildings that have retail and service commercial uses at grade.

2.3.3.10 A Community Node shall be planned to accommodate generally between 25,000 and 100,000 square metres of retail floor space.

2.3.3.11 Detailed secondary plans shall be undertaken for Community Nodes to provide greater direction on mix of uses, heights, densities, built form, and design. Pending the completion of secondary plans for Community Nodes, the land use designations and policies set out in this Chapter shall provide direction for development proposals.

2.3.3.12 Notwithstanding Policy E.2.3.3.7, some Community Nodes may be developed as lower intensity nodes appropriate to the character of their adjacent neighbourhoods, other infrastructure, or transportation constraints as follows:
a) Due to transportation constraints and the existing character of the adjacent
neighbourhoods, a target density in the range 50 persons and jobs per
hectare shall apply to the Ancaster Community Node. This target may be
adjusted through the development of a secondary plan.

b) Intensification shall not be permitted in the Waterdown Community Node
until infrastructure and transportation constraints have been alleviated.

Design

2.3.3.13 The Community Nodes shall be planned to have a strong pedestrian focus.

2.3.3.14 In the historic former downtowns, a strong pedestrian focus is long established
and shall be enhanced where necessary.

2.3.3.15 In the newer Community Nodes, a strong pedestrian focus shall evolve over
time through infilling of retail, service commercial and mixed use buildings while
being sensitive to the character and density of surrounding residential areas.

2.3.3.16 Pedestrian prominent streets shall be identified in each Community Node. On
Pedestrian prominent streets, buildings shall be built to the streetline with store
fronts and other active uses opening onto the street.

2.3.3.17 The Community Node shall contain a broad mix of uses. Where possible, this mix
of land uses should include developments either as mixed use buildings or a mix
of uses on the same property. Redevelopment of larger sites provides significant
opportunities to transform the character of a Node. Therefore, on sites greater
than 2.5 hectares, a mix of uses shall be required in major redevelopments.

2.3.3.18 New development shall respect the existing built form of adjacent
neighbourhoods by providing a gradation in building heights and by locating
and designing new development to minimize the effects of shadowing and
overview on properties in adjacent neighbourhoods.

2.3.3.19 Streets within the Community Nodes shall be designed to provide strong
pedestrian linkages and active transportation opportunities between the
surrounding Neighbourhoods and the Nodes.

2.3.3.20 Automobile access will continue to be important to Community Nodes but it
shall be balanced with the need to improve pedestrian and transit access and
opportunities for active transportation.

2.3.3.21 Parking shall be provided through on-street parking, in parking structures, and in
surface lots to the rear or sides of commercial buildings.

2.3.3.22 Reductions in parking requirements shall be considered in order to encourage a
broader range of uses and densities to support transit.

2.4 Urban Corridors

Urban Corridors follow several major streets throughout the City and will
continue to link our communities together as they have in the past. Corridors
have traditionally included a mix of uses providing locations for businesses and
housing as well as physical and social focal points for the adjacent
neighbourhoods. The intent of this Plan is to maintain and enhance the mixed
use nature of the City's corridors while recognizing that segments of individual corridors will differ in character and function and will evolve over time. The City's corridors provide a significant opportunity for creating vibrant pedestrian and transit oriented places through investment in infrastructure, residential intensification, infill and redevelopment, and careful attention to urban design.

2.4.1 Primary Corridors and Secondary Corridors are identified on Schedule E - Urban Structure.

Function

2.4.2 Urban Corridors are a separate structural element from the Neighbourhoods, which are set out in Section E.2.6, however in many locations, Urban Corridors function as an integral part of the surrounding Neighbourhood, and serve as a central focal point.

2.4.3 Urban Corridors shall be the location for a range of higher density land uses along the corridor, including mixed uses where feasible, supported by higher order transit on the Primary Corridors.

2.4.4 Primary Corridors shall serve to link two or more nodes, major activity centres, or employment areas.

2.4.5 Secondary Corridors shall serve to link nodes and employment areas, or Primary Corridors.

2.4.6 Urban Corridors shall function as commercial spines providing retail stores and commercial services that cater primarily to the weekly and daily needs of residents within the surrounding neighbourhoods. Small scale retail stores that cater to a broader regional market may be also permitted.

2.4.7 Portions of the Urban Corridors shall be designated to permit arterial commercial type uses as set out in Section E.4.8 - Arterial Commercial Designation. Permitted uses include retail stores which are land extensive, require outdoor storage or have a warehouse-type character as well as services catering to the traveling or drive-by consumer.

2.4.8 Primary Corridors shall be served by the higher order of transit service. Secondary Corridors may be served by a higher order transit service.

2.4.9 A potential eastward extension of the Secondary Corridor along Highway 8 to link up to any future intermodal transit station in the vicinity of Fifty Road and the QEW may be considered.

Scale

2.4.10 The built form along the Urban Corridors shall generally consist of low to mid rise forms, but will vary along the length of the corridors with some areas permitted to accommodate high density and high rise built form. The Primary Corridors shall have a greater proportion of the corridor length in retail and mixed use forms, while the Secondary Corridors shall generally accommodate retail and mixed use forms in small clusters along the corridors with medium density housing located between the clusters.

2.4.11 Urban Corridors shall be a focus for intensification through the Neighbourhoods which they traverse. However, it is anticipated that intensification will also occur...
within the surrounding Neighbourhoods, particularly on sites along other arterial roads that are not designated as Urban Corridors.

2.4.12 Secondary Corridors are currently characterized, in large measure, by single use buildings. The intent of this Plan is to evolve the Secondary Corridors to an increasing proportion of multiple storey, mixed use buildings in small cluster locations with at grade retail and service commercial uses.

2.4.13 Corridor studies or secondary planning shall be undertaken for the Urban Corridors 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, shall provide direction for development proposals.

Design

2.4.14 Urban Corridors shall provide a comfortable and attractive pedestrian experience. Corridor studies and secondary planning shall make recommendations for active transportation connections including pedestrian improvements to individual sections of a corridor.

2.4.15 New development shall respect the existing built form of adjacent neighbourhoods where appropriate by providing a gradation in building height. New development shall locate and be designed to minimize the effects of shadowing and overview on properties in adjacent neighbourhoods.

2.4.16 Reductions in parking requirements shall be considered in order to encourage a broader range of uses and densities to support existing and planned transit routes.

2.5 Major Activity Centres

Major Activity Centres are a significant urban structural element in the City. They act in many respects as mixed use nodal areas with a high level of in-commuting. However, their primary functions are largely dual purpose (education and health care), providing regional scale services. Major Activity Centres are major employment generators.

2.5.1 The locations of Major Activity Centres are identified on Schedule E - Urban Structure and include:

a) McMaster University and McMaster University Medical Centre; and,
b) Mohawk College and St. Joseph’s Hospital (mountain campus).

Function

2.5.2 Major Activity Centres shall primarily accommodate major institutional uses but also provide for ancillary residential, recreation, research and office uses.

2.5.3 Majority Activity Centres shall be served by a range of transportation modes.

2.5.4 Major Activity Centres shall be linked by Primary Urban Corridors to other Urban Nodes including the Downtown and shall be served by the higher order transit service in recognition of the high ridership rates by students and employees.
Chapter E - Urban Systems and Designations

Scale and Design

2.5.5 The land use policies in Chapter E shall set out detailed policies on scale, massing, design, and the permitted uses for Major Activity Centres.

2.6 Neighbourhoods

Neighbourhoods are where the majority of Hamiltonians live, learn, shop, socialize, and play. A key component of Hamilton’s urban structure, the Neighbourhoods element is an all encompassing element representing the concept of complete community at the structural level. Neighbourhoods occupy the greatest proportion of the City, containing a mix of low, medium, and high rise residential areas; various types of roads, parks, open spaces, and commercial areas; and institutions such schools and places of worship.

The Neighbourhoods are bordered and bisected, in a number of locations by Urban Corridors. These corridors are a separate structural element from the Neighbourhoods, but in many locations function as an integral part of the surrounding Neighbourhood, often serving as the central focal point.

Hamilton’s neighbourhoods are, by and large, regarded as stable. However, that does not mean these areas are static. These neighbourhoods will see some physical change over time. Neighbourhoods will evolve as older residents move out, younger residents and families move in, homes are renovated or rebuilt, infill development occurs, commercial areas are invigorated, or underutilized commercial areas redeveloped. Residential intensification within Neighbourhoods is part of the evolution of a neighbourhood and can happen at a range of scales and densities provided the intensification is compatible with and respects the built form and character of the surrounding neighbourhood.

2.6.1 Neighbourhoods are identified on Schedule E - Urban Structure.

Function

2.6.2 Neighbourhoods shall primarily consist of residential uses and complementary facilities and services intended to serve the residents. These facilities and services may include parks, schools, trails, recreation centres, places of worship, small retail stores, offices, restaurants, and personal and government services.

2.6.3 The Neighbourhood element of the urban structure shall be implemented through land use designations shown on Schedule E-1 - Urban Land Use Designations.

2.6.4 The Neighbourhoods element of the urban structure shall permit and provide the opportunity for a full range of housing forms, types and tenure, including affordable housing and housing with supports.

2.6.5 The Neighbourhoods element of the urban structure shall permit a range of commercial uses including retail stores and services. These commercial uses may be clustered into plaza forms or in main street configurations. Over time, some of these commercial areas may evolve into a mixed use form, where appropriate. Commercial uses that cater to a broader regional market shall be directed to appropriate Urban Nodes. The Neighbourhoods element of the urban structure permits a broader range of commercial areas than the Neighbourhoods Designation. The different types of commercial areas are designated on Schedule E-1 - Land Use Designations. The policies of Section
E.4.0 - Commercial and Mixed Use Designations, Section E.3.0 - Neighbourhoods Designation, and applicable secondary plans of Volume 2 shall provide specific direction on the scale of commercial uses in the various commercial and mixed use designations.

2.6.6 The Neighbourhoods element of the urban structure shall permit arterial commercial type uses in appropriate locations through specific land use designations as specified in Section E.4.0 - Commercial and Mixed Use Designations and where designated on Schedule E-1 - Urban Land Use Designations. These uses include services catering to the traveling or drive-by consumer as well as retail stores, which are land extensive, require outdoor storage, or have a warehouse-type character, and cannot be appropriately accommodated in the Urban Nodes.

Scale

2.6.7 Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted. Applications for development and residential intensification within Neighbourhoods shall be reviewed in consideration of the local context and shall be permitted in accordance with Sections B.2.4 - Residential Intensification, E.3.0 - Neighbourhoods Designation, E.4.0 - Commercial and Mixed Use Designations, and, E.6.0 - Institutional Designation.

2.7 Employment Areas

Employment Areas are the primary employment generators in the City and the location of diverse areas of employment. These employment areas range from the historic, heavy industrial, and port employment areas to planned business parks.

2.7.1 Employment Areas are identified on Schedule E - Urban Structure.

Function

2.7.2 Employment Areas shall provide employment through a broad range of uses, including traditional industrial uses, research and development uses, and other uses. Uses which support the businesses and employees of the employment area shall be permitted. Major retail uses or residential uses shall not be permitted. The permitted uses shall be described in more detail in Section E.5.0 - Employment Area Designations.

2.7.3 Employment Areas shall provide for a diverse range of employment opportunities in proximity to the City's major infrastructure including the Port, the Airport, and the highway and transit network. It is important to provide a range of opportunities in order to meet the varying locational and market requirements for businesses including regionally significant industries.

2.7.4 To meet the long-term market demands and locational requirements of the various industrial sectors, existing Employment Areas shall be retained.

Scale and Design

2.7.5 Smaller scale office buildings shall be permitted within all Employment Areas.
Chapter E - Urban Systems and Designations

2.7.6 Employment Areas shall be planned and designed to be easily accessible by a range of transportation modes including the automobile, transit, and active transportation.

2.7.7 Employment Areas shall be planned and designed to maximize access to goods movement corridors and the efficiency of goods movement within the Employment Areas. Goods movement includes maximizing access to the highway network, the port, and the airport.

2.7.8 Employment Areas shall be designed to improve the aesthetics from the public realm. Lands facing the QEW and service roads and at intersections of the QEW shall be designed such that the placement of buildings, accesses, and landscaping enhance the entrances and image of the City.

2.8 Major Open Space

The Major Open Space system identified on Schedule E - Urban Structure includes the predominant natural and open space features that form part of a continuous system throughout the urban area. These features are comprised of the Niagara Escarpment and associated environmentally significant areas, the Red Hill Valley, Cootes Paradise, and Waterfront areas including, the West Harbour Area and the Waterfront Trail, Confederation Park, and the Hamilton Beach Recreational Trail.

Function

2.8.1 The Major Open Space system provides for a variety of passive and active recreational opportunities for residents and visitors to the City.

2.8.2 The Major Open Space system is not the urban area natural heritage system, although some of its features shall also form part of the natural heritage system. Schedule B – Natural Heritage System delineates the Natural Heritage System.

Scale

2.8.3 In addition to the Major Open Space system, there are parks, open spaces, and natural features which contribute to the recreation and aesthetics of the City. The specific open space land use designations and policies within the Neighbourhoods and applicable Secondary plans are set out in Section C.3.3 – Open Space Designations, and Volume 2.
E.3.0 NEIGHBOURHOODS DESIGNATION

Hamilton's neighbourhoods are diverse, ranging from old, historic areas of the City, to newly developed subdivisions. Each neighbourhood has its own unique character. Together, neighbourhoods create the rich mosaic of the City.

Neighbourhoods provide the context for daily life for citizens. Neighbourhoods are "living areas" - places where we live, learn, play and socialize on a daily basis. The designation "Neighbourhoods" recognizes that our neighbourhoods are made up of more than just homes, but include a variety of land uses. The mix of uses is important in a neighbourhood. Also important are the relationships between these uses, the locations of the uses, how they function together, how they are designed, and how they are accessed by local residents.

The intent of the Neighbourhoods designation is to describe neighbourhood functions, identify appropriate scales of development and design requirements for various land uses, and allow for the continued evolution of neighbourhoods.

3.1 Policy Goals

The following goals apply to the Neighbourhoods land use designation:

3.1.1 Develop compact, mixed use, transit-supportive, and active transportation friendly neighbourhoods.

3.1.2 Develop neighbourhoods as part of a complete community, where people can live, work, shop, learn, and play.

3.1.3 Plan and designate lands for a range of housing types and densities, taking into account affordable housing needs.

3.1.4 Promote and support design which enhances and respects the character of existing neighbourhoods while at the same time allowing their ongoing evolution.

3.1.5 Promote and support residential intensification of appropriate scale and in appropriate locations throughout the neighbourhoods.

3.2 Neighbourhoods Designation - General Policies

Function

3.2.1 Areas designated Neighbourhoods shall function as complete communities, including the full range of residential dwelling types and densities as well as supporting uses intended to serve the local residents.

3.2.2 The Neighbourhoods designation applies to lands generally greater than 4 hectares in size designated Neighbourhoods on Schedule E-1 - Urban Land Use Designations.

3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 - Urban Land Use Designations:

   a) residential dwellings, including second dwelling units and housing with supports;
b) open space and parks;

c) local community facilities/services; and,

d) local commercial uses.

Scale and Design

3.2.4 The existing character of established Neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 - Residential Intensification and other applicable policies of this Plan.

3.2.5 Individual supporting uses in the Neighbourhoods designation shall be no greater than 4 hectares in size.

3.2.6 Supporting uses such as local commercial, community facilities/services, and open space and parks, should be clustered to create a focal point for the neighbourhood and to facilitate access by all forms of transportation.

3.2.7 The City shall require quality urban and architectural design. Development of lands within the Neighbourhoods designation shall be designed to be safe, efficient, pedestrian oriented, and attractive, and shall comply with the following criteria:

a) New development on large sites shall support a grid system of streets of pedestrian scale, short blocks, street oriented structures, and a safe and attractive public realm.

b) Garages, parking areas, and driveways along the public street shall not be dominant. Surface parking between a building and a public street (excluding a public alley) shall be minimized.

c) Adequate and direct pedestrian access and linkages to community facilities/services and local commercial uses shall be provided.

d) Development shall improve existing landscape features and overall landscape character of the surrounding area.

e) Development shall comply with Section B.3.3 - Urban Design Policies and all other applicable policies.

3.2.8 Proposals for supporting uses, except local commercial uses, within the Neighbourhoods designation shall be evaluated on the following criteria:

a) compatibility with the surrounding area in terms of scale, massing, height, siting, orientation, setbacks, parking, and landscaping;

b) access to a collector or major or minor arterial road shall be preferred;

c) provision of adequate off-street parking with appropriate buffering and landscaping from residential uses;

d) compliance with Section B.3.3 - Urban Design Policies and B.3.5 - Community Facilities/Services Policies; and,
Chapter E - Urban Designations

3.2.9 New elementary schools may be located adjoining parks provided the School Board provides adequate outdoor space on their lands to meet their needs.

3.2.10 Schools shall be designed to be accessible to those children they serve with minimum exposure to traffic hazards. Adequate bus loading and unloading facilities both on and off-site shall be incorporated into the design as needed.

3.2.11 To maintain existing neighbourhood character and to provide for pedestrian friendly environments, reduced right-of-way widths may be permitted in accordance with Section C.4.5 - Roads Network.

3.2.12 Innovative neighbourhood designs incorporating energy and environmental design standards and the conservation of natural resources shall be promoted in accordance with Section B.3.3 - Urban Design Policies and Section B.3.7 - Energy and Environmental Design Policies.

3.2.13 The City supports residential intensification on lands within the Neighbourhoods designation in accordance with Section B.2.4 - Residential Intensification Policies, F.1.14 - Lot Creation, and other applicable policies.

3.2.14 New housing with supports shall be permitted within the Neighbourhoods designation in accordance with the locational and design criteria of the residential category to which the density and built form best complies.

3.2.15 The City shall encourage the adaptive reuse of the existing building stock for appropriate land uses. Rezoning applications for new uses shall be evaluated to ensure compatibility with surrounding land uses.

3.3 Residential Uses - General Policies

Three categories of residential land use are described in this section but are not designated on Schedule E-1 - Urban Land Use Designations. These residential categories provide general location, scale, and design directions for the purposes of secondary planning and zoning. These categories may also be applied in the redevelopment of larger sites.

3.3.1 Lower density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery of neighbourhoods on or in close proximity to major or minor arterial roads.

3.3.2 Development or redevelopment adjacent to areas of lower density shall ensure the height, massing, and arrangement of buildings and structures are compatible with existing and future uses in the surrounding area.

3.4 Low Density Residential

Function

3.4.1 The preferred location for low density residential uses is within the interior of neighbourhoods.
Low density residential areas are characterized by lower profile, grade-oriented built forms that generally have direct access to each unit at grade.

Uses permitted in low density residential areas include single-detached, semi-detached, duplex, triplex, and street townhouse dwellings.

For low density residential areas the maximum net residential density shall be 60 units per hectare.

For low density residential areas, the maximum height shall be three storeys.

Development in areas dominated by low density residential uses shall be designed in accordance with the following criteria:

a) Direct access from lots to adjacent to major or minor arterial roads shall be discouraged.

b) Backlotting along public streets and in front of parks shall be discouraged. The City supports alternatives to backlotting, such as laneway housing and window streets, to promote improved streetscapes and public safety, where feasible.

c) A mix of lot widths and sizes compatible with streetscape character; and a mix of dwelling unit types and sizes compatible in exterior design, including character, scale, appearance and design features; shall be encouraged. Development shall be subject to the Zoning By-law regulations for appropriate minimum lot widths and areas, yards, heights, and other zoning regulations to ensure compatibility.

d) Development, including the creation of infill lots involving the creation of new public streets or extensions, shall generally proceed by way of plan of subdivision. Such plans shall achieve the logical and sequential extension of streets and municipal services and an efficient lotting pattern.

Medium density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads, or within the interior of neighbourhoods fronting on collector roads.

Uses permitted in medium density residential areas include multiple dwellings except street townhouses.

Notwithstanding Policy E.3.5.2, street townhouses shall be permitted:

a) for lands in Central Hamilton, identified on Appendix G – Boundaries Map;

b) by secondary plan designations and policies in Central Hamilton, identified on Appendix G – Boundaries Map; and,
c) by secondary plan designations and policies existing at the date of adoption of this Plan.

3.5.4 Local commercial uses may be permitted on the ground floor of buildings containing multiple dwellings, provided the provisions of Section E.3.8 - Local Commercial are satisfied.

3.5.5 Medium density residential uses shall be located within safe and convenient walking distance of existing or planned community facilities, public transit, schools, active or passive recreational facilities, and local or District Commercial uses.

3.5.6 Medium density residential built forms may function as transitions between high and low profile residential uses.

Scale

3.5.7 For medium density residential uses, the net residential density shall be greater than 60 units per hectare and not greater than 100 units per hectare.

3.5.8 For medium density residential uses, the maximum height shall be six storeys.

Design

3.5.9 Development within the medium density residential category shall be evaluated on the basis of the following criteria:

a) Developments should have direct access to a collector or major or minor arterial road. If direct access to such a road is not possible, the development may gain access to the collector or major or minor arterial roads from a local road only if a small number of low density residential dwellings are located on that portion of the local road.

b) Development shall be integrated with other lands in the Neighbourhoods designation with respect to density, design, and physical and functional considerations.

c) Development shall be comprised of sites of suitable size and provide adequate landscaping, amenity features, on-site parking, and buffering if required. The height, massing, and arrangement of buildings and structures shall be compatible with existing and future uses in the surrounding area.

d) Access to the property shall be designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets.

e) The City may require studies, in accordance with Chapter F - Implementation Policies, completed to the satisfaction of the City, to demonstrate that the height, orientation, design, and massing of a building or structure shall not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses.

3.6 High Density Residential

Function

3.6.1 High density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads.
3.6.2 Uses permitted in high density residential areas include multiple dwellings, except street townhouses.

3.6.3 Local commercial uses may also be permitted on the ground floor of buildings containing multiple dwellings, provided the provisions of Section E.3.8 – Local Commercial are satisfied.

3.6.4 High density residential uses shall be located within safe and convenient walking distance of existing or planned community facilities/services, including public transit, schools, and active or passive recreational facilities.

3.6.5 Proximity to the Downtown Urban Growth Centre, Sub-Regional Nodes or Community Nodes, and designated Employment Areas shall be considered desirable for high density residential uses.

Scale

3.6.6 In high density residential areas, the permitted net residential densities, identified on Appendix G – Boundaries Map shall be:

- a) greater than 100 units per hectare and not greater than 500 units per hectare in Central Hamilton; and,

- b) greater than 100 units per hectare and not greater than 200 units per hectare in all other Neighbourhoods designation areas.

- c) Notwithstanding Policy E.3.6.6 b), for smaller sites fronting on arterial roads, an increase in density may be considered, without an amendment to this Plan, provided the policies of this Plan are met.

Design

3.6.7 Development within the high density residential category shall be evaluated on the basis of the following criteria:

- a) Development should have direct access to a collector or major or minor arterial road. If direct access to such a road is not possible, the development may be permitted direct access to a collector or major or minor arterial roads via a local road upon which abut only a small number of low density residential category dwellings.

- b) High profile multiple dwellings shall not generally be permitted immediately adjacent to low profile residential uses. A separation distance shall generally be required and may be in the form of a suitable intervening land use, such as a medium density residential use. Where such separations cannot be achieved, transitional features such as effective screening and/or design features shall be incorporated into the design of the high density development to mitigate adverse impact on adjacent low profile residential uses.

- c) High profile development may be considered appropriate, subject to the other policies of this Plan, where it would result in the preservation of natural heritage system features or public view corridors which may otherwise be compromised by more dispersed, lower profile development.
d) Development shall:

i) provide adequate landscaping, amenity features, on-site parking, and buffering where required;

ii) be compatible with existing and future uses in the surrounding area in terms of heights, massing, and an arrangement of buildings and structures; and,

iii) provide adequate access to the property, designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets.

e) In accordance with the policies of Section B.3.3 – Urban Design Policies, development shall contribute to an attractive public realm by minimizing the view of the following elements from the abutting public streets (excluding public alleys):

i) surface parking areas;

ii) parking structures;

iii) utility and service structures such as garbage enclosures; and,

iv) expanses of blank walls.

f) The City may require studies, in accordance with Chapter F - Implementation Policies, completed the satisfaction of the City, to demonstrate that the height, orientation, design and massing of a building or structure shall not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses.

g) The orientation, design, and massing of a building or structure higher than six storeys shall take into account the impact on public view corridors and general public views of the area of the Niagara Escarpment, waterfront, and other parts of the City as identified through secondary plans or other studies.

3.7 Residential Greenfield Design

3.7.1 New greenfield communities shall be designed with a unique and cohesive character. Buildings, streetscapes, street patterns, landscaping, open spaces, and infrastructure shall be designed to contribute to this character.

3.7.2 New greenfield communities shall be designed to include a focal point. All elements of the design of the community including the layout of streets, trails, pedestrian connections, and transit routes as well as the location of land uses and transit stops, shall contribute to creation of the community focal point.

3.7.3 The configuration of streets, trails, and open spaces shall ensure clear and convenient pedestrian, cycling, and vehicular connections from within the greenfield community to the focal point and adjacent neighbourhoods.
3.7.4 The City may consider alternative development standards in new residential development in greenfield areas. Such alternative development standards may include:

a) reduced road right-of-way widths;

b) reduced boulevard widths;

c) use of public lanes, private lanes, and on-street parking to promote more compact residential development and to provide more attractive streetscapes;

d) greater reliance on common open space areas to facilitate more compact development patterns; and,

e) alternative standards for the spacing and location of underground infrastructure.

3.7.5 New residential development in greenfield areas shall be designed and planned to minimize changes to existing topography, preserve existing trees and natural features, and be compatible with, and maintain public views and vistas to prominent City features and landmarks, including the Niagara Escarpment, the waterfronts of Lake Ontario and Hamilton Harbour, Cootes Paradise, and Dundas Valley, or as identified through secondary plans, cultural heritage management plans, cultural heritage conservation plan statements, or other studies.

3.7.6 New development or redevelopment adjacent to open spaces shall:

a) minimize the impacts on natural heritage features;

b) maintain or enhance public access to trails, bikeways, and parks within these features;

c) preserve or enhance public views to these features; and,

d) use native plant material adjacent to these features.

3.7.7 Prior to registration of a plan of subdivision, the City may require the owner to prepare urban design and/or architectural guidelines to the satisfaction of the City. The City may undertake architectural control to ensure compliance with the approved urban design or architectural guidelines.

3.8 Local Commercial Function

3.8.1 Local commercial uses that primarily cater to the weekly and daily needs of residents within the surrounding neighbourhood may be permitted within the Neighbourhoods designation.

3.8.2 The following uses shall be permitted:

a) retail and service uses such as a craftsperson shop, day nursery, commercial school, financial establishment, medical office, business office, professional
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office, business office, motor vehicle service station, personal service, place of worship, repair service, restaurant, retail, studio, art gallery, tradesperson shop, and veterinary service;

b) medical offices or clinic, provided it has direct access to an arterial road and is adjacent to other local commercial uses; and,

c) residential uses, in accordance with Policy E.3.8.9.

3.8.3 Drive-through facilities accessory to commercial uses shall be regulated through the Zoning By-law and site plan approval to ensure compatibility with adjacent uses, in accordance with Policy E.3.8.15.

Scale

3.8.4 Local commercial uses may be permitted in the following built forms:

a) small single-use buildings such as those occupied by a convenience store or a medical office;

b) a plaza form at varying scales containing multiple commercial uses;

c) a main street configuration with multiple commercial uses; or,

d) multiple storey buildings with the local commercial uses on the ground floor and residential units above.

3.8.5 The City shall encourage numbers and sizes of local commercial uses to adequately serve local residents.

3.8.6 Local commercial uses may be permitted on a range of site areas not exceeding 4 hectares and at a range of scales not exceeding a total gross floor area of 10,000 square metres per site. All adjacent parcels and parcels at the intersection of roadways developed for local commercial uses shall be considered as one local commercial site.

3.8.7 Where additional commercial space is approved in a local commercial area in the Neighbourhoods designation which in the aggregate is significantly greater than 10,000 square metres, the City shall consider, at the five year review of the Official Plan, an amendment to redesignate the entirety of the local commercial area to an appropriate Commercial designation.

3.8.8 Local commercial uses shall comply with the following provisions:

a) The gross floor area for any individual retail use shall not exceed 50% of the total permitted gross floor area of all local commercial uses.

b) The gross floor area for any individual office shall not exceed 500 square metres.

c) The total maximum gross floor area and height for a development located on a particular site shall be determined through secondary plans or corridor studies where applicable, and Zoning By-laws.

Design
3.8.9 Development and redevelopment of local commercial uses shall:

a) front and have access to a major arterial, minor arterial, or collector road;

b) provide safe and convenient access for pedestrians and cyclists; and,

c) be compatible with the surrounding area in terms of design, massing, height, setbacks, on-site parking, noise impact, landscaping, and lighting.

3.8.10 Residential units located in the same building as local commercial uses shall generally be located above the ground floor. Some components of the residential use may be located in ground floor areas in the rear of buildings. All commercial space shall be located on the ground floor with the primary entrance to the commercial space through the principal façade of the building.

3.8.11 New local commercial uses shall be planned and designed to be integrated with and easily accessible from the surrounding neighbourhood.

3.8.12 New local commercial uses and properties shall be clustered and generally located at intersections with arterial and collector roads.

3.8.13 New local commercial buildings or uses which could result in strip commercial development shall not be permitted, but new local commercial buildings or uses may be permitted within or as an expansion of an existing main street area provided such buildings or uses:

a) are located up to the street or in line with other buildings along the main street;

b) strengthen the pedestrian focus of the main street and assist in creating a vibrant and active street;

c) provide an active storefront along the street with the main entrance of each building or store and substantial fenestration facing onto the street; and,

d) do not exacerbate an oversupply of retail space in the neighbourhood or along the main street.

3.8.14 New local commercial buildings or uses in areas other than those referred to in E.3.8.11 shall:

a) be located close to the street to create a strong pedestrian orientation particularly along adjoining collector roads;

b) provide a principal entrance facing the arterial and collector road;

c) provide direct access from the sidewalk;

d) provide windows and signage facing the street; and,

e) provide for a consistent minimum setback.
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3.8.15 Office uses are intended to be part of local commercial clusters, therefore, conversions of dwellings to accommodate offices identified in Policy E.3.8.2 a) shall not be permitted in scattered locations along arterial and collector roads.

3.8.16 Notwithstanding Policy E.3.8.14, conversions of dwellings to accommodate offices identified in Policy E.3.8.2 a) may be permitted provided the following criteria shall be met:

a) the block face between two roads in which the conversion is proposed is not occupied predominantly by residential uses;
b) the conversion shall not create access problems or result in transportation impacts;
c) the use shall be clustered with other similar uses or other non-residential uses;
d) the required parking is accommodated in the side or rear yard; and,
e) appropriate landscaped buffering, as specified in the implementing Zoning By-law, is provided between the parking and adjacent residential uses.

3.8.17 No parking, drive-throughs, or stacking lanes should be permitted between buildings and the public sidewalk.

3.8.18 On-street parking may be permitted along adjacent collector roads and contribute to the required parking.

3.9 Open Space and Parks

3.9.1 Open space and parks shall be provided in accordance with Sections B.3.5.3 - Parkland Policies and C.3.3 - Open Space Designations.

3.10 Community Facilities/Services

Function

3.10.1 Community facilities/services uses include public and private uses serving the cultural, religious, health, welfare, and educational needs of a neighbourhood. Community facilities/services may include community and recreation centres, arenas, parks, healthcare and social service facilities, day care centres, seniors' centres, emergency medical services, fire services, police services, cultural facilities, places of worship, museums, schools, universities and colleges, and libraries.

3.10.2 The City shall encourage a diverse range of community facility/service uses and promote the sharing of facilities and resources as capacities permit.

3.10.3 Existing secondary schools on sites of 4 hectares or less shall be permitted to expand subject to the applicable policies of Section B.3.5 - Community Facilities/Services Policies.

3.10.4 The City shall collaborate with other community facilities/services organizations to facilitate the provision of a wide range of services in close proximity to residents.
E.4.0 COMMERCIAL AND MIXED USE DESIGNATIONS

The Commercial and Mixed Use designations play an important role in achieving the planned function of the Urban Node and Urban Corridor elements of the urban structure. Combining commercial uses with residential intensification creates significant nodes of day-long activity which support the City's investments in transit and infrastructure.

Retail stores, restaurants and other service commercial uses contribute to the health and vitality of the City and to the city streets. Vibrant retail areas can become vibrant mixed use areas where people live, work, shop, and play. Areas with properly located and designed commercial and mixed uses become functionally diverse people places serving a range of functions.

Some of the most sought after neighbourhoods in a city are often popular due to the vibrancy of a nearby commercial mixed use area. These areas become the defining element of a neighbourhood, creating a sense of place for residents whether at a city wide or neighbourhood level.

To achieve these functions, many commercial uses and areas are to be located primarily in mixed use designations which are located within the Urban Nodes and Corridors. Smaller main street commercial areas, which can be part of the Neighbourhoods element of the Urban Structure, are also designated Mixed Use.

The Mixed Use designations support the development of Urban Nodes and Corridors. The retail and service commercial uses permitted in the Mixed Use designations are a key component of the planned function since these uses provide a service to the surrounding communities and neighbourhoods, attract people to the Nodes and Corridors, and create the street activity fundamental to a vibrant and viable mixed use Node or Corridor.

The District Commercial designation is intended to provide retail and service commercial uses which cater to the weekly and daily shopping needs of residents in the surrounding neighbourhoods. New and redeveloped District Commercial centres are intended to create street character that improves and enhances the pedestrian experience.

The Arterial Commercial designation is intended to cater to the traveling or drive-by consumer as well as provide for land extensive retail stores which require outdoor storage or sales and cannot be appropriately accommodated in the other designations.

4.1 Policy Goals
The following goals shall apply to the Commercial and Mixed Use designations:

4.1.1 Create and retain vibrant mixed use areas that accommodate a range of uses and are accessible by automobile, transit, and active transportation.

4.1.2 Direct the majority of retail commercial uses to mixed use areas that are well served by transit and serve as a central place for the City, a portion of the City, or for one or more neighbourhoods.
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4.1.3 Create comfortable, walkable and stimulating pedestrian streets along key roads within the mixed use areas.

4.1.4 Maintain an appropriate distribution of retail and commercial services in each neighbourhood in order to meet the day-to-day and weekly shopping needs of residents and in locations which are highly accessible by active transportation, and transit, as well as the automobile.

4.1.5 Maintain an appropriate distribution of retail and commercial services across the City to meet the discretionary and occasional shopping needs of the public in locations highly accessible by transit as well as the automobile.

4.1.6 Direct land extensive retail uses which require outdoor storage or sales to areas designated Arterial Commercial areas.

4.2 Commercial and Mixed Use Designations - General Policies

Function
Retail patterns have evolved over time and shall continue to change in the future. The policies are intended to be flexible to enable landowners to adapt to these changes as they occur while achieving the planned urban structure for the City.

4.2.1 The Official Plan includes five categories of Commercial and Mixed Use designations as follows:

a) Downtown Mixed Use;

b) Mixed Use - High Density;

c) Mixed Use - Medium Density;

d) District Commercial; and,

e) Arterial Commercial.

4.2.2 The Commercial and Mixed Use designations specified in Policy E.4.2.1 shall apply to lands generally 4 hectares or greater, designated Commercial or Mixed Use on Schedule E-1 - Urban Land Use Designations. Lands used for commercial and mixed use purposes less than 4 hectares shall be permitted within the Neighbourhoods designation subject to Section E.3.0 - Neighbourhoods Designation.

Permitted Uses

4.2.3 Local and neighbourhood serving retail and service commercial uses shall also be permitted in the Neighbourhoods designation, and a limited amount of ancillary and service commercial uses shall be permitted in the Employment Area designations.

4.2.4 The majority of retail and service commercial uses shall be directed to the Mixed Use designations in the Urban Nodes and Urban Corridors. The Mixed Use designations also apply to smaller mixed use areas outside the Urban Nodes and Urban Corridors. These smaller mixed use areas are intended to serve the needs of the surrounding neighbourhoods.
4.2.5 A more limited range of retail uses shall be permitted in the District Commercial designation to serve the day-to-day and weekly shopping needs of residents in the surrounding neighbourhood but in a primarily non-mixed use environment.

4.2.6 A limited range and scale of retail and service commercial uses catering to the traveling consumer, are land extensive retail establishments, or cannot be appropriately accommodated in areas designated Mixed Use, shall be permitted in and directed to the Arterial Commercial designation.

4.2.7 Existing traditional shopping streets shall be encouraged to flourish and diversify to meet the broader social, business, and entertainment needs of the community.

Scale

4.2.8 Applications for retail and service commercial uses or areas greater than 25,000 square metres in gross floor area that are not of an arterial commercial nature shall require an amendment to the urban structure to create a new Urban Node or extension of an Urban Corridor.

4.2.9 Notwithstanding Policies E.4.2.3 and E.4.2.6, four major commercial areas currently exist in the City of Hamilton that exceed 25,000 square metres of retail and commercial service space, but are not anticipated to evolve into mixed use areas during the life of this Plan. These four areas are not identified as Urban Nodes or Urban Corridors, are within the Neighbourhood element of the Urban Structure on Schedule E - Urban Structure, are designated District Commercial on Schedule E-1 - Urban Land Use Designations and have area or site specific requirements contained in Volume 3. The amount or type of retail uses in these locations shall not be expanded without an amendment to the Urban Structure. The four major commercial areas are located:

a) in the area of Garner Road, Shaver Road, McClure Road, and Wilson Street West (part of Duff’s Corners);

b) in the area east of Highway 6, the Niagara Escarpment, the pipeline easement, and Borer’s Creek (part of Clappison’s Corners);

c) in the area, south of the QEW, west of Fifty Road, north of the CNR Railway and east of Winona Road; and,

d) at 480 and 500 Centennial Parkway North and 20 Warrington Street.

4.2.10 It is not the intent of this Plan to create additional major commercial areas exceeding 25,000 square metres of retail and commercial space which are not mixed use.

4.2.11 Official Plan amendment applications for retail or service commercial development exceeding 5,000 square metres of gross floor area shall be required to undertake a commercial needs and impact assessment, in accordance with Policy F.3.2.7 - Commercial Needs and Impact Assessment. The Commercial Needs and Impact Assessment shall assess the impact of the proposal on designated retail areas and the potential for negative impacts to the planned function of these areas. Impact on planned function may include store closures, loss of vitality within the Node or Corridor which may affect the...
attraction or success of other land uses, or diminishment of the role and function of the structural element or the designation.

4.3 **Pedestrian Predominant Streets**

Attractive and comfortable pedestrian streets create sense of place for residents and visitors.

The most successful commercial areas are streets that cater to and stimulate the shopper. Shopping is only partially the action of buying goods and services; it is also entertainment. A vibrant, stimulating, and comfortable shopping and walking environment can entertain shoppers and entice them to stay longer in the shopping area. The longer shoppers stay the more vibrant and successful a retail area will become.

*Pedestrian predominant streets are intended to cater to the pedestrian by creating a comfortable, active and visually stimulating walking environment. Pedestrian predominant streets shall have wide sidewalks, buildings oriented to the public sidewalk, outdoor cafes, and a high level of streetscape design and activity. These areas include the main street retail areas of the former downtowns as well as other historic main street areas and future areas designed to have similar pedestrian oriented character.*

4.3.1 **Within lands designated Mixed Use - Medium Density on Schedule E-1 - Urban Land Use Designations,** the following streets shall be planned as *pedestrian predominant streets*:

<table>
<thead>
<tr>
<th>Street</th>
<th>From</th>
<th>To</th>
</tr>
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<tbody>
<tr>
<td>Ancaster</td>
<td>Wilson Street East</td>
<td>Halson Street</td>
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<td>Russoeaux Street</td>
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<tr>
<td>Dundas</td>
<td>King Street</td>
<td>York Road</td>
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<td></td>
<td>Market Street</td>
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<tr>
<td>Flamborough</td>
<td>Franklin Street</td>
<td>Dundas Street</td>
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<td></td>
<td>Griffin Street</td>
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<td></td>
<td>Mill Street</td>
<td>Hamilton Drive</td>
</tr>
<tr>
<td></td>
<td>Griffin Street</td>
<td>Cedar Street (just south)</td>
</tr>
<tr>
<td></td>
<td>Barton Street</td>
<td>Cedar Street (just south)</td>
</tr>
<tr>
<td></td>
<td>Flamboro Street</td>
<td>Dundas Street</td>
</tr>
<tr>
<td>Glanbrook</td>
<td>Highway 56</td>
<td>Maggie Johnson Drive</td>
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<td></td>
<td>Viking Drive</td>
<td></td>
</tr>
<tr>
<td>Binbrook Road</td>
<td>Kaufman Drive</td>
<td>Eastern boundary of Secondary Plan Area</td>
</tr>
<tr>
<td>Hamilton</td>
<td>King Street</td>
<td>Longwood Road</td>
</tr>
<tr>
<td></td>
<td>Wellington Street</td>
<td>Queen Street</td>
</tr>
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<td></td>
<td>CN Railway Tracks</td>
<td>Markland Avenue</td>
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<tr>
<td></td>
<td>Barton Street</td>
<td>Main Street East</td>
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<td></td>
<td>Main Street West</td>
<td>Herkimer Street</td>
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<td>Wellington Street</td>
</tr>
<tr>
<td></td>
<td>Barton Street</td>
<td>Main Street East</td>
</tr>
</tbody>
</table>

*Table E.4.3.1: Pedestrian Predominant Streets*
4.3.2 Secondary plans and corridor studies shall confirm the locations and refine the boundaries for pedestrian predominant streets.

4.3.3 In areas designated Mixed Use - High Density and in the newer areas designated Mixed Use - Medium Density on Schedule E-1 - Urban Land Use Designations, secondary plans shall identify new pedestrian predominant streets. The secondary plan shall contain policies and urban design guidelines to address Policy E.4.3.4.

4.3.4 In addition to the policies of the specific Commercial and Mixed Use designations, the following policies shall apply to pedestrian predominant streets:

a) A minimum of 75% of the block face located between two roads shall be developed with buildings.

b) Buildings shall be built up to the streetline and parking, driveways or lanes shall be discouraged from being located between the buildings and the street.

c) Each building or store front shall face onto the pedestrian predominant street with the main entrance of each building or store and substantial fenestration facing on to the street.

d) Drive-through facilities shall not be permitted.

e) Residential uses shall not be permitted on the ground floor of a building facing on to a pedestrian predominant street.

f) On-street parking shall be provided where feasible and appropriate.

g) A minimum height of two storeys shall be encouraged.

h) Single use buildings exceeding a ground floor area of 5,000 square metres shall generally be directed to the interior of a property with smaller stores oriented onto the pedestrian predominant street in front of the larger stores. Alternatively, larger stores could be located up to the streetline provided they are lined with smaller stores, multiple entrances, or other similar means to animate the streetscape.

i) Sidewalks shall be required on both sides of the street and shall be of sufficient width to:

i) accommodate anticipated pedestrian volumes;

ii) comfortably and safely accommodate the needs of persons with disabilities and seniors;
iii) ensure sufficient space for coordinated street furnishings, public utilities, and tree plantings; and,

iv) accommodate sidewalk cafes, kiosks, and street vendors where possible.

j) Transit shelters and stops shall be provided, where appropriate;

k) New buildings and spaces shall be designed to reflect a human scale of development, contribute to public safety and security, and create a significantly enhanced pedestrian environment.

l) New buildings shall be encouraged to have awnings, canopies, arcades, or front porches to provide weather protection.

m) Hotels shall be encouraged to locate on pedestrian predominant streets with the main façade and entrance facing the pedestrian predominant street. The main automobile arrival areas may be located on a pedestrian predominant street provided the pedestrian circulation is accommodated.

4.4 Downtown Mixed Use Designation

The area designated Downtown Mixed Use is the historic downtown of Hamilton. Its boundaries coincide with the Downtown Hamilton Secondary Plan, it is intended to have a full range of retail, service commercial, institutional, cultural, entertainment, and office uses as well as a range of residential uses.

Function

4.4.1 The range and breadth of commercial uses are intended to serve a broad regional market and also provide day-to-day retail goods and services to Downtown residents.

4.4.2 The area designated Downtown Mixed Use shall also serve as a central focus for the City by creating a sense of place. Retail and service commercial uses are a key element in maintaining that function and ensuring the continued vibrancy of the Downtown. New commercial development shall be designed and oriented to enhance the streetlife of the Downtown.

4.4.3 Increasing the number of people who work and live the Downtown shall enhance the day and night activity and contribute to its planned function as a vibrant people place.

Permitted Uses

4.4.4 The following uses shall be permitted on lands designated Downtown Mixed Use on Schedule E-1 – Urban Land Use Designations:

a) commercial uses such as retail stores, auto and home centres, home improvement supply stores, offices including major offices, personal services, live work units, artist studios, financial establishments, and restaurants;

b) institutional uses such as hospitals, universities, government offices, places of worship, and schools;
c) arts, cultural, entertainment, and recreational uses;
d) accommodation, such as hotels, motels; and,
e) residential uses.

4.4.5 Notwithstanding Policy E.4.4.4, the full range of uses shall not be permitted throughout the lands designated Downtown Mixed Use. Some parts of the lands designated Downtown Mixed Use, as identified in the Downtown Secondary Plan, consist of stable, low rise residential areas, and it is the intent of the Plan for these areas to remain. The Downtown Secondary Plan and zoning by-law establish more detailed land use designations and permitted uses which apply to specific areas of the Downtown.

Prohibited Uses

4.4.6 The following uses shall be prohibited on lands designated Downtown Mixed Use on Schedule E-1 – Urban Land Use Designations:

a) drive-through facilities;
b) gas bars and car washes;
c) vehicular service stations as a primary use;
d) vehicle dealerships; and,
e) garden centres as a primary use.

Scale

4.4.7 Permitted density and heights shall be set out in the secondary plan for the lands designated Downtown Mixed Use.

4.4.8 Within the area designated Downtown Mixed Use, a higher density form of housing shall be encouraged, including affordable housing, that may be integrated with business uses including retail and service commercial establishments on the ground floor, as further set out in the Downtown Secondary Plan.

4.4.9 Permitted uses shall be located in both single and mixed use buildings.

Design

4.4.10 The Downtown Mixed Use area shall be designed as a pedestrian focused area with a high level of pedestrian comfort and amenities. Buildings shall generally be situated close to and oriented to the street. Retail buildings shall have storefronts and other active uses opening onto the sidewalk. On the pedestrian predominant streets, new development shall enhance pedestrian comfort and street activity and where possible increase the built block face. New development in other areas of the Downtown Mixed Use area should create a comfortable pedestrian environment.

4.4.11 Building mass shall consider the pedestrian nature of the area designated Downtown Mixed Use. Massing techniques such as stepped back or terraced floors may be required.
4.4.12 Streetscape plans shall provide details for upgraded streetscape treatments, especially on pedestrian predominant streets.

4.4.13 Streets within the Downtown Mixed Use area shall be designed to accommodate the automobile, transit and active transportation, including pedestrian and bicycle trips within the Downtown and from the surrounding Neighbourhoods. Along pedestrian predominant streets, sidewalk widths shall be maximized where possible and a broad range of sidewalk activities, permitted where space allows, to promote sidewalk cafés, sidewalk kiosks, street vendors, and performers.

4.4.14 Reduced parking requirements shall be considered in recognition of the high level of transit service to the area designated Downtown Mixed Use.

4.5 Mixed Use - High Density Designation

Lands designated Mixed Use - High Density are located in the two Sub-regional Service Nodes at Limeridge and Eastgate, and in the Centre Mall Community Node. The Mixed Use - High Density designated permits a full range of retail, service commercial, entertainment, office and high density residential uses. The range of retail uses are intended to appeal to a broad regional market and serve residents across the City and the surrounding area. The designation also provides day-to-day retail facilities and services to residents in the immediate area. New development should enhance the pedestrian ambience of the area and create a people place through the design and physical arrangement of retail and service commercial uses.

Function

4.5.1 The range and breadth of commercial uses are intended to serve a regional market as well as provide day-to-day retail goods and services to residents in the immediate area.

4.5.2 Areas designated Mixed Use - High Density shall serve as a focus for surrounding communities, creating a sense of place for those communities. Retail and service commercial uses are a key element in maintaining that function and ensuring the continued vibrancy of Sub-regional Service Nodes.

4.5.3 Areas designated Mixed Use - High Density shall evolve into compact, mixed use people places where people can live, work and shop. To achieve this function, new development shall be designed and oriented to create comfortable, vibrant, and stimulating pedestrian oriented streets within each Mixed Use - High Density area.

4.5.4 It is also the function of the areas designated Mixed Use - High Density to serve as vibrant people places with increased day and night activity through the introduction of residential development. Residential development enhances the function of these areas as major transit hubs.

Permitted Uses

4.5.5 The following uses shall be permitted on lands designated Mixed Use - High Density on Schedule E-1 – Urban Land Use Designations:
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a) commercial uses such as retail stores, auto and home centres, home improvement supply stores, offices, personal services, financial establishments, live work units, artist studios, restaurants, and gas bars;

b) institutional uses such as hospitals, places or worship, and schools;

c) arts, cultural, entertainment, and recreational uses;

d) hotels;

e) multiple dwellings; and,

f) accessory uses.

Prohibited Uses

4.5.6 Notwithstanding Policy E.4.5.5, the following uses shall be prohibited on lands designated Mixed Use - High Density on Schedule E-1 - Urban Land Use Designations:

a) drive-through uses on pedestrian predominant streets;

b) gas bars and car washes on pedestrian predominant streets;

c) vehicle dealerships; and,

d) garden centres as a primary use.

Scale

4.5.7 Areas designated Mixed Use - High Density shall contain a range of building heights and densities. To achieve the density targets set out in Sections E.2.3.2 - Sub-Regional Service Nodes and E.2.3.3 - Community Nodes, new development shall predominantly be in the form of multiple storey buildings with a mix of uses preferred.

4.5.8 Secondary plans shall provide greater direction on mix of uses, heights, densities, built form and design and shall establish a minimum density for commercial, residential and mixed use buildings.

4.5.9 Until the secondary plan is approved, the minimum density for residential and mixed use buildings shall be 100 units per hectare with lower density uses abutting existing low density residential areas.

4.5.10 Permitted uses shall be located in both single and mixed use buildings.

4.5.11 All offices within the Mixed Use - High Density designation shall not exceed 10,000 square metres of gross floor area for each free standing building.

Design

4.5.12 Areas designated Mixed Use - High Density are intended to develop in a compact urban form with a streetscape design and building arrangement supporting pedestrian use and circulation and the creation of a vibrant people place.
4.5.13 Secondary plans and associated studies undertaken for the Sub-regional Service Node shall identify an appropriate street(s) to serve as a pedestrian predominant street along with detailed streetscape, built form, phasing policies, and urban design guidelines to specify the intended built form and the creation of a vibrant and active pedestrian oriented shopping street.

4.5.14 Applications for new development shall demonstrate how the policies for a pedestrian predominant street and the creation of a vibrant people place are being achieved.

4.5.15 On non-pedestrian predominant streets, buildings shall be located close to the street with no parking, drive-throughs, or stacking lanes between the building and the street. Larger single use buildings over 5,000 square metres may be situated in the interior or at the rear of the site with smaller foot print buildings located up to the street. Alternatively, larger stores could be located up to the streetline provided they have a consistent setbacks with adjacent built forms, have multiple entrances and fenestrations, or other similar means to animate the streetscape.

4.5.16 Secondary plans shall establish minimum and maximum setbacks on non-pedestrian predominant streets as well as minimum block-face requirements that may be less than those on the pedestrian predominant streets but recognize the intended mixed use built form for the area.

4.5.17 Development applications shall be encouraged to provide a mix of uses on the site.

4.5.18 In the absence of a secondary plan, each applicant for new development shall submit a concept plan for the property that addresses how:

a) the policies for a pedestrian predominant street and the creation of a vibrant people place are being achieved;

b) the public and private realm can be improved to enhance the pedestrian experience; and,

c) the property may accommodate a mix of uses and how it will intensify over time including addressing such matters as:

i) the provision of local roads and small blocks;

ii) the siting and orientation of buildings which do not preclude future intensification; and,

iii) the ability to achieve both short term and longer term intensification.

4.5.19 New development shall respect the existing built form of adjacent neighbourhoods by providing a gradation in building height and densities, and by locating and designing new development to minimize the effects of shadowing and overview on properties in adjacent neighbourhoods.

4.5.20 Reduced parking requirements shall be considered to take advantage of the higher level of transit service to the Sub-Regional Service Nodes.
4.6 **Mixed Use - Medium Density Designation**

The Mixed Use - Medium Density designation is found within the Community Nodes, Urban Corridors, and Neighbourhood elements of the Urban Structure. The intent of the Mixed Use - Medium Density designation is to permit a full range of retail, service commercial, entertainment, and residential accommodation at a moderate scale. The designation recognizes the traditional mixed use main streets in the City (outside of the Downtown Mixed Use area), as well as other large commercial areas which serve the surrounding community or a series of neighbourhoods and which are intended to evolve and intensify into mixed use, pedestrian oriented areas. Increasing the number of people who work and live within the area designated Mixed Use – Medium Density will also contribute to the planned function of the area as a people place.

**Function**

4.6.1 The range of commercial uses is intended to serve the surrounding community or series of neighbourhoods as well as provide day-to-day retail facilities and services to residents in the immediate area. These areas shall also serve as a focus for the community, creating a sense of place.

4.6.2 The Mixed Use - Medium Density designation shall be applied to traditional ‘main street’ commercial areas outside of the area designated Downtown Mixed Use, and to promote the continuation of these areas as pedestrian oriented mixed use areas. Retail and service commercial uses are key elements in maintaining that function and ensuring the continued vibrancy of the pedestrian realm.

4.6.3 Newer areas designated Mixed Use - Medium Density shall evolve over time into compact, mixed use people places where people can live, work, and shop.

4.6.4 It is also the function of areas designated Mixed Use - Medium Density to serve as vibrant people places with increased day and night activity through the introduction of residential development. Residential development enhances the function of these areas as transit supportive nodes and corridors.

**Permitted Uses**

4.6.5 The following uses shall be permitted on lands designated Mixed Use - Medium Density on Schedule E-1 – Urban Land Use Designations:

a) commercial uses such as retail stores, auto and home centres, home improvement supply stores, offices oriented to serving residents, personal services, financial establishments, live-work units, artist studios, restaurants, and gas bars;

b) institutional uses such as hospitals, places of worship, and schools;

c) arts, cultural, entertainment, and recreational uses;

d) hotels;

e) multiple dwellings; and,

f) accessory uses.
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Prohibited Uses

4.6.6 The following uses shall be prohibited on lands designated Mixed Use - Medium Density on Schedule E-1 - Urban Land Use Designations:

a) drive-through facilities on pedestrian predominant streets;

b) gas bars and car washes on pedestrian predominant streets;

c) vehicle dealerships; and,

d) garden centres as a primary use.

Scale

4.6.7 Lands designated Mixed Use - Medium Density shall contain a range of building heights and densities to a maximum height of six storeys, which shall be set out in the implementing zoning by-law. The specific permitted heights and densities shall depend on the area and be established through secondary plans where one exists and the zoning by-law.

4.6.8 Additional height up to a total of eight storeys may be permitted without an amendment to this Plan, provided the applicant demonstrates:

a) there are no adverse shadow impacts created on existing residential uses within adjacent lands designated Neighbourhoods;

b) buildings are progressively stepped back from adjacent areas designated Neighbourhoods. The Zoning by-law may include an angular plane requirement to set out an appropriate transition and stepping back of heights; and,

c) buildings are stepped back from the street to minimize the height appearance from the street, where necessary.

4.6.9 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.

4.6.10 Permitted uses shall be located in single or mixed use buildings.

4.6.11 The amount of retail and service commercial space within each area designated Mixed Use - Medium Density shall generally range from 25,000 to 100,000 square metres of floor area. Designations within this range shall be reflected on Schedule E - Urban Structure as Urban Corridors or Community Nodes.

4.6.12 Areas designated Mixed Use - Medium Density with retail and service commercial floor area greater than approximately 100,000 square metres shall require an amendment to Section E.2.0 - Urban Structure, to create an additional Sub-Regional Service Node.

4.6.13 Some commercial areas within the Mixed Use - Medium Density designation and identified as the Neighbourhoods element of the Urban Structure may contain
less than 25,000 square metres of retail and service commercial floor area. It is not the intent to substantially increase the commercial floor area in these areas. Increasing the size of the retail and service commercial space within these designations substantially beyond 25,000 square metres shall require an amendment to the Urban Structure.

4.6.14 All offices within the Mixed Use - Medium Density designation shall not exceed 10,000 square metres of gross floor area for each free standing building.

4.6.15 Although residential development is permitted and encouraged, it is not the intent of the Plan for the Mixed Use - Medium Density designated areas to lose the planned retail and service commercial function set out in this Plan.

Design

4.6.16 New development shall be designed and oriented to create comfortable, vibrant and stimulating pedestrian oriented streets within each area designated Mixed Use - Medium Density.

4.6.17 Areas designated Mixed Use - Medium Density are intended to develop in a compact urban form with a streetscape design and building arrangement that supports pedestrian use and circulation and create vibrant people places.

4.6.18 In the historic former downtowns and main streets, a strong historic pedestrian focus is long established, and shall be enhanced through new development.

4.6.19 To strengthen the pedestrian focus in areas where it does not currently exist, the City shall require infilling of retail, service commercial, and mixed use buildings in a physical arrangement which assists in creating a vibrant and active pedestrian street environment. Such buildings shall be located up to the street along a pedestrian predominant street.

4.6.20 The City may initiate a secondary plan for each of the non-main street area designated Mixed Use - Medium Density. The secondary plan shall:

a) identify an appropriate street(s) to serve as a pedestrian predominant street along with detailed streetscape, built form, and phasing policies to realize the intended built form and the creation of a vibrant and active pedestrian oriented shopping street;

b) establish policies to guide the intensification of the site including phasing policies; and,

c) establish minimum and maximum setbacks on all streets as well as minimum block-face requirements which may vary by street.

4.6.21 On non-pedestrian predominant streets, buildings shall be located close to the street with no parking, drive-throughs, or stacking lanes between the building and the street. Larger single use buildings over 5,000 square metres may be situated in the interior or at the rear of the site with smaller footprint buildings located close to the street. Alternatively, larger stores could be located up to the streetline provided they are lined with smaller stores, multiple entrances, or other similar means to animate the streetscape.

4.6.22 Development applications shall be encouraged to provide a mix of uses on the site.
4.6.23 In the absence of a secondary plan, each applicant for new development shall submit a concept plan for the property that addresses how:

a) the policies for a pedestrian predominant street and the creation of a vibrant people place are being achieved;

b) the public and private realm can be improved to enhance the pedestrian experience; and,

c) the property may accommodate a mix of uses and how it will intensity over time including addressing such matters as:

i) the provision of local roads and small blocks;

ii) the siting and orientation of buildings which do not preclude future intensification; and,

iii) the ability to achieve both short term and longer term intensification.

4.6.24 New development shall respect the existing built from of adjacent neighbourhoods by providing a gradation in building height and densities, and by locating and designing new development to minimize the effects of shadowing and overview on properties in adjacent neighbourhoods.

4.6.25 Areas designated Mixed Use - Medium Density shall be integrated with the surrounding neighbourhoods through frequent street and pedestrian linkages.

4.6.26 Automobile access shall continue to be an important mode of transportation from the surrounding neighbourhoods, but it shall be balanced with the need to improve pedestrian access and opportunities for active transportation.

4.6.27 Reduced parking requirements shall be considered to encourage a broader range of uses and take advantage of a higher level of transit service.

4.6.28 Some historic commercial main streets have more commercial space than can be supported by the surrounding market area. In these locations, residential development and conversion shall be encouraged on the fringes outside of the pedestrian predominant streets.

4.7 District Commercial Designation

Areas designated District Commercial are intended to provide retail and service commercial uses to the immediate neighbourhood. District Commercial areas shall contain a range of retail shops and services that cater primarily to the weekly and daily shopping needs of residents in the surrounding neighbourhoods. These retail shops and services may currently be clustered in a plaza forms but new areas or expansions and redevelopment of existing areas can create an improved street presence by bringing the stores up to the edge of the street.

Function

4.7.1 The range of retail uses are intended to serve the daily and weekly shopping needs of residents in the surrounding neighbourhoods. The District Commercial
areas shall also serve as a focus for the adjacent neighbourhood(s) by creating a sense of place.

**Permitted Uses**

4.7.2 The following uses shall be permitted on lands designated District Commercial on Schedule E-1 – Urban Land Use Designations:

a) commercial uses including retail stores, personal services, financial establishments, live work units, restaurants, including gas bars, car washes, and service stations;

b) offices provided they are located above the first storey;

c) residential uses provided they are located above the first storey of a mixed use building; and,

d) accessory uses.

**Prohibited Uses**

4.7.3 Notwithstanding Policy E.4.7.2, the following uses shall be prohibited on lands designated District Commercial on Schedule E-1 – Urban Land Use Designations:

a) vehicle dealerships;

b) garden centres as a primary use; and,

c) a single use over 10,000 square metres in floor area.

**Scale**

4.7.4 The specific permitted heights and densities shall depend on the area and may be further refined through detailed secondary plans or the Zoning By-law.

4.7.5 The built form may include stand-alone stores, multiple unit commercial buildings or live-work buildings.

4.7.6 The preferred location of a new District Commercial designated area is at the intersection of a collector road and a major or minor arterial road.

4.7.7 The maximum amount of retail and service commercial floor space permitted in an area designated District Commercial shall be 25,000 square metres.

4.7.8 Office uses on the same lot, shall not exceed 2,000 square metres.

4.7.9 Although residential development is permitted and encouraged, it is not the intent of the Plan for the District Commercial designated areas to lose the planned retail and service commercial function set out in this Plan.

**Design**

4.7.10 Areas designated District Commercial shall be planned and designed to be integrated with and easily accessible from the surrounding neighbourhood by a range of transportation modes including the automobile, transit, and active transportation.
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4.7.11 In new areas designated District Commercial or for additions or redevelopments of existing District Commercial designated areas, smaller retail buildings shall be located up to the street to create a strong pedestrian orientation, particularly along adjoining collector roads.

4.7.12 Where buildings are located up to the street in accordance with Policy E.4.7.11, the principal entrances shall face the public street providing direct access from the sidewalk. The windows and signage shall also face the street and buildings should have a consistent minimal setback.

4.7.13 No parking, driveways, lanes, stacking lanes, or aisles should be permitted between buildings and the public sidewalk except as provided for in Policy E.4.7.16.

4.7.14 Drive-throughs, car washes, service stations, and gas bars shall be permitted provided they meet the requirements of Policy E.4.7.13 and are located away from the pedestrian-oriented area identified in Policy E.4.7.11.

4.7.15 Parking lots abutting the street shall be screened with low walls, and/or landscape materials to provide a sense of enclosure along the setback line.

4.7.16 Single use stores greater than 5,000 square metres may be situated in the interior or at the rear of the site with smaller foot print buildings located close to the street. Alternatively, larger stores could be located up to the streetline along an arterial road or along a collector road provided in the latter situation they are lined with smaller stores, multiple entrances, or other similar means to animate the streetscape along the collector road.

4.7.17 On-street parking may be permitted along adjacent collector roads and contribute to the required parking.

4.8 Arterial Commercial Designation

The Arterial Commercial designation is intended to provide for a range of uses catering to the traveling or drive-by consumer as well as retail stores, which are land extensive and require outdoor storage or sales and cannot be appropriately accommodated in the other designations.

Function

4.8.1 The range of permitted uses is intended to cater to the traveling or drive-by consumer. As well, the designation is intended to accommodate a limited range of land extensive retail stores which require outdoor storage or sales.

Permitted Uses

4.8.2 The following uses shall be permitted on lands designated Arterial Commercial on Schedule E-1 - Urban Land Use Designations:

a) commercial uses including banquet halls, restaurants including garden centres, furniture stores, building and lumber supply establishment, home improvement supply store, and retail primarily for the sale of building supplies;

b) automotive related uses primarily for vehicle sales, service and rental, parts sales, gas bars, car washes, and service stations;
c) commercial recreational uses, excluding theatres;
d) industrial supply and service and contractor sales;
e) accommodation, excluding residential uses;
f) enclosed storage including mini warehousing; and,
g) accessory uses.

Prohibited Uses
4.8.3 Notwithstanding Policy E.4.8.2, the following uses shall be prohibited on lands designated Arterial Commercial on Schedule E-1 - Urban Land Use Designations:
a) department stores;
b) food stores;
c) residential uses; and,
d) stores primarily selling apparel, housewares, electronics, sporting goods, or general merchandise.

Design
4.8.4 Site plan standards shall be developed to address the unique siting and design challenges of areas designated Arterial Commercial including those inherent in siting and buffering large buildings, large parking lots, blank building walls, and drive-throughs. As well, landscape standards shall be developed to provide buffer plantings along boulevards and within the site to address these matters.

4.8.5 Setbacks and siting shall be addressed in detail through secondary plan policies, the implementing Zoning By-law, and site plan approval. Pedestrian walkways shall be included within the site and between sites so pedestrians may comfortably access Arterial Commercial designated properties.

4.8.6 Areas designated Arterial Commercial shall be designed to improve the aesthetics from the public realm.

4.8.7 Lands fronting on the Queen Elizabeth Way or at interchanges of the Queen Elizabeth Way shall be designed such that the placement of buildings, accesses, and landscaping enhances the entrance to the City in accordance with Policy B.3.3.4 - Gateways.
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E.5.0 EMPLOYMENT AREA DESIGNATIONS

5.1 Policy Goals

The following goals shall apply to Employment Area designations:

5.1.1 Recognize and support the contribution of older industrial areas and existing and newly developing business parks, such as the West Hamilton Innovation District.

5.1.2 Maintain an adequate supply of zoned and serviced employment lands of varying parcel sizes in various locations to meet the City's projected employment growth forecast and to promote economic development and competitiveness.

5.1.3 Support the industry clusters, identified by the City's Economic Development Strategy, such as manufacturing, biosciences, goods movement, and environmental technologies.

5.1.4 Protect lands designated Employment Area from non-employment functions and to support the employment functions of the City's Downtown, nodes and corridors. New major retail uses shall be prohibited and office uses shall be restricted in function and scale.

5.1.5 Minimize land use conflicts between heavy industrial uses and sensitive land uses.

5.1.6 Facilitate the remediation of brownfield sites to enable employment use redevelopment.

5.1.7 Provide for enhanced design in lands designated Employment Area adjacent to major expressways and arterial roads.

5.1.8 Recognize the major role that the Port of Hamilton plays in the City's economy, being one of the largest in the country and one of the finest inland ports on the continent. The City shall work in consultation with the Hamilton Port Authority to maintain this role and to harmonize City and Port Authority plans.

5.1.9 Support the development of Employment Areas which are transit-supportive with reduced surface parking.

5.1.10 Design and develop lands designated Employment Area to be easily accessible with a high degree of connectivity between all modes of transportation such as transit, active transportation, and automobiles.

5.1.11 Facilitate the movement of goods in Employment Areas through an integrated goods movement network which includes efficient access to provincial highways, the City's road network, rail, John C. Munro International Airport, and the Port of Hamilton, where such facilities exist and are feasible and appropriate for moving goods.

5.1.12 Employment Areas within proximity of John C. Munro International Airport, and their expansion through amendment to this Plan, shall be promoted by ensuring a range of uses that create synergies and by providing adequate servicing.
5.1.13 Facilitate Hamilton's waste management system by providing clear direction on planning for and the management and disposal of waste produced within the City's boundaries. In this regard, both public and private waste management facilities play strategic roles in the City's overall waste management system.

5.1.14 Encourage public and private partnerships that will contribute to a sustainable waste management system, including state-of-the-art recycling facilities, organics processing facilities and the promotion of new methods of waste disposal, including energy from waste.

5.1.15 Implement the recommendations of the Solid Waste Management Master Plan, where appropriate.

5.2 Employment Area Designations – General Policies

Function

5.2.1 Employment Area designations include lands designated on Schedule E-1 – Urban Land Use Designations as follows:

a) Employment Area – Industrial Land;

b) Employment Area – Business Park;

c) Employment Area – Airport Business Park; and,


5.2.2 The Employment Area designations specified in policy E.5.2.1 apply to lands generally greater than 4 hectares in size and designated Employment on Schedule E-1 – Urban Land Use Designations.

5.2.3 Notwithstanding Policy E.5.2.2, there may be areas that are less than 4 hectares in size designated as Employment Areas on Schedule E-1 – Urban Land Use Designations.

Permitted Uses

5.2.4 Uses permitted in the Employment Area designations shall include clusters of business and economic activities such as, manufacturing, research and development, transport terminal, building or contracting supply establishment, tradesperson's shop, warehousing, waste management facilities, private power generation, office, and accessory uses. Ancillary uses which primarily support businesses and employees within the Employment Area shall also be permitted. Permitted uses specific to the four Employment Area designations are contained in Policies E.5.3.2, E.5.4.3, E.5.5.1, E.5.5.2 and E.5.6.1.

5.2.5 A building and lumber supply establishment may be permitted provided it meets the following criteria:

a) It shall be located along arterial roads, excluding sites that are adjacent to provincial highways or sites that are located along arterial roads that are adjacent to provincial highways; and,

b) it shall comply with a secondary plan or the Zoning By-law.
Prohibited Uses

5.2.6 The following uses shall be prohibited on lands designated Employment Area on Schedule E-1 – Urban Land Use Designations:

a) major retail uses; and,

b) residential uses.

5.2.7 General Provisions

5.2.7.1 The following provisions apply to all lands designated Employment Area – Industrial Land, Employment Area – Business Park, Employment Area – Airport Business Park, and Employment Area – Shipping and Navigation on Schedule E-1 – Urban Land Use Designations:

a) New development within Employment Area designations shall enhance the quality of the public realm along all public roads within and bounding business parks, along the Queen Elizabeth Way, the non-elevated portions of Burlington Street East and public roads between lands designated Employment Area and lands designated Neighbourhoods or Institutional within older industrial areas. The design and placement of buildings, structures, parking, loading, outside storage and assembly areas, lighting and landscaping, shall provide a safe, functional and visually attractive environment for pedestrians and vehicles.

b) Sensitive land uses within the Neighbourhoods, Institutional or Commercial and Mixed Use designations shall be protected from the potential adverse impacts of heavy industrial uses within the lands designated Employment Area, and industrial uses shall be protected from sensitive land uses as follows:

i) The City shall have regard for provincial guidelines concerning compatibility between industrial facilities and sensitive land uses, and in mitigating the potential adverse impacts not addressed by the guidelines.

ii) The proponent of either a new sensitive land use within the Neighbourhoods, Institutional or Commercial and Mixed Use designations, or a new industrial facility within an Employment Area designation, shall be responsible for addressing and implementing the necessary mitigation measures to the satisfaction of the City.

iii) The preferred approach to mitigation shall be the establishment of a separation distance and/or an appropriate transitional land use. In some cases, noxious manufacturing uses may be prohibited through the Zoning By-law.

iv) Other mitigation measures which may be appropriate include: screening, barriers, landscaping, mechanical or other technological mitigation, traffic mitigation, and lighting control.

c) A number of existing heavy industrial uses are located within Employment Area designations and within proximity to existing sensitive land uses. To recognize their historical development, their importance as major
employers, and to encourage the retention of some of these uses, these existing heavy industrial uses may be recognized as legal non-conforming or permitted uses in the Zoning By-law.

d) Industrial uses, including expansions, shall comply with all provincial standards respecting noise, vibration, air contaminants, water, wastewater, storm water and other environmental issues.

e) Waste management facilities shall include the following uses: waste processing facilities, waste transfer facilities, hazardous waste management facilities, and waste disposal facilities.

f) Waste disposal facilities shall only be permitted by amendment to this Plan, subject to the completion of an Environmental Assessment, in accordance with the Environmental Assessment Act.

g) New development, including expansion to existing development, shall be planned with regard to existing and planned transportation and servicing infrastructure.

h) All development shall be designed and developed to be easily accessible by various types of transportation modes, such as roads, transit, active transportation and goods movement vehicles.

i) The City shall provide for public transit, including maintenance of and expansion to routes, where appropriate, in order to service employees and businesses within Employment Areas.

j) The City shall promote the relocation of existing non-compatible, non-employment uses within the Employment Area designations. Notwithstanding this policy, existing uses legally constructed within these designations prior to the date of approval of this Plan, excluding residential uses, may be recognized in the Zoning By-law as permitted uses with expansion permitted on the same lot.

5.3 Employment Area - Industrial Land Designation

The Employment Area - Industrial Land designation applies to older industrial areas of the City with a variety of industrial uses, many in older purpose-designed facilities on a variety of parcel sizes. These areas shall continue to play an important role accommodating traditional industrial uses and those which benefit from access to the Port of Hamilton. Planning for this designation must be flexible to allow new employment uses and supporting uses through redevelopment and adaptation of existing structures, while ensuring that sensitive land uses are protected from noxious and incompatible impacts.

Function

5.3.1 The range of permitted uses allow for a wide range of employment activity, including heavy industrial uses and transitional uses on lands traditionally used for industry. The Employment Area - Industrial Land designation applies to the Bayfront, East Hamilton, Dundas, and the Glen Road/Tope Crescent Employment Areas, identified on Schedule E-1 – Urban Land Use Designations.
Permitted Uses

5.3.2 The following uses shall be permitted on lands designated Employment Area – Industrial Land on Schedule E-1 – Urban Land Use Designations:

a) full range of manufacturing uses, warehousing, repair service, building or contracting supply establishments, transport terminals, research and development, communication establishment, private power generation, dry cleaning plants, salvage/storage yards, and motor vehicle repair and wrecking;

b) limited office uses;

c) ancillary uses which primarily support industry, businesses and employees within the Employment Area, including hotels, health and recreational facilities, financial establishments, restaurants, personal services, motor vehicle service stations, retail establishments, labour association halls, conference and convention centres, trade schools, commercial parking facilities, commercial motor vehicle and equipment sales, and commercial rental establishments;

d) waste processing facilities and waste transfer facilities; and,

e) accessory uses, such as limited retail and office.

Scale

5.3.3 Office uses within the Employment Area – Industrial Land designation shall be restricted in function, scale and type and shall be limited in size through the Zoning By-law.

5.3.4 Retail establishments shall serve the businesses and employees of the Employment Area and shall be limited to 500 square metres of gross floor area for any individual business.

Design

5.3.5 The following policies shall apply to the lands designated Employment Area – Industrial Land on Schedule E-1 – Urban Land Use Designations:

a) New development and the redevelopment of existing sites visible from the Queen Elizabeth Way and from the non-elevated portions of Burlington Street East shall provide enhanced landscaping, including tree planting, and higher quality building design to improve both the City’s and the Employment Area’s image.

b) The City shall promote an improved pedestrian environment within and along the non-elevated portions of Burlington Street East, with elements such as pedestrian amenities, sidewalks, landscaping/road trees, and gateway features.

c) A range of compatible employment uses shall be encouraged to locate adjacent to lands designated Neighbourhoods, Institutional or Commercial and Mixed Use. Outdoor storage, assembly and loading areas shall be appropriately located and buffered from these adjacent lands.
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d) Sensitive land uses within the Neighbourhoods, Institutional or Commercial and Mixed Use designations, located in proximity to Barton Street East shall be buffered from heavy industrial uses by transitional employment uses.

e) Along the Queen Elizabeth Way, the non-elevated portions of Burlington Street East and public roads bounding the Neighbourhoods, Institutional or Commercial and Mixed Use designations, new building façades within lands designated Employment Area - Industrial Land which are visible from these roads shall be finished with high quality materials which shall be determined through site plan control.

Waste Management Facilities - General Policies

5.3.6 New waste management facilities shall be evaluated on the basis of the following criteria:

a) compatibility between existing sensitive land uses and the proposed waste management facility;

b) protection of public health and safety;

c) protection of the natural heritage system and cultural heritage resources;

d) capacity to effectively service prospective waste management facilities, including traffic management, adequate water and wastewater services and storm water management facilities;

e) appropriate site design, including: access, parking, building design and setbacks, outdoor storage, noise and odour abatement, and visual barrier requirements.

5.3.6.1 Waste management facilities, including expansions, shall be subject to the policies of Section F.1.19 - Complete Application Requirements and Formal Consultation.

5.3.6.2 The City shall provide comments to the Ontario Ministry of the Environment concerning applications for a Certificate of Approval for Waste Disposal site, as required under Part V of the Environmental Protection Act and/or any other applicable legislation for the approval of new waste management facilities or expansions or alterations to existing waste management facilities within the City of Hamilton.

5.3.6.3 Existing waste management facilities shall be recognized as permitted uses in the Zoning By-law.

5.3.6.4 Public waste management facilities that are subject to the Waste Management Projects Regulation, O. Reg. 101/07, as amended, or those required to complete a Municipal Class Environmental Assessment under the Environmental Assessment Act shall not be subject to policies E.5.3.7 and E.5.3.8 below.

5.3.6.5 Waste management facilities, including expansions, shall be subject to site plan control, in accordance with the policies in Section F.1.7 - Site Plan Control. This policy may be amended once the Green Energy Act is adopted.
Waste Processing Facilities and Waste Transfer Facilities

5.3.7 Waste processing facilities and waste transfer facilities, including expansions, shall be located a minimum of 300 metres from a sensitive land use within the Neighbourhoods, Institutional or Commercial and Mixed Use designations.

5.3.7.1 Notwithstanding Policy E.5.3.7 above, waste processing facilities and waste transfer facilities, including expansions, may be permitted within 70 metres to 300 metres of a sensitive land use within the Neighbourhoods, Institutional or Commercial and Mixed Use designations, subject to amendment to the Zoning By-law. In addition to the requirements of Section F.1.19 - Complete Application Requirements and Formal Consultation, the applicant shall demonstrate, through a planning justification report or any other study as may be required by the City, an analysis of the following:

a) the appropriateness of the proposed land use in relation to surrounding land uses;

b) mitigation of potential impacts to sensitive land uses, the natural environment or cultural heritage resources located within 300 metres of the proposed waste management facility, which shall include noise, odour, vibration, dust, traffic, air quality, litter, and vermin and pest control measures; and,

c) on-site wastewater and storm water management measures.

Hazardous Waste Management Facilities

5.3.8 Hazardous waste management facilities, including expansions, shall only be permitted by amendment to this Plan and the Zoning By-law. In addition to the requirements of Section F.1.19 - Complete Application Requirements and Formal Consultation, the following shall apply:

a) Facilities shall be set back a minimum of 300 metres from a sensitive land use within the Neighbourhoods, Institutional or Commercial and Mixed Use designations.

b) The applicant shall demonstrate, through a planning justification report or any other study as may be required by the City, an analysis of the following:

i) the appropriateness of the proposed land use in relation to surrounding land uses;

ii) mitigation of potential impacts to sensitive land uses, the natural environment or cultural heritage resources located within 1000 metres of the proposed waste management facility, which shall include noise, odour, vibration, dust, traffic, air quality, litter, vermin and pest control measures;

iii) on-site wastewater and storm water management measures; and,

iv) an emergency management plan.

Other Policies

5.3.9 The City shall undertake the preparation of a secondary plan or land use strategy for lands, or portions thereof, in the Bayfront Industrial Area to establish
5.4 Employment Area – Business Park Designation

Business Parks are planned for a broad range of employment uses compatible with the design policies for business parks. These areas are well served by roadway infrastructure and are generally more able to accommodate proper buffering from sensitive land uses. The West Hamilton Innovation District is planned as a regional technology node, focusing on a range of research and development activities in science and technology.

Function

5.4.1 The range of employment uses allows for a wide variety of industrial activity and accommodates employment support uses, such as offices, that will foster the development of a prestige employment area. The Employment Area – Business Park designation applies to the City’s business parks, excluding the Airport Business Park, identified on Schedule E-1 – Urban Land Use Designations.

5.4.2 Lands designated Employment Area – Business Park which are undeveloped, underutilized, or within the West Hamilton Innovation District, are planned for major employment growth in accordance with the employment and density targets in Section A.2.3.2 – Employment Targets and Policy A.2.3.3.3.

Permitted Uses

5.4.3 The following uses shall be permitted on lands designated Employment Area – Business Park on Schedule E-1 – Urban Land Use Designations:

a) manufacturing, warehousing, repair service, building or contracting supply establishments, transportation terminals, research and development, office, communication establishment, and private power generation. Salvage yards and other uses which are unsightly or otherwise incompatible with the design policies and image for business parks shall be prohibited;

b) uses which primarily support industry, including, labor association halls, conference and convention centres, trade schools, commercial motor vehicle and equipment sales, and commercial rental establishments;

c) ancillary uses which primarily support businesses and employees within business parks, including, hotels, health and recreational facilities, financial establishments, restaurants, personal services, motor vehicle service stations and washing, retail establishments, and commercial parking facilities;

d) waste processing facilities and waste transfer facilities; and,

e) accessory uses, such as limited retail and office.

5.4.4 Ancillary uses which serve the businesses and employees of the business park as described in Policy E.5.4.3 c), shall only be permitted at locations fronting arterial roads or collector roads into the business parks.
Scale

5.4.5 Offices within the Employment Area – Business Park designation shall comply with the following criteria:

a) Offices, excluding industrial administrative offices and consulting offices related to land development services, such as surveying, engineering, planning or design, shall be permitted where prestige uses for a business park are permitted by Policy E.5.4.7 c), and where the ancillary uses which serve the businesses and employees of the business park are permitted by Policy E.5.4.4.

b) Offices, excluding industrial administrative offices and consulting offices related to land development services, such as surveying, engineering, planning or design, shall be restricted in function, scale and type and shall be limited in size through the Zoning By-law.

c) Industrial administrative offices shall be limited to a maximum gross floor area of 9,999 square metres per free standing building and shall only be permitted where prestige uses for a business park are permitted by Policy E.5.4.7 c).

d) Consulting offices related to land development services, such as surveying, engineering, planning or design, services shall be limited to a maximum gross floor area of 9,999 square metres per free standing building.

5.4.6 Retail establishments shall serve the businesses and employees of the Employment Area, shall be limited to 500 square metres of gross floor area, and shall only be permitted where the supporting uses for the business park are permitted by Policy E.5.4.4.

Design

5.4.7 The following policies shall apply to the lands designated Employment Area – Business Park on Schedule E-1 – Urban Land Use Designations:

a) New development and redevelopment of existing sites shall contribute to a quality image for the business park by incorporating quality building and landscaping designs in those areas adjacent to and visible from public roads, and by complementing the landscape qualities of adjacent sites.

b) Outdoor storage and assembly areas, loading areas, and larger parking areas shall generally be located at the sides or rear of buildings, away from public roads, and shall be screened from view of the roads and adjacent properties, with appropriate landscaping or fencing.

c) Prestige business park uses, such as offices or industrial administrative offices, shall be required to achieve higher design standards when within view of an arterial road such as Stone Church Road, Rymal Road, the Trinity Church Road Extension, Garner Road, north and south of Highway 2, and other Provincial Highways, in order to further promote and enhance the image of the business park and the City. The following criteria shall apply:

i) Development at these locations shall be of the highest quality design and materials within the business park.
ii) For developments that front, or have frontage on an arterial road, the principal façade shall incorporate windows and the main pedestrian entrance to the building. The main pedestrian entrance may be located on a collector or local road where the site configuration and building design restrict the location of the main pedestrian entrance along the arterial road.

iii) The façade of buildings facing expressways shall be encouraged to incorporate architectural design elements and landscaping which are attractive and emphasize a strong corporate presence.

iv) Enhanced landscaping strips shall be required along the road frontages, and major parking areas shall be discouraged between principal buildings and roads.

d) A range of compatible employment uses shall be encouraged to locate adjacent to lands designated Neighbourhoods, Institutional or Commercial and Mixed Use. Outdoor storage, assembly and loading areas shall be appropriately located and buffered from these adjacent lands.

e) Building façades which are visible from arterial roads, such as Stone Church Road, Rymal Road, the Trinity Church Road Extension, Garner Road, north and south of Highway 2, other Provincial Highways, and adjacent to lands designated Neighbourhoods, Institutional or Commercial and Mixed Use shall be finished with high quality materials, which will be determined through site plan control.

Waste Management Facilities

5.4.8 Waste management facilities shall be subject to the policies in Section E.5.3.6, E.5.3.7, and E.5.3.8, inclusive.

5.5 Employment Area – Airport Business Park Designation

5.5.1 The following uses shall be permitted on lands designated Employment Area – Airport Business Park on Schedule E-1 – Urban Land Use Designations:

a) airport-related industrial uses, including airport transportation and cargo services, manufacturing or assembly, warehousing, waste processing facilities, waste transfer facilities, research and development, communication establishments, and utility activities benefiting from proximity to airport services;

b) airport-related commercial uses, including hotels and motels, convention and exposition centres, restaurants, catering services, automobile rental, leasing and servicing, service stations, taxi terminals, places of entertainment and financial institutions;

c) high technology industry;

d) office; and,

e) ancillary uses that support the use permitted in Policy E.5.5.1 a) through d), inclusive.
5.5.2 The following uses shall only be permitted as temporary uses on lands designated Employment Area - Airport Business Park on Schedule E-1 - Urban Land Use Designations:

a) agricultural uses, excluding intensive livestock operations; and,

b) golf courses and associated ancillary uses.

5.5.3 Development in the Airport Business Park shall proceed in an orderly manner and shall conform to the comprehensive policies of a secondary plan to be prepared and approved for the Airport Business Park. The secondary plan for the Airport Business Park shall:

a) delineate an internal road system for the Business Park including limited access to Highway No. 6;

b) establish detailed land use patterns within the Business Park;

c) include provisions prohibiting noxious, polluting, noisy or hazardous uses;

d) provide measures to protect existing residential and institutional uses in or abutting the Business Park;

e) specify landscaping and other amenities to ensure that the Business Park will be of a high quality;

f) include provisions for dealing with increased storm water runoff; and,

r) recognize federal airport zoning regulations.

5.5.4 The Airport Business Park shall be developed in a coordinated and comprehensive manner. Wherever possible, development shall have regard to reducing the number of access points to the major boundary and major internal roadways, and to providing efficient internal traffic circulation, adequate off-street parking and loading facilities, adequate restrictions and screening of outside storage, and adequate landscaping and buffering requirements.

5.5.5 Waste processing facilities and waste transfer facilities shall be subject to the policies in Section E.5.3.6 and E.5.3.7, inclusive.

5.5.6 All existing residential uses within the Airport Business Park shall be ultimately redeveloped in compliance with the use permitted in Policy E.5.5.1, and in compliance with all other relevant policies. All development in the Airport Business Park shall be adequately separated, screened and buffered from existing residential and institutional uses in or abutting the Business Park.

5.5.7 All development in the Airport Business Park shall comply with Sections B.3.5.6 - Noise, Vibration and Emissions and C.4.8 - Airport.

5.6 Employment Area - Shipping and Navigation Designation

The City recognizes that the Port and harbour are integral and important elements of the social and economic fabric of the City of Hamilton and surrounding region. Accordingly, it is the intent of this Plan to recognize the role
Chapter E - Urban Designations

of the Port in this respect and in particular the activities of the Hamilton Port Authority in carrying out its mandate of shipping and navigation.

5.6.1 The following uses shall be permitted on lands owned by the Hamilton Port Authority, and for so long as they are owned by the Hamilton Port Authority, on Piers 10 to 15 inclusive and Piers 22 to 27 inclusive, plus the canal reserve lands south of the Burlington Ship Canal, excluding Windermere Basin Special Policy Area, designated Employment Area - Shipping and Navigation on Schedule E-1 - Urban Land Use Designations:

a) uses such as the movement, management, safety and convenience of ships; uses involved in the carriage of goods or passengers to other modes of transportation;

b) related storage and processing;

c) vessel and barge docks;

d) industry and commerce ancillary or necessary to the port;

e) recreational boat facilities;

f) ancillary uses including retail and restaurant, and,

g) the provision of services such as security, employment, immigration, labour, administration, technical, food, fuel and maintenance.

5.6.2 Retail and restaurants uses permitted in Policy E.5.6.1 f) shall support the local tourism industry and users of the port. The retail uses shall be limited to 500 square metres of gross floor area.

5.6.3 Proposed land uses which abut lands designated Shipping and Navigation on Schedule E-1 - Urban Land Use Designations shall be compatible with the uses permitted in Policy E.5.6.1, and the uses permitted in Policy E.5.6.1 shall be protected from adverse impacts through adequate separation, screening, barriers, fencing and landscaping or other like measures.

5.6.4 The Hamilton Port Authority shall develop Piers 25 to Pier 27 in an aesthetically pleasing manner, in accordance with Section B.3.3 - Urban Design Policies.

5.6.5 The City of Hamilton agrees to consult with the Hamilton Port Authority prior to any future amendments to the Official Plan or Zoning By-law regarding lands designated Employment Area - Shipping and Navigation on Schedule E-1 - Urban Land Use Designations.
E.6.0 INSTITUTIONAL DESIGNATION

The primary intent of the Institutional designation is to provide for a wide range of institutional uses which serve Hamilton's communities.

There are a number of public institutions whether they are individual buildings or groups of buildings in institutional campuses that form a significant part of the urban fabric of the City as well as the overall land use system. Many institutions are built as landmark buildings or become landmark buildings over time and are important to the City's identity and image and are integral to the City's economic strength, and quality of life.

6.1 Policy Goals

The following goals apply to the Institutional designation:

6.1.1 Support and partner with major institutions such as Hamilton Health Sciences, St. Josephs Healthcare, the Boards of Education, McMaster University, Mohawk College and Redeemer College/University, other levels of government and faith based organizations.

6.1.2 Encourage the development of individual institutions and institutional campuses as important community resources and recognized focal points in the urban fabric.

6.1.3 Ensure the integration and harmonious relationship between institutional areas and adjacent land use designations, particularly from a transportation and urban design perspective.

6.1.4 Support arts and cultural facilities in conjunction with institutional uses, as important components of quality of life.

6.2 General Policies

Function

6.2.1 The Institutional designation applies to lands greater than 4 hectares in size designated Institutional on Schedule E-1 - Urban Land Use Designations. Lands used for institutional purposes less than 4 hectares shall be permitted within the Neighbourhoods designation subject to the provisions of this Plan.

Permitted Uses

6.2.2 The following uses shall be permitted on lands designated Institutional on Schedule E-1 - Urban Land Use Designations:

a) educational facilities, except commercial schools;

b) religious facilities;

c) cultural facilities;

d) health care facilities;

e) long term care facilities;
Chapter E - Urban Designations

f) day care facilities;
g) accessory uses; and,
h) ancillary uses, in accordance with Policy E.6.2.3.

Ancillary Uses

6.2.3 Administrative offices of educational, religious, cultural, health, welfare, and governmental activities, not accessory to the institutional use on the same property, may be permitted provided the following conditions are met:

a) The site shall be located on a major or minor arterial road as identified on Schedule C - Functional Road Classification.

b) Adequate on-site parking shall be provided.

6.2.4 Residential uses ancillary to an institutional use, such as student residences, convents, and continuing care projects may be permitted provided the following conditions are met:

a) The site and/or building shall be designed to minimize negative impacts on institutional uses.

b) Residential uses shall be developed in accordance with Section E.3.4 - Low Density Residential or Section E.3.5 - Medium Density Residential. The appropriate density shall be determined on a site by site basis provided it meets the applicable policies of Sections E.3.3 - Low Density Residential and E.3.5 - Medium Density residential, inclusive.

c) Adequate on-site parking shall be provided.

6.2.5 Recreational uses may be permitted provided the following conditions are met:

a) The site and/or building shall be designed to minimize negative impacts on residential uses on adjacent lands designated Neighbourhoods.

b) Adequate on-site parking shall be provided.

Other Uses

6.2.6 Notwithstanding Policy E.6.2.2, where institutional uses cease on lands designated Institutional, low density residential uses, parks and open space uses, or community facilities/services uses may be permitted without an amendment to this Plan, provided the residential uses are compatible with the surrounding area and are in keeping with the policies of this Plan.

Design

6.2.7 In addition to the applicable policies of Section B.3.3 - Urban Design Policies, the design of individual buildings shall address the following matters:

a) lighting to highlight design of building; and,

b) the establishment and the use of multi-purpose spaces (e.g. community meeting rooms).
6.3 Other Provisions

6.3.1 When considering development proposals for new institutional uses or expansions to existing institutional uses within existing Institutional designations, the following criteria shall be evaluated:

a) availability of sufficient off-street parking to meet projected demand, to minimize spill-over parking on adjacent local streets;

b) provision of adequate and appropriate landscaping and buffering to effectively screen parking, loading and service areas from adjacent residential uses;

c) the scale of the proposed institutional use and its compatibility with the character of established development in the surrounding area;

d) the capability of the site for providing convenient access to public transit with all buildings located within a reasonable walking distance; and,

e) use of underground parking or parking structures.

6.3.2 Large institutions contained in a campus like setting shall be encouraged to undertake campus plans which address the following matters:

a) design of individual buildings and their relationship to each other, including the location of future buildings;

b) pedestrian linkages between buildings, pedestrian circulation plans, and attention to pedestrian environment, including the installation of urban braille;

c) integration of bicycle facilities and transit stop/stations into the site or adjacent to the site;

d) use of way-finding signage;

e) location of lighting;

f) location of entryways/gateways should be identified and marked with entryway features;

g) traffic circulation both into and within the site; and,

h) integration and relationship of the institutional buildings to adjacent land uses through building placement (peripheral campus buildings to address the public street) and built form.
CHAPTER F - IMPLEMENTATION

The success of the Official Plan can only be achieved through effective implementation. The Planning Act, Municipal Act and other provincial regulations provide a series of tools to fulfill the City’s goals and objectives of this Plan. In addition, there are other mechanisms such as Council adopted strategic plans, Vision 2020 and the Economic Development Strategy, and guidelines. Supporting plans such as Master Plans for infrastructure (approved pursuant to the Environmental Assessment Act), culture, recreation and social development plans and strategies are also key elements which shape Hamilton’s function as a sustainable City.

Although not expressly directed by this Plan, residents and businesses, community and special interest groups, non-governmental organizations and other levels of government also contribute to the successful outcome of this Plan through their own initiatives.

This Section of the Plan describes the Planning Act tools, supporting policies, Council adopted guidelines, as well as monitoring procedures which shall be used to measure the success of specific policies in this Plan.
F.1.0 PLANNING ACT IMPLEMENTATION TOOLS

1.1 Official Plan

The Official Plan provides the direction for managing growth and change in the City over a 30 year time frame. Any municipal by-law or public work must comply with the policies of this Plan.

1.1.1 All municipal by-laws, including Zoning By-laws, public works and public undertakings shall comply with this Plan.

1.1.2 The new Zoning By-law shall be in compliance with the provisions of this Plan. It is intended that not all lands be pre-zoned in order that amenity and design, population density, public works requirements, environmental concerns and all other related policies of this Plan may be reviewed prior to development proceeding and appropriate zoning regulations applied. Accordingly, development proposals shall be required to conform to the Zoning By-law that implements the provisions of this Plan.

Official Plan Amendments

1.1.3 Amendments to this Plan, including secondary plans, shall be required:

a) to create, modify or expand land use designations and policies which do not comply with this Plan;

b) to update this Plan to reflect new provincial or municipal planning policies; or,

c) to update and streamline administration of municipal planning policies, as required from time to time.

1.1.4 When considering amendments to this Plan, including secondary plans, the City shall have regard to, among other things, the following criteria:

a) the impact of the proposed change on the City’s vision for a sustainable community, as it relates to the objectives, policies and targets established in this Plan; and,

b) the impact of the proposed change on the City’s communities, environment and economy and the effective administration of the public service.

1.1.5 When considering amendments that affect the use of a specific site(s), the City may also consider whether there is a need to add the site(s) or remove site(s) or lands already designated for that use.

1.1.6 There shall be no appeal with respect to the refusal or failure of the City to adopt an Official Plan amendment and/or the passage of a Zoning By-law amendment for:

a) the redesignation, conversion or addition of non-employment land uses for lands designated Employment Area - Industrial Land, Employment Area - Business Park, Employment Area - Airport Business Park, or Employment Area - Shipping and Navigation on Schedule E-1 – Urban Land Use Designations; and,
b) the expansion of all or part of the urban boundary.

1.1.7 There shall be no appeal with respect the adoption of an Official Plan amendment and/or the passage of a Zoning By-law amendment to permit the erection, location or use of two residential units within existing dwellings in designations where residential land uses are permitted.

1.1.8 A privately-initiated official plan amendment to this Plan for the expansion of the urban boundary or to permit or facilitate the development of urban land uses outside the existing urban boundary, except for minor changes to existing uses which may be considered, shall not be permitted.

Official Plan Reviews

1.1.9 This Plan shall be reviewed at regular intervals in accordance with Planning Act requirements.

1.1.10 The City shall consider if there is a need to undertake a Municipally Initiated Comprehensive Review, at the time of an official plan review. To determine the need for a review, the City shall have regard for the following matters:

a) any changes to the population and employment growth targets as prescribed by provincial legislation; or,

b) any changes to provincial policy or legislation; or,

c) the amount of employment and/or non-employment land to meet the projected needs for up to 20 year time horizon; or,

d) any major Official Plan policies which are outdated.

1.1.11 In addition to the policies of the Growth Plan for the Greater Golden Horseshoe respecting a Municipally Initiated Comprehensive Review for employment lands the City shall prepare and apply a set of criteria to determine potential conversion sites or regeneration areas.

1.1.12 Notwithstanding Policy F.1.1.10, if a major change in an Employment Area has taken place prior to the initiation of a mandatory official plan review, Council may direct that a Municipally Initiated Comprehensive Review for City-wide employment lands be undertaken.

1.2 Secondary Plans and Neighbourhood Plans

Secondary plans are used to provide detailed and community specific guidance to growth and change in smaller geographic areas of the City. Secondary plans identify more detailed land uses, densities, design requirements, and infrastructure requirements and other implementing actions appropriate for the community. These plans are not intended to repeat the policies in Volume 1, but to supplement Volume 1 policy directions and land use designations. Once secondary plans are completed, they are adopted as amendments to this Plan.

Volume 2 contains the secondary plans.
1.2.1 Secondary plans may be prepared as needed for planning districts, neighbourhoods, nodes, corridors or any other area of the City, and in particular:

a) large tracts of vacant or underutilized land to ensure the appropriate and orderly use of land, co-ordinate local development with City-wide planning infrastructure strategies and ensure the efficient provision of infrastructure; and,

b) areas undergoing change where general Volume 1 policies are insufficient to guide redevelopment or warrant localized reconsideration, and in particular:

i) areas with desirable characteristics or functions such as main streets, heritage areas, the waterfront, etc; and,

ii) areas in need of stability and strengthening such as older residential neighbourhoods, commercial areas and heritage areas.

1.2.2 The individual secondary plan policies and designations are contained in Volume 2. Secondary plan designations shall be identified on the maps appended to the specific secondary plan areas. It is intended that secondary plan policies are to be read in conjunction with the policies and designations contained in Volume 1. However, should there be a discrepancy between the policies and/or designations, the policies and designations of the secondary plan shall prevail.

1.2.3 Prior to commencing the preparation of a secondary plan, the City shall prepare a terms of reference which shall set out the need for the Secondary Plan, the intended scope, the process of plan preparation and the opportunities for public participation and involvement. Any privately initiated secondary plans shall require a terms of reference that is approved by the City prior to the commencement of the Plan.

1.2.4 Secondary plans shall generally include the following:

a) a statement of the basis or rationale for the preparation of the secondary plan and rationale for varying or supplementing the Volume 1 policies and designations;

b) a description of the secondary plan area, including a reference map, the role and relationship of the planning district and/or area under study to the City as a whole;

c) a statement of the desired land use of the area along with relevant and related environmental, social and economic goals;

d) the goals and objectives appropriate for the area including a statement demonstrating how they are in keeping with the strategic directions and general goals of this Plan and provincial legislation, policies and appropriate guidelines;

e) new designations and policies for the secondary plan area that amend or detail those policies and designations found in Volume 1; and,
f) cultural heritage resources shall be identified, evaluated and conserved. This identification and protection of cultural heritage resources may be accomplished through the preparation and inclusion of a cultural heritage conservation plan statement within the secondary planning or neighbourhood planning process.

1.2.5 Where appropriate, the secondary plan shall follow a coordinated secondary planning process under the Planning Act and the Municipal Engineers Association Municipal Class Environmental Assessment process.

1.2.6 Secondary plans may be undertaken and coordinated where and when appropriate in conjunction with community strategies to address a wider range of issues which cannot be addressed through land use planning alone.

1.2.7 Neighbourhood plans are policies adopted by council resolution and do not form part of the Official Plan. Any proposal for development or redevelopment must conform to the designations, and policies in the Neighbourhood Plan.

1.2.8 Any amendment to the Neighbourhood Plan must be evaluated using the provisions of Policies F.1.1.3 and F.1.1.4 and shall require a formal Council decision to enact the amendment.

1.3 Special Policy Areas, Area Specific Policy Areas, Site Specific Policy Areas

Special Policy Areas are geographic areas where either additional studies are required to determine ultimate land uses or where more detailed and specific policies are required and these lands are not contained within a secondary plan. Site Specific Policy Areas shall be used to apply site specific planning policies to defined properties. Area Specific Policy Areas shall be used to apply policies to larger areas, containing multiple properties. These policies provide detailed direction for individual properties or geographic areas of the City where more detailed direction for land use, infrastructure, transportation, environment, urban design or similar issues are required beyond the general framework provided by this Plan due to unique local circumstances not capable of being addressed by Volume 1 or secondary plans. All Special Policy Areas, Area Specific Policy Areas and Site Specific Policy Areas are identified in Volume 3, with the exception of those site specific areas which are located within a secondary plan area or rural settlement area. Those site specific policy areas are contained within the specific secondary plans or rural settlement area plans of Volume 2.

1.3.1 Special Policy Areas, Area Specific Policy Areas and Site Specific Policy Areas may be created as needed for areas of the City where more detailed direction is required beyond the policies of Volumes 1 and 2.

1.3.2 Special Policy Areas, Area Specific Policy Areas, and Site Specific Policy Areas shall be prepared to implement this Plan and may amend Volume 1 as necessary. In the event of a conflict between any of these areas and Volume 1, the policy areas in Volume 3 shall prevail and take precedence provided the general goals and objectives of Volume 1 are maintained.

1.3.3 Special Policy Areas, Area Specific Policy Areas and Site Specific Policy Areas shall be adopted as amendments to this Plan.
1.4 Interpretation of the Official Plan

The following policies provide guidance to understand and interpret the schedules, maps, text, tables, and figures of this Plan.

1.4.1 This Plan shall be read as a whole document to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

1.4.2 Sections A.1.0 – Hamilton’s Official Plan, A.2.1 – Vision 2020, A.2.2 – City of Hamilton Strategic Plan, and A.2.5 – Provincial Legislation, Plans and Policies provide the background to this Plan and are not considered as policies. Illustrations, pictures and sidebars are for illustrative purposes only.

1.4.3 The preamble, goals and objectives at the beginning of each policy section are part of this Plan and assist in understanding the intent of the policies. Tables are considered to be policies. In the event of ambiguity or conflict in the policies of this Plan for specific circumstances the preamble shall provide interpretative guidance.

1.4.4 Chapter G - Glossary explains the terms and concepts contained in this Plan and shall be considered as policy.

1.4.5 Schedules and maps in this document are part of this Plan. Appendices shall be considered as information only.

1.4.6 The land use designations, shown on Schedule E-1 - Urban Land Use Designations, generally apply to lands 4 hectares in size or greater that demonstrate a similar function. In some cases, land use designations may be smaller to recognize unique circumstances such as, remnant parcels of land, and/or lands that represent a specific function that need to be recognized.

1.4.7 Boundaries of land use designations, as shown on Schedule E-1 - Urban Land Use Designations, shall be considered approximate, and are not intended to define the exact limits of any land use, unless they coincide with a road, lot or concession line, railway, watercourse or prominent physical feature or specifically coincide with detailed area boundaries set out in a secondary plan or special policy or site specific area. Similarly, minor adjustments may be made in the boundaries in the Zoning By-law without amending this Plan, providing the By-law conforms to the general intent of this Plan.

1.4.8 The implementation of this Plan shall take place over the long term and the use of the words “shall”, “will” and “must” are not to be interpreted as Council’s requirement to undertake the action immediately. Council shall determine appropriate phasing, fiscal capacity and priorities for implementation based on the municipal budget and program availability for any action or undertaking that implements the policies of this Plan.

1.4.9 The identification and proposed location of municipal infrastructure, parks, roads, water and wastewater facilities or services, as identified on schedules or in text in this Plan, including secondary plans:

a) may be changed without and amendment to this Plan provides the change is minor in nature, and the intent of the Plan is maintained:
b) shall not be interpreted as the City’s commitment to providing these municipal public facilities within a specific time frame; and,

c) shall not be interpreted as necessarily being specifically or solely the responsibility of the City to provide, finance or otherwise implement.

1.4.10 The structural elements on Schedule E - Urban Structure and the policies of Section E.2.0 - Urban Structure, shall provide direction for specific land use designations on Schedule E-1 - Urban Land Use Designations, the policies in Sections E.3.0 - Neighbourhoods Designation through E.6.0 - Institutional Designation, inclusive, Section C.3.3 - Open Space Designations, and the secondary plans contained in Volume 2.

1.5 Zoning By-law

The Zoning By-law is one of the key implementation tools to ensure the City’s goals, objectives and policies of this Plan are realized. The Zoning By-law regulates permitted uses and associated performance standards, setbacks, lot areas, height, landscaping and parking requirements.

1.5.1 The City shall prepare a Zoning By-law that implements this Plan except for the lands that are within the Development Control area of the Niagara Escarpment Plan.

1.5.2 The Zoning By-laws of the former municipalities shall remain in effect until the new Zoning By-law takes effect. However, any amendments shall be in conformity with this Plan.

1.5.3 Developments which fail to commence or be completed within a reasonable period of time after approval has been given for a site specific rezoning may, through Council’s initiative, be rezoned.

1.5.4 The City may develop criteria for the establishment and use of conditional zoning upon approval by the Province.

1.6 Development Permit System

The Development Permit System is an additional implementation tool that may be used to ensure the City’s goals, objectives and policies of this Plan are realized. The Development Permit system is intended to be a flexible planning tool which combines zoning and site plan control into one process.

1.6.1 The City may investigate the development of a development permit system for use in specific geographic areas of the City.

1.7 Site Plan Control

Site plan control is an important means of encouraging well-designed, functional and universally accessible development in Hamilton. The City shall review and approve plans that show the location, design and massing of buildings, the relationship to adjacent streets and buildings, public access areas, the layout of parking and service areas, site landscaping and other aspects of development.

1.7.1 Site plan control shall be used to achieve the following planning objectives:
a) minimize the impact of development on adjacent properties;

b) obtain road widenings;

c) promote pedestrian scale development and land use compatibility;

d) enhance the public realm and create a functional and distinctive streetscape through high quality building design;

e) preserve and enhance community character by integrating heritage features and important views in site designs;

f) integrate ecologically important features into site designs to protect and enhance their functions; and,

g) ensure accessibility for people with a range of abilities through safe and efficient pedestrian and vehicular circulation.

1.7.2 Council shall use the powers of site plan control to implement certain aspects of this Plan. Accordingly the entire area within the City of Hamilton Planning Area shall be established as a proposed Site Plan Control Area.

1.7.3 Council may establish the classes of development that are subject to site plan control, and those which are exempt, in a by-law.

1.7.4 Council may require, as a condition of site plan approval, the deeding of land for road widening purposes in accordance with the policies in Section C.4.0 - Integrated Transportation Network.

1.7.5 To achieve the objectives in Policy F.1.7.1, the City shall, as part of the site plan approval:

a) consider matters relating to exterior design, including but not limited to the character, scale, material, and appearance, including fenestration, colour and shape and design features of buildings;

b) require sustainable design elements within an adjoining City right-of-way, including, without limitation, trees, landscaping, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities be provided;

c) require facilities designed for people with a range of abilities; and,

d) consider the character, scale, appearance and design features of the exteriors of those new buildings and structures that may be attached to built heritage resources or sited in close proximity to such resources and care shall be taken to permit only those changes that retain, protect, complement or do not otherwise harm distinguishing heritage features.

1.7.6 To City shall establish and update Site Plan Guidelines to indicate the City's design preferences and expectations for site development.
Chapter F - Implementation

1.8 Holding By-laws

There are instances where the intended use and zoning is known for lands but development should not take place until the planned details and phasing of development is determined, and/or facilities are in place or conditions for development are met. Under the Planning Act, Council may pass a "Holding" By-law that places an "H" symbol over the zoning of land and specifies the conditions that shall be met before the "H" symbol is removed and the lands can be developed.

1.8.1 Council may use the Holding "H" symbol in conjunction with the Zoning By-law to identify the ultimate use of land but to limit or to prevent the ultimate use in order to achieve orderly, phased development and to ensure that servicing and design criteria established in this Plan have been met prior to the removal of the "H" symbol.

1.8.2 A Holding symbol may be applied under any or all of the following circumstances and specified in the Holding by-law:

a) where development is contingent upon other related matters occurring first, such as but not limited to:
   i) completion of required site or area specific studies which are to be specified in the by-law;
   ii) consolidation of land ownership of abutting properties to ensure orderly development and phasing of development;
   iii) fulfillment of financial obligations;
   iv) securement of funding agreements on necessary infrastructure or services; and,
   v) fulfillment of conditions imposed by the City through other Planning Act tools.

b) where phasing is necessary in order to ensure orderly development and/or achieve one or more objectives of this Plan;

c) where municipal infrastructure is not adequate or available to support the ultimate use; and,

d) where environmental constraints currently preclude development or redevelopment without planned mitigative or remediated measures.

1.8.3 Until such time as the Holding "H" symbol is removed, the By-law may permit interim land uses which may include an existing use or other use(s) that is permitted by the Zoning By-law and does not jeopardize the land for the intended land uses.

1.8.4 Council shall pass a By-law to remove the Holding "H" symbol for all or part of the property only when the City is satisfied all the conditions of:

a) the "H" zone have been fulfilled; and,
1.9  **Bonusing Provisions and Transfer of Development Rights**

The City may authorize increases in the height and/or density of a proposed urban area development, beyond those permitted in the Zoning By-law, in return for the provision of community benefits that meet the policy objectives of this Plan.

1.9.1 The City may permit heights and densities that exceed the maximum densities of this Plan and the Zoning By-law, provided:

a) the proposed increase in height and density is in compliance with the goals and policies of this Plan; and,

b) the community benefit provided is directly related to the increased height and density of the proposal.

1.9.2 The City may seek to secure any of the following community benefits:

a) provision of housing, in particular rental and affordable housing;

b) community facilities/services;

c) child care facilities;

d) cultural facilities;

e) arts facilities;

f) public art;

g) park facilities and/or land;

h) recreational facilities;

i) protection of cultural heritage resources;

j) improvements to transit stations;

k) amenities for, or conducive to active transportation, such as pedestrian amenities or cycling facilities;

l) enhanced public access and connections to community facilities, open space and natural areas, including public walkways trail systems;

m) preservation and enhancement of the Natural Heritage System (Core Areas and Linkages) beyond requirements, involving the conveyance of natural areas to a public authority;

n) enhanced tree planting and/or landscaping on-site;

o) off-site landscaping and streetscaping treatments, including but not limited to urban braille, enhanced park facilities, and tree planting;
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p) public parking structures;

q) other local improvements identified in Community Improvement Project Areas, capital budgets or other implementation plans or studies that are consistent with the policies in this Plan; and,

r) any public work, initiative or matter in compliance with this Plan.

1.9.3 The City may permit the transfer of density potential from one property to another to facilitate:

a) the retention of designated cultural heritage resources or those eligible for designation subject to compatibility of scale and architectural treatment between the heritage resource(s) and the new development and between the recipient property and its existing environs; and,

b) other purposes as specified in secondary plans or area specific policies.

1.9.4 Prior to enactment of a Zoning By-law amendment under Section F.1.9 - Bonusing Provision and Transfer of Development Rights, the City shall require the proponent to enter into one or more agreements dealing with the provisions of facilities, services or matters including the timing of conveyances or payments for community benefit to the City. The agreement shall be included in the relevant development agreement which shall be registered on title, where possible, against the land to which it applies, or in a restrictive covenant.

1.10 Interim Control By-laws

Interim control by-laws are intended to be used, prior to the approval of any Planning Act applications, in areas where the City wishes to undertake a comprehensive study in an area that is experiencing development and/or redevelopment pressures. Matters related to land use, transportation, infrastructure, environment and other aspects of development may be addressed during the study period. Once the studies are complete, this Plan and the Zoning By-law shall be amended to reflect the recommendations determined by the study.

1.10.1 Council may enact an Interim Control By-law to allow the City to limit the use of land and buildings where Council has directed study(ies) be undertaken for land use planning purposes in a defined area of the City.

1.11 Temporary Use By-laws

At times it is in the public interest to permit lands to be used for a particular use on a temporary basis even though it may not conform to the Zoning By-law. The Planning Act authorizes a municipality to pass a temporary use by-law, which defines the area and duration of the use.

1.11.1 Council may adopt temporary use by-laws provided the use complies with the permitted uses in Section E - Urban Systems and Designations, to permit the temporary use of land, buildings or structures for a purpose that is prohibited by the Zoning By-law.

1.11.2 A temporary use by-law may allow a use that is temporary in nature. Any new buildings or structures associated with the proposed temporary use shall be
constructed so that it can be easily removed after the expiry date of the temporary use by-law.

1.11.3 The proposed temporary use shall:

a) be compatible with uses on adjacent and nearby properties;

b) have no adverse impact on the traffic, transportation or parking facilities in the area;

c) comply with the Minimum Distance Separation requirements established by the Province; and,

d) have sufficient services such as roads, storm water drainage, water supply and sanitary sewage systems to accommodate the proposed temporary use.

1.11.4 A temporary use by-law may be permitted for a period of time which shall not exceed three years, except for garden suites which shall not exceed ten years. However, Council may, by By-law, extend such period of time for further periods of time not exceeding three years each, during which the temporary use is authorized.

1.11.5 Upon expiration of the temporary use by-law, uses which may have been permitted by that temporary use by-law shall cease to exist, shall not be considered as legal non-conforming uses, and therefore shall be removed.

1.12 Existing, Non-Complying and Non-Conforming Uses

It is recognized there are some previously existing land uses that do not presently comply with the goals and objectives set out in this Plan. This Plan, while endeavouring to achieve a high degree of land use compatibility for new development, recognizes there is a degree of diversity in land use for existing areas where time and custom have achieved an acceptable level of tolerance. Many of these uses have been established for a considerable number of years. In some cases, it is recognized such situations exist and they can be continued in the interim. In other cases, there are some existing uses that not only do not comply with the Official Plan or conform to the Zoning By-law, and are incompatible with surrounding land uses.

1.12.1 In Rural Hamilton Official Plan.

to

1.12.6 Urban Area Policies

1.12.7 Legally existing land uses which do not comply with the land use designations shown on Schedule E-I - Urban land Use Designations or their related policies should cease to exist over time. Accordingly, such uses shall be deemed as legal non complying.

1.12.8 Where appropriate, the City may amend the Zoning By-law to recognize the legal non-complying use as an existing use provided that all the following criteria shall be met:
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a) the Zoning By-law shall permit only the existing use and the associated performance standards;

b) the use does not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or by the traffic generated; and,

c) the use is in compliance with appropriate provincial and municipal regulations.

1.12.9 The expansion or enlargement or change in legal non-complying uses shall be permitted provided they maintain the intent and purpose of this Plan and the Zoning By-law.

1.13 Minor Variance

The Planning Act allows the City to appoint a Committee of Adjustment to deal with specific planning matters.

1.13.1 Council may appoint a Committee of Adjustment to authorize consents, variances to the Zoning By-law, an Interim Control By-law, extensions or enlargement of legal non-conforming uses provided they maintain the intent and purpose of this Plan and any other requirements of the Planning Act.

1.14 Division of Land

Development of lands may require subdivision of existing lots or tracts of land.

1.14.1 Plan of Subdivision

1.14.1.1 The division of land shall occur by registered plan of subdivision where:

a) a new road or an extension to an existing road is required; and,

b) it is deemed in the public interest for the proper and orderly development of lands.

1.14.1.2 Council shall approve only those plans of subdivision that meet the following criteria:

a) the plan of subdivision conforms to the policies and land use designations of this Plan.

b) the plan of subdivision implements the City’s staging of development program;

c) the plan of subdivision can be supplied with adequate services and community facilities;

d) the plan of subdivision shall not adversely impact upon the transportation system and the natural environment;

e) the plan of subdivision can be integrated with adjacent lands and roadways;

f) the plan of subdivision shall not adversely impact municipal finances; and,
g) the plan of subdivision meets all requirements of the Planning Act.

1.14.1.3 The City may, as a condition of approval pursuant to the Planning Act, require the owner of lands subject to a plan of subdivision to enter into one or more agreements which may be registered against the title of the subject lands.

1.14.1.4 Council may pass By-laws to exempt properties from Part-Lot Control, subject to the provisions of the Planning Act.

1.14.1.5 Council may, by By-law, deem any Plan of Subdivision, or part thereof, not to be a registered plan of subdivision, subject to the provisions of the Planning Act.

1.14.2 Lot Creation – Rural Area
In Rural Hamilton Official Plan.

1.14.3 Lot Creation – Urban Area
Neighbourhoods Designation

1.14.3.1 Consents for new lot creation, for both the severed and retained lands, for residential uses in the Neighbourhoods designation shown on Map E-1 – Urban Land Use Designation, shall be permitted provided the following conditions are met:

a) The lots comply with the policies of this Plan, including secondary plans, where one exists;

b) The lots comply with existing Neighbourhood Plans;

c) The lots are in conformity with the Zoning By-law or a minor variance is approved;

d) The lots reflect the general scale and character of the established development pattern in the surrounding area by taking into consideration lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;

e) The lots are fully serviced by municipal water and wastewater systems; and,

f) The lots have frontage on a public road.

1.14.3.2 Where a consent is required for the purposes of land assembly to implement a secondary plan or Neighbourhood Plan, Policy F.1.14.3.1c) shall not apply.

1.14.3.3 Consents for new lot creation for both the severed and retained lands for mixed uses, commercial, institutional, or open space in the Neighbourhoods designation shall be permitted provided the following conditions are met:

a) the lots comply with the policies of this Plan including secondary plans, where one exists;

b) The lots are in conformity with the Zoning By-law or a minor variance is approved;

c) the lots are fully serviced by municipal water and wastewater systems; and,
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d) the lots have frontage on a public road.

Commercial/ Mixed Use and Institutional Designations

1.14.3.4 Consents for new lot creation for both the severed and retained lands for mixed uses, commercial, institutional, or open space uses in the Commercial/ Mixed Use and Institutional designation shall be permitted provided the following conditions are met:

a) the lots severed for commercial, institutional or open space uses shall comply with the policies of this Plan including secondary plans, where one exists;

b) The lots are in conformity with the Zoning By-law or a minor variance is approved;

c) the lots severed for residential uses, including mixed use buildings which contain residential uses shall comply with Section B.2.4 - Residential Intensification Policies, Section B.3.3 - Urban Design Policies, Section E.3.0 - Neighbourhoods Designation and any other relevant policies of this Plan;

d) the lots are fully serviced by municipal water and wastewater systems; and,

e) the lots have frontage on a public road.

Employment Designations

1.14.3.5 Consents for new lot creation for both the severed and retained lands for employment uses in the Employment designation shall be permitted provided the following conditions are met:

a) The lots comply with the policies of this Plan including secondary plans, where one exists;

b) The lots are in conformity with the Zoning By-law or a minor variance is approved;

c) The lots are fully serviced by municipal water and wastewater systems; and,

d) The lots have frontage on a public road.

Open Space Designation

1.14.3.6 Consents that facilitate the conveyance of lands to a public authority and the Royal Botanical Gardens for the purposes of natural heritage conservation, the Bruce trail or other open space purposes shall be permitted provided a separate lot is not created for a dwelling or any other urban land use.

General

1.14.3.7 Minor lot line adjustments shall be permitted provided there is no increased fragmentation of a core area and the adjustments do not conflict with intent of the policies of this Plan.
1.14.3.8 Consents may be granted for the purposes of long-term lease agreements for infrastructure and utility works provided a separate lot is not created for a dwelling or any urban land use, except the uses noted in this Section.

1.14.3.9 Consents within the Niagara Escarpment Plan area shall comply with the provisions of the Niagara Escarpment Plan in addition to the provisions of Section F.1.14.

1.15 Community Improvement

It is the intent of Council through Community Improvement to promote and maintain a high quality living and working environment throughout the City. Community Improvement shall be accomplished through (1) the upgrading and ongoing maintenance of communities or areas characterized by obsolete buildings, and/or conflicting land uses and or/inadequate physical infrastructure and community services, and, (2) the establishment of policies and programs to address identified economic, land development and housing supply issues or needs throughout the Urban Area.

1.15.1 Community Improvement shall be carried out through the designation, by Council, of Community Improvement Project Areas and through the preparation and implementation of Community Improvement Plans pursuant to the Planning Act. It is the intent of Council that the entire urban area or any part of the urban area as defined in this Plan, and as subsequently amended, may by by-law be designated as a Community Improvement Project Area.

1.15.2 When designating Community Improvement Project Areas, one or more of the following characteristics may be present:

a) building stock or property in need of rehabilitation;

b) buildings and structures of heritage or architectural significance;

c) encroachment of incompatible land uses or activities;

d) deteriorated or insufficient physical infrastructure such as, but not limited to, sanitary and storm sewers and water mains, public transit, roads/streets, curbs, sidewalks, street lighting and utilities;

e) deteriorated or insufficient community facilities/services such as, but not limited to public indoor/outdoor recreational facilities, public open space and public social facilities;

f) inadequate mix of housing types;

g) inadequate affordable housing;

h) known or perceived environmental contamination;

i) deteriorated or insufficient parking facilities;

j) poor overall visual amenity of the area, including, but not limited to streetscapes and urban design;
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k) existing Business Improvement Areas or potential for inclusion in a Business Improvement Area designation, provided such designation is in conformity with the Niagara Escarpment Plan;

l) inappropriate road access and traffic circulation;

m) shortage of land to accommodate building expansion and/or parking and loading facilities;

n) other barriers to the improvement or redevelopment of under utilized land or buildings; or,

o) any other environmental, social, or community economic development reasons for designation.

1.15.3 Community Improvement Plans shall provide direction regarding the application of one or more of the following:

a) allocation of public funds such as grants, loans or other financial instruments for the physical rehabilitation, redevelopment or improvement of land and/buildings;

b) municipal acquisition of land or buildings and subsequent land clearance, rehabilitation, redevelopment or resale of these properties or other preparation of land or buildings for community improvement;

c) encouragement of infill and rehabilitation where feasible;

d) promotion of historic preservation through the appropriate local, provincial and federal legislation;

e) promotion of the viability of Commercial areas through the establishment and support of Business Improvement Areas; and,

f) other municipal actions, programs or investments for the purpose of strengthening and enhancing neighbourhood stability, stimulating production of a variety of housing types, facilitating local economic growth, improving social or environmental conditions, or promoting cultural development.

g) Identification of cultural heritage resources which shall be, wherever possible, conserved through appropriate adaptive reuse and alterations. Demolition of heritage structures shall be discouraged.

1.15.4 All developments participating in programs and initiatives contained within Community Improvement Plans shall:

a) conform to the policies contained in this Plan,

b) comply with all municipal by-laws and regulations of the City;

c) comply with the Niagara Escarpment Plan, in accordance with Section C,1.0 - Provincial Plans with Designations; and,

d) obtain a Niagara Escarpment Development Permit where applicable.
1.15.5 Council shall determine the priorities and sequences in which designated Community Improvement Project Areas shall have individual Community Improvement Plans prepared.

1.15.6 Any Community Improvement Plan shall endeavour to co-ordinate individual initiatives to improve properties with municipal actions to upgrade physical infrastructure and community services, and promote new types of housing.

1.15.7 Council shall be satisfied that community improvements are within the financial capability of the City.

1.16 Minimum Distance Separation I and II

The Minimum Distance Separation Formulae is a tool to establish distances between a livestock facility and another land use. The objective is to prevent land use conflicts as well as to minimize nuisance complaints.

1.16.1 New land uses, including the creation of lots, and expansion to existing uses permitted by the policies of this Plan shall comply with the Minimum Distance Separation (MDS) Formulae. The formulae for calculating required minimum distance separation between land uses shall be implemented in the Zoning By-law.

1.17 Public Participation and Notification Policies

One of the principles of sustainability is transparent and participatory government. In recognition of this principle, the City shall involve the various people and organizations throughout the City, including residents, business, special interest groups, non-governmental organizations and other levels of government.

1.17.1 The City may use a variety of communication methods to seek input on planning matters or to provide information to the general public. Depending on the issues and in accordance with the Planning Act, the City shall choose the most appropriate method of communication. Communication may be in the form of:

a) direct mail outs;

b) public notice signs;

c) surveys, electronic or mail out;

d) public information open houses;

e) public meetings;

f) City web site; and/or,

g) workshops.

1.17.2 Notification of public meeting(s) for the adoption of the Official Plan and amendments, changes to the Zoning By-law, plans of subdivision and Community Improvement Plans shall be given to the public at least 17 days prior
to the date of the meeting(s) and the notice shall be given in accordance with the applicable requirements of the Planning Act regulations.

1.17.3 Council decisions shall take place no sooner than a minimum of 17 days from the time the first notification is given, for Planning Act applications/procedures identified in Section F.1.17.2.

1.17.4 Where a notice of public meeting or written notice of an application is required for Planning Act application, other than those identified in Section F.1.17.2, notice shall be given in accordance with the applicable requirements of the Planning Act.

1.17.5 Notice of the intention of the passing of an amending by-law to remove a Holding “H” symbol shall be given in accordance with the applicable requirements of the Planning Act.

1.17.6 Notice of the passing of an Interim Control By-law shall be given in accordance with the applicable requirements of the Planning Act.

1.17.7 Public meetings under the Planning Act shall not be required for minor administrative amendments to this Plan such as format changes, typographical errors, grammatical errors and policy number changes.

1.18 Parkland Dedication Policies

1.18.1 In considering any development/redevelopment proposal, plan of subdivision or consent to sever, Council shall determine whether to require the dedication of parkland or require cash-in-lieu of such dedication.

a) Council shall require a parkland dedication in an amount not exceeding 5% for residential proposals, or alternatively, shall not exceed a rate of 1.0 hectare for each 300 dwelling units proposed, (the rate to be applied will be that which yields the greater amount of either land or cash-in-lieu), or a combination thereof for developments or redevelopment that contain a mix of residential densities.

For the purposes of calculating parkland dedication on the basis of the number of units, the following rates shall apply to any dedication of parkland or cash-in-lieu as a condition of residential development or redevelopment:

i) For land designated to permit residential development or redevelopment with a density less than 20 units per hectare, dedication of land not to exceed an amount of 5% of the net land areas to be developed.

ii) For land designated to permit residential development or redevelopment with a density of 20 to 75 units per hectare, parkland shall be dedicated at a rate not to exceed 1 hectare for each 300 dwelling units proposed;

iii) For land designated to permit residential development or redevelopment with a density of 75 to 120 units per hectare, parkland shall be dedicated at a rate not to exceed 0.6 hectares for each 300 dwelling units proposed;
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iv) For land designated to permit residential development or redevelopment with a density greater than 120 units per hectare, parkland shall be dedicated at a rate not to exceed 0.5 hectares for each 300 dwelling units proposed.

v) Notwithstanding Policy F.1.18.1 b), regardless of the density of development, a maximum land dedication of 5% of the net land area shall apply to developments of single or semi-detached lots, duplexes, and a maximum of two apartment dwellings above commercial use.

vi) In the case of lands to be developed for an individual single detached dwelling in a rural area, the parkland dedication shall be based on an amount not to exceed 2.5% of a 0.4 hectare lot. This policy is not applicable to designated Rural Settlement Areas.

vii) Notwithstanding Policy F.1.18.1 a), Council may consider reducing the residential parkland dedication rate for dwellings within specific geographic areas of the City and for certain types of charitable, non-profit or social/affordable housing, as provided for in the Parkland Dedication By-law.

b) Council shall require a parkland dedication in an amount not exceeding 2% for commercial proposals except as exempted in the Parkland Dedication By-law.

c) Council shall require a parkland dedication in an amount not exceeding 5% for institutional proposals and all other land use proposals other than residential and commercial and schools, subject to any exemption as set out in the Parkland Dedication By-law.

d) Council shall require a parkland dedication in the amount of 2% of the land area to be developed or redeveloped for a school.

e) Council shall require that parkland dedication be based on a pro rata proportion for proposed mixed use development (for commercial and residential uses on one site or within one building), in accordance with the Parkland Dedication By-law.

f) Council shall require a combination of dedication rates as defined in Policy F.1.18.1 applicable to specific use and/or density for any development including a subdivision containing lands proposed for a variety of land uses and/or at a variety of residential densities.

1.18.2 Notwithstanding Policy F.1.18.1 c), Council shall not require parkland dedication or cash-in-lieu, as a condition of the approval of industrial development or redevelopment proposals.

1.18.3 Storm water management facilities, valley lands, hazard lands, woodlots, Environmentally Significant Areas, and major utility corridors and easements shall not be considered acceptable lands eligible to satisfy parkland dedication.

1.18.4 For the purpose of calculating the land area subject to the parkland dedication, storm water management facilities, valley lands, hazard lands, woodlots, Core Areas, and major utility corridors and easements shall be
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excluded except where the lands listed above contain water services, wastewater services, private roads, public roads, or parking lots.

1.19 Complete Application Requirements and Formal Consultation

1.19.1 Formal consultation with the City shall be required prior to the submission of a Planning Act application(s) for an official plan amendment, Zoning By-law amendment, draft plan of subdivision, or site plan.

1.19.2 The purpose of such formal consultation shall be to review a draft development proposal for the lands affected by the proposed application(s) and identify the need for, and the scope of other information and materials considered necessary by the City and other affected agencies to allow comprehensive assessment of the development application(s).

1.19.3 Notwithstanding Policy F.1.19.1, the City may waive the requirement for formal consultation, where the City has identified that, due to the nature of the proposal, the need for and scope of required other information and materials can be determined without a formal consultation. The City shall provide the applicant with a form that identifies the necessary other information and materials to be submitted with the application(s) to deem it complete.

1.19.4 The City shall only accept and process complete Planning Act applications for official plan amendment, Zoning By-law amendment, draft plan of subdivision and site plan.

1.19.5 A Planning Act application(s) shall be deemed complete provided that:

a) it satisfies all applicable provincial requirements;

b) it satisfies all requirements set out in this Plan; and,

c) it shall be accompanied by all the other information and materials listed in Table 1.19.1 as determined by the procedures of Policy F.1.19.1 or F.1.19.3.

1.19.6 Table F.1.19.1 identifies the other information and materials required to deem Planning Act applications for official plan amendment, Zoning By-law amendment, draft plan of subdivision, and site plan complete:

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<th>Table F.1.19.1 Other Information and Materials</th>
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### Cultural

The objective of required Cultural information and materials is to ensure that buildings, structures, sites or landscapes of historical, architectural, archaeological, or scenic value are maintained, and that any potential adverse impacts on these areas are mitigated.

#### a) Archaeological Assessment

#### b) Cultural Heritage Impact Assessment (for Heritage Resources and/or Cultural Heritage Landscapes)

### Environmental

The objective of required Environmental information and materials is to identify and assess the environmental and natural features related to a site, including surface and subsurface features, and ensure that any adverse impacts resulting from a proposed development and/or change in land use on an identified environmental or natural heritage feature are mitigated to an acceptable level.

#### a) Aggregate Resource Assessment

#### b) Aggregate/Mineral Resource Analysis

#### c) Air Quality Study

#### d) Channel Design and Geofluvial Assessment

#### e) Chloride Impact Study

#### f) Cut and Fill Analysis

#### g) Demarcation of top of bank, limit of wetland, limit of natural hazard, limit of Environmentally Significant Area (ESA), or limit of Conservation Authority regulated area

#### h) Environmental Impact Statement (EIS)

#### i) Energy and Environmental Assessment Report

#### j) Erosion Hazard Assessment

#### k) Fish Habitat Assessment

#### l) Floodline Delineation Study/Hydraulic Analysis

#### m) General Vegetation Inventory

#### n) Impact Assessment for new Private Waste Disposal Sites

#### o) Karst Assessment/Karst Contingency Plan

#### p) Landscape Plan

#### q) Linkage Assessment

#### r) Meander Belt Assessment

#### s) Nutrient Management Study

#### t) Odour, Dust and Light Assessment

#### u) Restoration Plan

#### v) Shoreline Assessment Study/Coastal Engineers Study

#### w) Slope Stability Study and Report

#### x) Species Habitat Assessment

#### y) Tree Management Plan/Study

#### z) Tree Protection Plan

### Environmental/Servicing and Infrastructure

The objective of required Environmental/Servicing and Infrastructure information and materials is to ensure that a proposed development and/or change in land use is safe from contamination, can be supported by adequate soil conditions and stormwater management facilities, and shall not have an adverse impact on the City's natural water resources.

#### a) Contaminant Management Plan
### Implementation

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<th>Land Use Compatibility</th>
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<td>The objective of required land use compatibility information and materials is to demonstrate that the residents or users of a proposed development and/or change in land use are buffered from nuisances such as noise, dust, odours, and vibrations, and reduce the potential for public costs or risk to future residents or users resulting from a proposed development and/or change in land use.</td>
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<tr>
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<td>g</td>
<td>Odour Impact Assessment</td>
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<td>h</td>
<td>Sun/Shadow Study</td>
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<tr>
<td>i</td>
<td>Vibration Study</td>
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<tr>
<td>j</td>
<td>Wind Study</td>
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</tbody>
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<table>
<thead>
<tr>
<th>9</th>
<th>Transportation</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>The objective of required transportation related information and materials is to demonstrate that any changes to the transportation network resulting from a proposed development and/or change in land use can be accommodated by the transportation network, and ensure that any adverse impacts on surrounding land uses are mitigated.</td>
</tr>
<tr>
<td>a</td>
<td>Cycling Route Analysis</td>
</tr>
<tr>
<td>b</td>
<td>Transportation Impact Study</td>
</tr>
<tr>
<td>c</td>
<td>Parking Analysis/Study</td>
</tr>
<tr>
<td>d</td>
<td>Pedestrian Route and Sidewalk Analysis</td>
</tr>
</tbody>
</table>
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| e) | Roadway/Development Safety Audit |
| f) | Modern Roundabout and Neighbourhood Roundabout Analysis |
| g) | Neighbourhood Traffic Calming Options Report |
| h) | Transit Assessment |
| i) | Transportation Demand Management Options Report |
| j) | Cost Recovery Agreement |

10 Cost Recoveries

The objective of cost recoveries related information and materials is to enable the City to recover costs for any proposed development and/or change in land use in accordance with all City By-laws.

1.19.7 Other information and materials submitted in accordance with Policy F.1.19.5 shall be subject to the following requirements to be deemed complete:

a) The other information and materials submitted shall be prepared by a qualified professional, in accordance with applicable legislation and/or to the satisfaction of the City, retained by and at the expense of the applicant.

b) The City may request or conduct a peer review of any other information and materials submitted where the City lacks the appropriate expertise to review such other information and materials. Such peer review shall be completed by an appropriate agency or professional consultant retained by the City, at the applicant’s expense.

c) The City may refuse other information and materials submitted as part of a complete application(s) if it considers the quality of the submission unsatisfactory.

d) The City may request electronic versions of all other information and materials submitted and stipulate the format of the digital submission.

e) In addition to the other information and materials listed in Table F.1.19.1, the applicant may be required to submit any other supporting information and materials identified by the City during the formal consultation process with the applicant as being necessary for an application to be deemed complete.

1.19.8 The requirement for other information and materials submitted in accordance with Policies F.19.1 or F.19.3 is not intended to preclude Council and its delegated authorities from requiring additional reports, studies, maps, plans, calculations, information or materials, which are identified during the review process for an application(s) which has been deemed complete as being necessary for Council and its delegated authorities to make informed decisions.

1.19.9 The City shall establish guidelines for the other information and materials identified in Policy F.19.6, to provide direction regarding the intended content and scope of such other information and materials.

1.19.10 Any development or redevelopment within 200 metres of any gas pipeline easement or facility shall require consultation with the applicable utility company.
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1.20  Cash-in-Lieu of Parking

1.20.1  Where a proponent is required, under the Zoning By-law, to provide and/or maintain parking facilities, the City may require a cash payment in lieu of all or part of the parking requirements. Such funds shall be used for the acquisition of lands and/or the provision of off-street parking as deemed appropriate by the City.
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F.2.0 OTHER PROVINCIAL STATUTES AND REGULATIONS

In addition to Section C.1.0 - Provincial Plan and Designations, and other relevant provincial statutes, regulations and guidelines, as amended or replaced from time to time, the following provincial implementation tools are in effect in the City relating specifically to land use planning.

2.1 Niagara Escarpment Development Control

Within the Niagara Escarpment Development Control area, all development unless specifically exempted by regulation under the Niagara Escarpment Planning and Development Act, shall require a development permit from the Niagara Escarpment Commission. No other permits, including building permits, may be issued unless a development permit has been issued from the Niagara Escarpment Commission.

2.2 Nutrient Management Plans

In Rural Hamilton Official Plan.

2.3 Conservation Authority Regulations

2.3.1 The Conservation Authority Regulation Development, Interference with Wetlands and Alterations to Shorelines and Watercourses affects the Natural Heritage System and natural hazards within the City and the Regulation shall be implemented by the City, where appropriate.

2.3.2 The Conservation Authorities that have jurisdiction within the City of Hamilton are the Hamilton Conservation Authority, Niagara Peninsula Conservation Authority, Halton Region Conservation Authority, and Grand River Conservation Authority.

2.4 Ontario Heritage Act

The Ontario Heritage Act (1990) provides a legislative framework and variety of tools for the protection and preservation of the Province’s cultural heritage resources. The Ontario Heritage Act enables the City to protect and conserve cultural heritage resources through:

a) designation, either individual properties under Part IV of the Act or collectively as groups of properties, under Part V of the Act;

b) establishment of a municipal heritage committee to advise Council on both designation and heritage permit applications;

c) an obligation to keep a register of properties that have been designated under the Ontario Heritage Act. Municipalities may also include other properties that council “believes to be of cultural heritage value or interest” in the register. The inclusion of these non-designated heritage properties in the register enables municipalities to protect them from building demolition or removal for a period of up to 60 days;

d) prevention of demolition of a building or structure on a designated heritage property;
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e) passing of by-laws to buy, lease, or expropriate designated heritage properties that may be at risk;

f) entering into voluntary legal agreements, such as easements or covenants, with cultural heritage property owners that apply to all or a portion of a property. Easements are registered on title and run with property, hence binding all present and future owners; and,

g) provision of grants and loans for the conservation and care of designated heritage properties, community museums and those with a heritage conservation easement registered on title.

2.5 Clean Water Act

The Clean Water Act (2006) provides a legislative framework to help protect drinking water at source to safeguard human health and the environment. The Clean Water Act requires the City, to work in conjunction with other partners, to develop and implement a Source Water Protection Plan. The Official Plan shall be amended, from time to time, to implement the recommendations from the Source Water Protection Plan.
F.3.0 OTHER IMPLEMENTATION TOOLS

In certain circumstances, more detailed plans, strategies and programs are required to guide decision making as the City implements the goals and objectives of this Plan. Given the long term vision of the Plan, supporting plans such as City's Growth Management Study (GRIDS), the Economic Development Strategy, Master Plans (culture and recreation, public art, community culture infrastructure) and Council adopted guidelines (Environmental or Heritage Impact Statements, Urban Design) provide a greater level of procedural and explanatory detail than what is required or appropriate for inclusion in this Plan. Similarly, these strategies and guidelines can be updated and amended to reflect changing circumstances in a more timely manner. These actions plans, strategies, and guidelines are not adopted as amendments to this Plan but implement the Plan itself.

3.1 Supporting Plans

3.1.1 The City recognizes the importance of undertaking and implementing the recommendations of supporting plans in the fulfillment of the vision, goals and objectives of this Plan. They shall be used:

a) to establish municipal priorities;

b) to provide technical and procedural direction for studies required to review development applications;

c) to set municipal implementation targets; and,

d) to identify other actions to implement this Plan.

3.1.1.1 The requirements of the studies identified in Section F.3.1 - Supporting Plans shall be considered as minimum requirements. These requirements may be expanded upon.

3.1.2 Cultural Heritage Management Plan

3.1.2.1 The City shall prepare a comprehensive cultural heritage management plan to identify, evaluate and manage cultural heritage resources and their contributions to and interrelationships with other community resources, such as natural heritage, tourism, recreation and economic development. The Cultural Heritage Management Plan may provide the basis for the establishment of additional Official Plan policies or other city-led initiatives for the conservation of cultural heritage resources.

3.1.2.2 As part of the Cultural Heritage Management Plan the City shall maintain a current and publicly accessible database of cultural heritage resources, including those designated under the Ontario Heritage Act and those listed in the Register of Property of Cultural Heritage Value or Interest.

3.1.3 Archaeology Management Plan

3.1.3.1 The City recognizes there are areas of archaeological potential and archaeological resources that remain unidentified and have yet to be subjected to a detailed assessment by a licensed archaeologist. To assist land owners and to provide for appropriate development, the City shall prepare an archaeology management plan.
3.1.3.2 Until such time as an archaeology management plan is complete, archaeological resource sites or areas of archaeological potential shall be identified and evaluated in accordance with provincial guidelines and City policies and protocols.

3.1.4 Cultural Heritage Conservation Plan Statements

3.1.4.1 Cultural heritage conservation plan statements shall include the following elements:

a) a description of the historical development of the area;

b) a description of the cultural heritage resources and their significance;

c) conservation priorities for identified cultural heritage resources;

d) redevelopment potential;

e) consideration of open space, public access and community connectivity;

f) the provision of interpretive devices, such as plaques and displays;

g) the creation of guidelines for the conservation and enhancement of cultural heritage resources; and,

h) the creation of guidelines for contextual enhancements, such as streetscaping and alterations and/or additions to adjacent properties.

3.1.4.2 Cultural heritage conservation plan statements may be included in secondary plan studies and policies, neighbourhood plans or other planning initiatives.

3.1.4.3 The City shall develop guidelines for the preparation of cultural heritage conservation plan statements.

3.1.5 Storm Water Management Plans

3.1.5.1 In cases where a storm water management plan is being prepared for lands within the urban boundary, the following matters shall be addressed to avoid, minimize and/or mitigate storm water volumes, contaminant loads and impacts to receiving water courses:

a) maintenance of groundwater quality and flow and stream base flow;

b) protecting water quality and aquatic species and their habitats;

c) minimizing the disruption of pre-existing natural drainage patterns, wherever possible; and,

d) prevention of increases in stream channel erosion and flood risk.

3.1.6 Watershed and Sub-watershed Plans

3.1.6.1 A generic Terms of Reference for watershed and sub-watershed studies will be developed in consultation with the Conservation Authorities, the City, stakeholders, and relevant agencies. Until these generic terms of reference are
completed, the following information must be included in the specific terms of
reference for Watershed and Sub-watershed studies:

a) Watershed and Sub-watershed Characterization:

   i) Hydrology – hydrologic model for sub-watershed’s existing and future
development; description of physical features; stream geomorphology;
identify hazard lands, low flow analysis, assess erosion and flooding;

   ii) Hydrogeology – characteristics of bedrock and overburden and their
relationship with the groundwater system;

   iii) Aquatic Environment – assess fisheries and benthic communities,
classify streams according to fish habitat;

   iv) Terrestrial Environment – assess plants, vegetation communities and
wildlife, rare species, disturbance history, habitat fragmentation,
develop a natural heritage system; and,

   v) Water Quality and Quantity.

b) Watershed and Sub-watershed Management – identify areas of constraint,
land and water management strategies, land use impacts, mitigation
measures, buffers, and restoration;

c) Implementation and Monitoring Plan – identifies who is responsible for
different implementation actions, recommendations for future studies,
construction phasing, and monitoring plan; and,

d) any additional requirements as determined to be necessary for the unique
characteristics of the watershed and/or the proposed development.

3.1.6.2 Once a Watershed or Sub-watershed plan is endorsed by City Council and
approved by the relevant Conservation Authority, the City shall implement its
recommendations, wherever possible, through:

a) amendments to the Official Plan, as appropriate;

b) secondary plans;

c) zoning By-law amendments;

d) conditions of approval for new developments;

e) environmental assessments for servicing and infrastructure plans and
projects; and,

f) habitat restoration and landowner stewardship programs delivered by the
City or other agencies.

3.1.6.3 Recommendations from approved watershed and sub-watershed plans shall
be implemented by future amendments to this Plan, including secondary plans
and/or conditions or criteria identified through the review of development
applications.
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3.1.7 Source Water Protection Plan

3.1.7.1 The City shall work, in conjunction with other partners, to develop and implement a Source Water Protection Plan.

3.1.7.2 The Official Plan shall be amended, from time to time, to implement the recommendations of the Source Water Protection Plan.

3.1.8 Transportation Master Plan

The continued implementation and expansion of the integrated transportation network shall be accomplished with the implementation of Section C.4.0 - Integrated Transportation Network as well as the Transportation Master Plan.

3.1.8.1 The Transportation Master Plan shall layout the City's approach to managing and meeting the demand for transportation facilities, including walking, cycling, transit and roads and guide future transportation investment in the City of Hamilton.

3.1.8.2 The City's Transportation Master Plan shall be maintained and updated as necessary through a comprehensive review process.

3.1.8.3 Future amendments to this Official Plan shall be considered as required to adopt appropriate policies resulting from an update to the Transportation Master Plan.

3.1.8.4 Decisions affecting Hamilton's transportation network shall have regard to the objectives and guiding principles laid out in the Transportation Master Plan.

Function of the Transportation Master Plan

3.1.8.5 The Transportation Master Plan shall be the primary tool to implement operational based transportation policies including:

   a) creating awareness and promoting the benefits of walking and cycling through:

      i) the provision of user-oriented information for all pedestrians, cyclists and other road users to increase awareness of non-motorized networks, user guidelines and safety requirements;

      ii) the participation with and engagement of community groups and advisory committees; and,

      iii) the participating in activities like Smart Commute, Car Free Day, Commuter Challenge etc.

   b) identifying further transportation demand management strategies in addition to provisions of Section C.4.2.4.1; and,

   c) undertaking significant improvements to the public transit network to address changes in travel demand occurring from increased densities along nodes corridors.

3.1.8.6 Provisions for bicycle parking/storage facilities, carpooling parking spaces, park n' ride spaces and appropriate parking spaces shall be regulated through the Zoning By-Law.
3.1.9 Community Strategies
3.1.9.1 Community strategies address a range of issues that are not able to be addressed through traditional land use planning processes such as secondary planning. Examples of issues that may be addressed through community strategies include access and equity, access to housing and services, health inequalities, property maintenance, environmental issues, community appearance, economic stability, and crime. Such issues are often complex and require a multi-agency and community-based approach for their resolution. Community strategies may identify other initiatives or studies that need to be undertaken to solve identified problems, or may make direct recommendations to address the issues identified.

3.1.9.2 Community Strategies shall include identification and analysis of needs, issues, and opportunities for a defined geographical area in the broader city context. Community Strategies should be undertaken in collaboration between the City and community partners, or, by the City with active participation from local community groups, agencies, not-for-profit or other organizations.

3.2 Council Adopted Guidelines and Technical Studies
Council adopted guidelines and technical studies provide the necessary guidance for the preparation of specific studies. Certain guidelines will require adoption by Council. The requirements of the studies identified in Section F.3.2—Council Adopted Guidelines and Technical Studies shall be considered as minimum requirements. These requirements may be expanded upon.

3.2.1 Environmental Impact Statements (EIS)
3.2.1.1 Council has adopted Environmental Impact Statement Guidelines which shall be used by proponents and professionals when preparing an EIS. The City shall revise the Environmental Impact Statement Guidelines from time to time.

3.2.1.2 When a development proposal has the potential to negatively impact a Core Area or its function, the proponent shall be required to prepare an EIS to the satisfaction of the City and the relevant Conservation Authority. An EIS inventories and describes the existing Core Areas and ecological functions of the site in the context of the surrounding landscape. An EIS also assesses the potential negative impacts that proposed development may have on Core Areas and Linkages and provide recommendations on whether the development proposal should proceed or be modified, natural area boundaries, mitigation measures, and design measures to accommodate or enhance existing natural features and functions.

3.2.1.3 In Rural Hamilton Official Plan.

Table F.3.1. Adjacent Land Distances to Trigger an Environmental Impact Statement
In Rural Hamilton Official Plan.

3.2.1.4 For proposals outside of the Greenbelt Plan area, an EIS shall be required for development and site alteration proposed within or adjacent to the Core Area. Adjacent lands for features outside of the Greenbelt Plan area are defined in Table F.3.2 below. The distances for adjacent lands provided in Table F.3.1 are guidelines only and the City may require an EIS for development proposed...
outside of the adjacent area if it is anticipated that impacts may be far-reaching

Table F.3.2: Adjacent Land Distances to Trigger an Environmental Impact Statement

<table>
<thead>
<tr>
<th>Natural Heritage Feature</th>
<th>Boundary Definition</th>
<th>Extent of Adjacent Lands (outside of Greenbelt)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fish Habitat</td>
<td>Streams, rivers, lakes, ponds, and wetland.</td>
<td>30 metres from bankfull channel</td>
</tr>
<tr>
<td>Provincially Significant Wetlands, Local Wetlands, and Unevaluated Wetlands greater than 2 hectares in size</td>
<td>Defined by the Province, Conservation Authorities, and the City of Hamilton</td>
<td>120 metres</td>
</tr>
<tr>
<td>Significant Habitat of Threatened and Endangered Species</td>
<td>Defined by the Province and City of Hamilton.</td>
<td>50 metres</td>
</tr>
<tr>
<td>Unevaluated wetlands</td>
<td>Defined by Conservation Authorities and the City of Hamilton</td>
<td>50 metres</td>
</tr>
<tr>
<td>Significant Woodlands</td>
<td>Defined by City of Hamilton</td>
<td>50 metres, measured from the dripline</td>
</tr>
<tr>
<td>Streams and River Valleys</td>
<td>Conservation Authority regulatory lines, flood plain mapping.</td>
<td>30 metres from stable top of bank</td>
</tr>
<tr>
<td>Areas of Natural and Scientific Interest (ANSIs)</td>
<td>As defined by the Province</td>
<td>50 metres</td>
</tr>
<tr>
<td>Significant Valley lands</td>
<td>As defined by the Province and City of Hamilton.</td>
<td>50 metres</td>
</tr>
<tr>
<td>Significant Wildlife Habitat</td>
<td>As defined by the Province and City of Hamilton.</td>
<td>50 metres</td>
</tr>
<tr>
<td>Environmentally Significant Areas (ESAs)</td>
<td>As defined by the City of Hamilton</td>
<td>50 metres</td>
</tr>
</tbody>
</table>

3.2.1.5 The EIS may be scoped to reflect the type of development being proposed and the sensitivity and special characteristics of the natural area. Scoping shall be done by City, the Conservation Authority, and other relevant agencies in consultation with the applicant.

3.2.1.6 The EIS must be submitted as part of a complete development application to ensure that environmental impacts are considered early in the design process when there is the greatest opportunity to design in harmony with the natural environment. In no case shall an EIS be a condition of approval granted under the Planning Act and the completion of an EIS does not guarantee that the development application will be approved.

3.2.1.7 The EIS must be prepared by a professional qualified in the field of environmental sciences, following the requirements of the City's Environmental...
Impact Statement Guidelines. An EIS may include plans, studies, environmental analyses, cumulative impact assessments, buffer requirements, or other associated documentation and data considered necessary by Environmentally Significant Areas Impact Evaluation Group (ESAIEG) and City staff, as outlined in the City of Hamilton’s Environmental Impact Statement Guidelines.

3.2.1.8 Where an Environmental Assessment is carried out under Federal or Provincial Environmental Assessment processes, the assessment shall be considered as fulfilling the EIS requirements of this Plan.

3.2.1.9 Where environmental studies, such as a sub-watershed study have been carried out as part of a comprehensive planning process, the study may be submitted in place of the EIS, provided it fulfills the requirements of an EIS and is carried out to the satisfaction of the City and the relevant Conservation Authority.

3.2.1.10 Where an EIS demonstrates that a development proposal shall have negative impacts on the significant natural feature and functions of a site, the following options shall apply:

   a) the application shall be refused; or,

   b) the City shall consult with the applicant to redesign the proposal to reduce the impacts to the satisfaction of the City and relevant Conservation Authority; or,

   c) the City shall negotiate an agreement with the landowner requiring conditions of approval, or requiring dedication of land/conservation easement to protect the significant natural feature or function.

3.2.1.11 Linkage assessments shall consider both the linkage within the site and connections with other sites and shall evaluate the following:

   a) identify and assess the linkage including its vegetative, wildlife, and/or landscape features or functions, including:

      i) the natural areas and habitats/functions linked (number of sites linked and habitat sizes and condition);

      ii) linkage type (e.g. anthropogenic railway or utility corridor, hedgerow, plantation, or natural community);

      iii) vegetation cover type quality (health, condition, maturity, species, and aesthetic value);

      iv) width;

      v) length; and,

      vi) continuity of vegetation (long gaps greater than 100 metres, gaps containing roads or other barriers, or gaps less than 30 metres wide with no barriers);

   b) assess the potential impacts on the viability and integrity of the linkage as a result of the development proposal; and,
c) make recommendations on how to protect, enhance or mitigate impacts on the linkage(s) and its functions through planning, design and construction practices.

3.2.2 Hydrogeological Studies

3.2.2.1 The City shall develop and adopt Hydrogeological Study Guidelines which may be required by proponents and professionals when preparing development feasibility and hydrogeological studies. The results of these studies shall be used to determine hydrogeological setting, hydrogeological connections to any surface, potential impacts on groundwater quantity and quality, and the suitability of the site for development. In the absence of guidelines, studies shall:

a) assess impacts of groundwater on existing development (both privately and municipally serviced) and future development caused by the excavation for servicing and basements;

b) recommend measures to mitigate groundwater impacts such as continuously running sump pumps both during construction and post construction;

c) determine the availability of sufficient and suitable water supply without impacting neighbouring wells; and,

d) set parameters for monitoring that may be required.

3.2.3 Cultural Heritage Impact Assessments

3.2.3.1 Where the City requires a proponent to prepare a cultural heritage impact assessment it shall be undertaken by a qualified professional with demonstrated expertise in cultural heritage assessment, mitigation and management, according to the requirements of the City's Cultural Heritage Impact Assessment Guidelines, and shall contain the following:

a) identification and evaluation of all potentially affected cultural heritage resource(s), including detailed site(s) history and a cultural heritage resource inventory containing textual and graphic documentation;

b) a description of the proposed development or site alteration and alternative forms of the development or site alteration;

c) a description of all cultural heritage resource(s) to be affected by the development and its alternative forms;

d) a description of the effects on the cultural heritage resource(s) by the proposed development or site alteration and its alternative forms; and,

e) a description of the measures necessary to mitigate the adverse effects of the development or site alteration and its alternatives upon the cultural heritage resource(s).

3.2.4 Archaeological Assessments

3.2.4.1 Any required archaeological assessment must be conducted by an archaeologist licensed under the Ontario Heritage Act and shall be submitted to the City for final approval and to the Province for review and compliance to
licensing provisions and archaeological assessment standards and guidelines. The archaeological assessment:

a) shall be prepared following the terms and conditions set out in the provincial guidelines; and,

b) shall provide conservation-related recommendations, including, but not restricted to subsequent processes and procedures for the conservation and management of archaeological resources prior to, during and post development and/or site alteration-related activities. This may address further archaeological test-excavation and evaluation prior to the determination of a final resource management strategy and the submission of any further reports required by the Province or City. Such recommended processes and procedures for archaeological management shall be implemented through a variety of measures including but not limited to the mitigation, preservation, and/or resource excavation, removal and documentation, of all archaeological resources, to the satisfaction of the City and approval by the Province.

3.2.5 Urban Design and Architectural Guidelines and Architectural Control

3.2.5.1 The City may develop urban design guidelines to address contextual or use-specific design issues, or other matters where the City identifies a need for specific design guidance in order to implement the policies of this Plan.

3.2.5.2 The City in considering applications for plans of subdivision and condominiums may require an applicant to prepare urban design and/or architectural design guidelines to the City’s satisfaction. The City may undertake Architectural Control to ensure compliance with the approved Urban Design/Architectural Guidelines applicable to a specific development or redevelopment.

3.2.6 Urban Design Report

3.2.6.1 Proponents of development applications may be required to prepare a Design Report to indicate how the proposal is consistent with the design principles and policies identified in throughout this Plan and any applicable existing design guidelines.

3.2.6.2 The need and scope for the preparation of a Design Report shall be determined by the City during the formal consultation stage of the development review process and submitted as part of an application in accordance with Section F.1.19.5. The specific requirements of the Urban Design Report shall be reflective of individual applications and determined on a case by case basis.

3.2.6.3 The City shall develop Terms of Reference for the preparation of Urban Design Reports.

3.2.7 Commercial Needs and Impact Assessment

3.2.7.1 The City shall develop Terms of Reference for the preparation of a Commercial Needs and Impact Assessment which shall demonstrate there shall be no negative impact on the planned function of existing and designated Commercial and Mixed Use areas or on the planned function of the Urban Nodes and Urban Corridors.

3.2.7.2 A commercial needs assessment shall address the following matters to the satisfaction of the City:
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a) Determines an appropriate trade area for the proposed facility and identifies the trade area of competing nodes, corridors, Commercial and Mixed Use designations outside of nodes and corridors;

b) Determines the need for additional retail space within the trade area beyond that necessary for existing retail designations to remain viable;

c) Determines the amount of potential retail space that could be constructed on vacant designated parcels, or is available within vacant built space, within the trade area or within an overlapping trade area;

d) Determines the net additional retail needs after considering the above supply potential;

e) Assesses the opportunities and ability to locate the proposed retail facility within or immediately adjacent to existing nodes, corridors, Commercial or Mixed Use designations outside of nodes and corridors;

f) Assesses the effect of the proposed development on the urban structure including any effects on the planned function of the Nodes and Corridors;

g) Assesses any impact on the planned function of the Commercial and Mixed Use designations outside of the nodes and corridors;

h) Assesses the ability of the proposed facility to be serviced by transit;

i) Assesses the ability of the proposed facility to be integrated into the surrounding residential neighbourhood(s) and to be accessed by active transportation; and,

j) If the proposed development creates a commercial node or cluster of retail space greater than 25,000 square metres, it shall only be considered through a municipal comprehensive review of the City’s urban structure.

3.2.8 Site Plan Guidelines

3.2.8.1 Council has adopted Site Plan Guidelines to encourage a high quality of building and site design. These Guidelines shall be used by proponents and professionals when preparing site plans. The Site Plan Guidelines indicate the City’s design preferences and expectation for site development. The City shall revise the Site Plan Guidelines from time to time.

3.2.9 Energy and Environmental Assessment Report

3.2.9.1 Proponents of development applications may be required to prepare an Energy and Environmental Assessment Report to indicate how the proposal incorporates environmental and sustainable design features and practices, such as active transportation, energy efficiency through building and site design, and water conservation and is consistent with the principles and policies identified in Section B.3.7 – Energy and Environmental Design and other applicable policies in Chapter E – Urban Systems and Designations.

3.2.9.2 The need and scope for the preparation of an Assessment Report shall be determined by the City at the formal consultation stage of the development review process and submitted as part of the associated application.
specific requirements of the Assessment Report shall be reflective of individual applications and determined on a case by case basis.

3.2.9.3 The City shall develop Terms of Reference for the preparation of Energy and Environmental Assessment Report.

3.2.10 Other Technical Studies

3.2.10.1 In addition to the studies identified in Section F.1.19 – Complete Application Requirements and Formal Consultation, and Sections F.3.2.1 to F.3.2.9, inclusive, the City may require technical studies to be submitted as part of the Planning Act process. Prior to submission of these technical studies, consultation shall be required with City staff to confirm the contents for and the criteria to be used in the technical studies.

3.3 Advisory Committees

3.3.1 Environmentally Significant Area Impact Evaluation Group (ESAIEG)

3.3.1.1 The City shall maintain an Environmentally Significant Areas Impact Evaluation Group (ESAIEG) consisting of members of the public with technical expertise, experience, and academic qualifications related to environmental conservation. ESAIEG shall review all Environmental Impact Statement reports and provide objective, technical advice to City staff on the impacts of proposed land use changes within or adjacent to natural areas.

3.3.1.2 Where required, proposed land use changes shall be referred to the Environmentally Significant Areas Impact Evaluation Group for review.

3.3.1.3 In Rural Hamilton Official Plan.

3.3.2 Municipal Heritage Committee

The City of Hamilton shall establish a municipal heritage committee under the Ontario Heritage Act to advise Council on all matters related to cultural heritage and to undertake, subject to Council’s approval, such other activities that will contribute to the cultural heritage goals and policies of this Plan.

3.4 Monitoring and Measuring Performance

3.4.1 Monitoring and measuring performance of this Official Plan is critical to determine if:

a) the assumptions of this Plan remain valid;

b) the implementation of the policies fulfill the overall goals and objectives of this Plan;

c) growth targets listed in Sections A.2.3 - Growth Management - Provincial and B.2.4.1 - General Residential Intensification Policies, are being met; and,

d) the priorities identified in this Plan remain constant or require change.

3.4.2 Monitoring and measuring performance can be conducted through both qualitative and quantitative measures. Where appropriate, targets have been included in this Plan. It is not the intent to develop and include specific monitoring or performance measurement programs as part of this Plan. The City
undertakes performance measurement in a variety of ways including the
development of monitoring programs through supporting plans, completion of
provincial performance indicators, and the preparation Vision 2020
performance indicators and report card.

3.4.3 Notwithstanding Policy F.3.4.2, in some key areas, such as the Natural Heritage
System, land supply specific policies shall be included in the Plan to ensure the
environmental policies are being met.

3.4.4 Natural Heritage System Monitoring and Performance

Restoration Plantings
3.4.4.1 The City encourages individuals and agencies to use native species appropriate
to the local area when planting within or adjacent to natural areas. Wherever
possible, the City shall use native species in plantings along roads and on the
grounds of City-owned facilities.

Data Management and Monitoring
3.4.4.2 The City shall continue to support field studies that assist in identifying natural
habitat to be protected and enhanced. The City, in conjunction with its
partners, shall maintain a Natural Heritage Database and shall set aside annual
funding to continue the collection of field data within natural areas to ensure
the existing database remains current.

3.4.4.3 The City shall develop a monitoring program in co-operation with the
Conservation Authorities, other agencies, and the community to monitor
changes to the natural heritage system and to support land use planning and
resource management decision-making.

3.4.4.4 The City shall prepare a “State of the Environment” report, to monitor the City’s
progress toward its goals and to increase awareness of the natural heritage
system.

Targets for Natural Cover
3.4.4.5 It is a City objective is to expand and reinforce the existing natural heritage
system in the long term by encouraging and undertaking ecological restoration
towards locally established targets.

3.4.4.6 The targets for Hamilton, shown in Table F.3.4.1 - Habitat Restoration Targets, are
Habitat Restoration in Great Lakes Areas of Concern”.

3.4.4.7 The City shall develop a Natural Heritage System Restoration Strategy to identify
implementation activities intended to achieve the desired natural heritage
system.

3.4.4.8 The City shall monitor the foregoing policies for progress in achieving the
following targets for the purposes of reviewing the Official Plan pursuant to the
Planning Act.
### Table F.3.4.1: Habitat Restoration Targets

<table>
<thead>
<tr>
<th>Natural Cover Type</th>
<th>Existing Percentage Cover</th>
<th>Target Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forest Cover</td>
<td>17.7%</td>
<td>30%</td>
</tr>
<tr>
<td>Interior Forest Cover (100 metres inside from edge)</td>
<td>4.2%</td>
<td>10%</td>
</tr>
<tr>
<td>Interior Forest Cover (200 metres inside from edge)</td>
<td>1.4%</td>
<td>5%</td>
</tr>
<tr>
<td>Riparian Vegetation greater than 30 metres wide</td>
<td>34.7%</td>
<td>75% of stream length should be naturally vegetated.</td>
</tr>
<tr>
<td>Wetland Cover</td>
<td>8.3%</td>
<td>10%</td>
</tr>
</tbody>
</table>

#### 3.4.5 Targets for Air Quality

#### 3.4.5.1 The City’s objective is to increase the number of good air quality days, where the Province’s Air Quality Index (AQI) is less than 30, over the lifetime of this Plan, by encouraging and undertaking actions to reduce greenhouse gas emissions towards the following locally established targets.

### Table F.3.4.2: City Air Pollutants and Greenhouse Gas Emission Targets

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>10% reduction of</td>
<td>20% reduction of</td>
</tr>
<tr>
<td></td>
<td>2005 emission levels</td>
<td>2005 emissions levels</td>
</tr>
</tbody>
</table>

#### 3.5 Land Supply

#### 3.5.1 The City shall monitor the designated urban land supply to ensure there is sufficient land available to accommodate a mix and range of housing types, employment opportunities, and other land uses to meet the projected needs for up to a 20 year time horizon. The monitoring shall include:

a) the achievement of the greenfield density, the urban growth centre target and intensification targets, including the range and mix of housing types; and,

b) employment land absorption.

#### 3.6 Staging of Development

#### 3.6.1 Staging of development refers to the process of managing the rate and timing of subdivision development for lands within the urban boundary of the City. This type of management ensures effective and efficient growth in existing and newly developing areas.

#### 3.6.2 The City shall use the annual, three-year Staging of Development Report to manage subdivision growth. The report shall:

a) provide a document and process which integrates the City’s financial planning of growth-related capital costs with land use planning and timing of development for new growth areas;
b) ensure that growth takes place in an orderly and appropriate sequence in locations desirable to meet market demands, other growth strategies, servicing programs, and the priorities in this Plan;

c) outline the City’s intention toward the scheduling and processing of plans of subdivision for residential, employment and commercial development, and infrastructure;

d) identify subdivisions which require owners to be responsible for paying for the installation of growth related, City capital works in exchange for, or as a credit towards, the payment of required development subdivided, in accordance with the Development Charges Act and the Development Charges By-law;

e) identify subdivisions which include engineering services to be arranged through Front-ending Agreements under the Development Charges Act;

f) provide necessary financial information for the Ten Year Capital Budget process by estimating potential development charge revenues and development charge expenditures related to new growth areas;

g) when used in conjunction with the City’s Vacant Lot Inventory Report, provide the necessary monitoring mechanism to determine the existing supply of serviced land to meet housing demands and to ensure the provision of a two-year supply of serviced residential land;

h) provide the necessary monitoring mechanism to determine the existing supply of employment land to meet employment needs to ensure the provision of a serviced employment lands;

i) the Staging of Development Plan shall be established with consideration of criteria for determining the appropriate staging and priority for development. The criteria include:

   i) status of plans of subdivision;

   ii) provincial legislation regarding land supply, density targets, and intensification;

   iii) status of adjacent lands;

   iv) financing;

   v) serviceability; and,

   vi) market forces.

3.6.3 The City's Staging of Development Report shall be prepared and approved annually. The City's Staging of Development Report and the City's Capital Works Program shall generally be prepared in concert with each other.

3.6.4 In addition to the City’s Ten Year Capital Forecast, the staging or scheduling of plans of subdivision shall be based on a number of other factors including:
a) the orderly extension of services, advancing a public need such as a road connection or school;

b) other strategic program priorities, activity levels or the imminent approval of secondary plans; and,

c) the programs and input of various Provincial Ministries and local agencies responsible for the delivery of essential services and protection of the environment.

3.6.5 As part of planning for the staging of development the City shall work with the utility companies to ensure that adequate utility networks, are or will be, established to serve the anticipated development and that these networks can be phased in a manner that is cost effective and efficient.

3.6.6 It is the intent of this Plan to promote the planning and installation of all utilities, including telecommunications in a coordinated and integrated manner, to be more efficient, cost effective, and to minimize disruption.

3.7 Public Undertakings

3.7.1 Prior to any municipal or provincial public works or other development or site alteration activities that are subject to the Environmental Assessment Act or other applicable legislation, the proponent shall identify and evaluate all cultural heritage resources, and where necessary ensure that suitable conservation or mitigation measures, as assessed by a qualified heritage professional, are undertaken.

3.7.2 The City shall also enhance the environs of cultural heritage resources as part of capital works and maintenance projects through such means as tree planting, landscaping, street improvements, buried utilities, and the provision of street furniture, lighting, signage, and other streetscape components, that are consistent or compatible with the character of the heritage resources.

3.8 Grants and Loans

3.8.1 The City may establish and maintain grant and loan programs which may include guidelines to determine eligibility for funding for owners or long-term lessees:

a) of designated heritage properties or properties with registered heritage conservation easements;

b) for urban renewal projects or building upgrades; and,

c) any other initiative the City may identify.
F.4.0  MUNICIPAL LAND AND BUILDING ACQUISITION

The City may acquire or hold land for the purpose of developing any feature of this Plan, and dispose of the land when no longer required. In general, this shall be done pursuant to the provisions of the Municipal Act which permits the acquisition of land for this purpose, except where more specific legislation may assist in this regard.

4.1  Acquisition and Disposition of Lands and Buildings

4.1.1  The City may hold or acquire land from time to time in order to develop any feature to implement particular policies of this Plan. Any land so acquired may be sold, leased, or otherwise disposed of when no longer required.

4.1.2  The City may participate in the management of cultural heritage resources through acquisition, disposition, purchase, lease, donation, or other forms of involvement that will result in the sensitive conservation, restoration, or rehabilitation of those resources.

4.1.3  In instances where the City is deeded land for public highways, road widening, parkland, storm water management, easements, or for any other purpose, the City may require evidence, as a condition of the transfer, that no environmental contamination has occurred on the subject lands or that the lands have been restored to the satisfaction of the City, and/or other conditions as determined by the City.

4.2  Easements and Covenants

4.2.1  The City may pass by-laws for entering into easements or covenants with owners of property of cultural heritage value or interest for the purposes of conservation.

4.2.2  The City may pass by-laws for entering into easements for utility purposes.

4.2.3  As the owner of cultural heritage resources, the City shall protect, improve, and manage these resources in a manner which furthers the objectives of this Plan and sets an example for the community.

4.2.4  In addition to the Parkland Dedication policies referred to in Policies F.1.18.1 and F.1.18.2, Council may acquire lands through:

a) donations, gifts, bequests from individuals or corporations; and,

b) monies allocated in the Municipal Budget.
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Accessory (Urban): means, when used to describe a use of land, building or structure, a use which is commonly incidental, subordinate and exclusively devoted to the main use of a building and is situated within the same building or on the same lot.

Active Transportation: non-motorized travel, including walking, cycling, inline skating and wheelchair movements. The active transportation network includes sidewalks, crosswalks, designated road lanes and off-road trails to accommodate active transportation (Metrolinx, 2008).

Adaptive Reuse: means the adaptation of an existing building for another land use.

Adjacent: in regard to cultural heritage and archaeology, those lands contiguous to, or located within 50 metres of, a protected heritage property.

Adjacent Lands: means those lands contiguous to hazard lands, a specific natural heritage feature, or area where it is likely that development or site alteration would have a negative impact on the hazard, feature or area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives.

Adverse Effects: as defined in the Environmental Protection Act, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and,
- h) interference with normal conduct of business. (PPS, 2005)

Affordable: means:

- a) in the case of ownership housing, the least expensive of:
  - i) housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
  - ii) housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the City of Hamilton; and,
- b) in the case of rental housing, the least expensive of:
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i) a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or

ii) a unit for which the rent is at or below the average market rent of a unit in the City of Hamilton (PPS, 2005 amended); and,

c) in the case of housing developments, at least 25 percent of either affordable ownership or affordable rental housing. For the purposes of the policies of this Plan, affordable housing developments may include a mix of affordable and market rate units, both ownership and rental.

Alternative Energy Systems: means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Alvars: means naturally open areas of thin or no soil over essentially flat limestone, dolostone, or marble rock, supporting a sparse vegetation cover of mostly shrubs and herbs (Greenbelt Plan, 2005).

Ancillary: means subordinate use that supports a principal use or a primary function of a site or area.

Archaeological Resources: include artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act (PPS, 2005).

Architectural Control: means the approval of building permit plans to ensure that urban and/or architectural designs are consistent with applicable urban design/architectural guidelines. Certification of building plans shall be by a qualified architect at the expense of the owner prior to submission of application for building permits.

Area of Archaeological Potential: A defined geographical area with the potential to contain archaeological resources. Criteria for determining archaeological potential are established by the Province, this Plan and the City’s Archaeological Management Plan. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the Ontario Heritage Act (PPS, 2005, amended).

Areas of Natural and Scientific Interest (ANSI): means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education (PPS, 2005).

Bankfull Channel: means the usual or average level to which a body of water rises at its highest point and remains for sufficient time so as to change the characteristics of the land. In flowing waters (rivers, streams) this refers to the “active channel/bankfull level” which is often the 1:2 year flood flow return level.

Bed and Breakfast Establishment: means a single detached dwelling in which rooms are made available by the residents of the dwelling, for remuneration, for the temporary accommodation of travelers and the provision of food or meals only to overnight guests.

Brownfield Sites: means abandoned idle or underutilized industrial or commercial properties in built-up urban areas where expansion or redevelopment is compromised by real or perceived environmental contamination, building deterioration/obsolescence, and/or inadequate infrastructure.
**Built-up Area:** All land within the built boundary.

**Built Boundary:** The limits of the developed urban area as defined by the Minister of Public Infrastructure Renewal in accordance with Policy 2.2.3.5 (Growth Plan, 2006).

**Built Heritage Resources:** means one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community (PPS, 2005). These resources may be identified through inclusion in the City's Register of Property of Cultural Heritage Value or Interest, designation or heritage conservation easement under the Ontario Heritage Act, and/or listed by local, provincial or federal jurisdictions.

**Building and Lumber Supply Establishment:** means a retail store predominantly selling a combination of lumber and a wide range of building and home decorating supplies along with ancillary sales of construction tools, gardening products, and home design products.

**Building or Contracting Supply Establishment:** means land, building or structure, in which building, construction or home improvement materials are stored, wholesaled and may include accessory retail.

**Cogeneration Energy Systems:** means systems in which thermal energy (heat) and electrical energy are produced at the same time using the same process.

**Coldwater Watercourse:** means a watercourse, whether permanent, intermittent, or ephemeral, which supports or contributes to the support of fish habitat or species associated with coldwater, such as salmonids, sculpins, coldwater benthic invertebrates, or acts as a production zone for anadromous species, or has thermal characteristics of a coldwater stream. Coldwater species that are best adapted prefer or usually occur at water temperatures less than 19 degrees Celsius.

**Community Energy Plan:** means a City-wide plan that addresses energy security concerns and which may also address climate change, and may include the objectives of reducing energy consumption, developing renewable energy or alternative energy supplies, ensuring reliable conventional energy supplies, or of reducing greenhouse gas emissions.

**Community Facilities/Services:** means lands, buildings, and structures that support a high quality of life for people and communities by providing services for health, education, recreation, social or cultural activities, security and safety. Community facilities/services may include but not be limited to community and recreation centres, arenas, parks, health care facilities, day care centres, senior’s centres, emergency medical services, fire services, police services, cultural facilities, places of worship, museums, schools, and libraries. Community facilities/services may be publicly or privately owned and/or operated.

**Compact Urban Form:** means a land-use pattern that encourages efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace and institutional all within one neighbourhood), proximity to transit and reduced need for infrastructure. Compact urban form can include detached and semi-detached houses on small lots as well as townhouses and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail (Growth Plan, 2006).
**Compatibility/compatible:** means land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area. *Compatibility* or *compatible* should not be narrowly interpreted to mean "the same as" or even as "being similar to".

**Complete Communities:** Complete communities meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing, and community infrastructure including affordable housing, schools, recreation and open space for their residents. Convenient access to public transportation and options for safe, non-motorized travel is also provided (Growth Plan, 2006).

**Connectivity:** means the degree to which Core Areas are connected to one another by links such as plant and animal movement corridors, hydrological and nutrient cycling, genetic transfer, and energy flows from food webs (Greenbelt Plan, 2005).

**Conserve:** means the identification, protection, use and/or management of cultural heritage and archaeological resources.

**Conserved:** in the context of cultural heritage resources, means the identification, protection, use and/or management of cultural heritage and archaeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact statement (PPS, 2005).

**Core Areas:** includes key natural heritage features, key hydrologic features, and local natural areas.

**Critical Habitat:** means those fish habitats which have high productive capacity, are rare, highly sensitive to development, or have a critical role in sustaining fisheries (e.g. spawning or nursery areas for some species and ground water recharge areas). Critical habitat corresponds with the older OMNR classification for Type 1 watercourses.

**Cultural Facilities:** means publicly owned and/or operated lands, buildings and structures used for the creation, production and dissemination of arts and culture. Cultural facilities include publicly owned and/or operated lands, buildings and cultural sites such as but not limited to museums, art galleries, exhibition facilities, and managed historical sites.

**Cultural Heritage Impact Assessment:** A document comprising text and graphic material including plans, drawings and photographs that contains the results of historical research, field work, survey, analysis, and description(s) of cultural heritage resources together with a description of the process and procedures in deriving potential effects and mitigation measures as required by official plan policies and any other applicable or pertinent guidelines. A cultural heritage impact assessment may include an archaeological assessment where appropriate.

**Cultural Heritage Landscape:** A defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act: and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value (PPS, 2005).

**Cultural Heritage Conservation Plan Statement:** A document comprising text and graphic material including plans, drawings and photographs that contains the results of historical research, field work, survey, analysis, and description(s) of cultural heritage resources together with a description of the process and procedures in deriving potential effects and mitigation measures as required by official plan policies and any other applicable or pertinent guidelines. A cultural heritage impact assessment may include an archaeological assessment where appropriate.
research, field work, survey, analysis, and description(s) of cultural heritage resources together with a statement of cultural heritage value, interest, merit or significance accompanied by guidelines as required by the policies of this Plan. A cultural heritage conservation plan statement shall be considered a conservation plan as including in the PPS (2005) definition of conserved (above).

**Cultural Heritage Properties:** Properties that contain cultural heritage resources.

**Cultural Heritage Resources:** Structures, features, sites, and/or landscapes that, either individually or as part of a whole, are of historical, architectural, archaeological, and/or scenic value that may also represent intangible heritage, such as customs, ways-of-life, values, and activities.

**Development (Urban):** means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act but does not include:

- activities that create or maintain infrastructure used by a public body and authorized under an environment assessment process; or,
- works subject to the Drainage Act. (PPS, 2005, amended)

**Disturbed Area:** means the portion of the site where site alteration, grading, or construction activities are occurring.

**Downtown Urban Growth Centre:** means the area corresponding with the Downtown Hamilton Community Improvement Project Area as defined at the date of adoption of this Plan and subject to Policy 2.2.4 of the Province's Growth Plan for the Greater Golden Horseshoe (2006).

**Dynamic Beach Hazard:** means areas of inherently unstable accumulations of shoreline sediments along the Great Lakes - St. Lawrence River System and large inland lakes, as identified by provincial standards, as amended from time to time. The dynamic beach hazard limit consists of the flooding hazard limit plus a dynamic beach allowance (PPS, 2005).

**Early-Archaic:** Native cultural horizon, approximately 10,000 to 7,000 years ago, marked by intensification of Native settlement across the American continents, and change of subsistence patterns.

**Earth Science Area of Natural and Scientific Interest (ANSI):** means areas selected by the Province as representative of Ontario’s geological diversity. They can include outstanding bedrock exposures, fossil beds, and landforms such as karst and drumlins.

**Ecological Function:** means the natural processes, products, or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes, including hydrologic functions and biological, physical, chemical, and socio-economic interactions (PPS, 2005).

**Ecological Value:** means the value of vegetation in maintaining the health of the key natural heritage or key hydrologic feature and the related ecological features and ecological functions, as measured by factors such as the diversity of species, the diversity of habitats, and the suitability and amount of habitats that are available for rare, threatened and endangered species.
Employment Area (formerly referred to as Industrial Areas): Areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities (PPS, 2005).

Energy Demand Management: means the use of financial incentives, education, energy or other programs, that influence the quantity and/or pattern of energy consumed by end users.

Environmentally Significant Areas (ESAs): means locally significant areas that meet any one of the following criteria:

a) the area is a good representative of a biotic community characteristic of the natural landscapes of the City and not adequately represented in existing protected areas or the area is a good representative of pre-settlement biotic community;

b) there are biotic communities that are rare in the City, Province, or Canada;

c) the area is a large natural area (20 hectares or more in size); it may be sufficiently large to provide habitat for species requiring large habitat areas;

d) there is habitat for species considered significant in the City, Province, or Canada;

e) the site fulfills a significant hydrological function (groundwater recharge or discharge, ground or surface water quality, or flood attenuation);

f) the site contains a significant earth science feature (distinctive and unusual landform);

g) there is a high diversity of native species or biotic communities;

h) the area provides essential habitat for the continuation of species; for example, significant areas of species concentrations, areas essential for certain stage of the life cycle, source areas for species;

i) there are significant seasonal concentrations of wildlife;

j) the area acts as a link between natural areas or functions as a corridor for wildlife;

k) the area is in good natural condition, with few non-native species, particularly invasive non-natives; or,

l) the area contains significant fish habitat.

Erosion Hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance (PPS, 2005).

Essential: means being deemed necessary to the public interest after all alternatives have been considered.
Established Historical Neighbourhood: means a physically defined geographical area that was substantially built prior to 1950.

Evaluated Wetlands: means a wetland of that has been evaluated under the Ministry of Natural Resources Wetland Evaluation System and has been found to be provincially or locally significant.

Existing: when used in reference to a use, lot, building or structure, means any use, lot, building or structure legally established or created prior to the day of approval of this Official Plan.

Fish Habitat: means the spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend on directly or indirectly in order to carry out their life processes (PPS, 2005).

Flooding Hazard: means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

a) Along the shorelines of the Great Lakes—St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards.

b) Along river, stream and small inland lake systems, the flooding hazard limit is the greater of:

i) the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;

ii) the one hundred year flood; and,

iii) a flood which is greater than i) or ii) which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Ministry of Natural Resources;

iv) except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where past history of flooding supports the lowering of the standard). (PPS, 2005)

Flood Fringe: for river, stream and small inland lake systems, means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway (PPS, 2005).

Flood Plain: for river, stream and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards (PPS, 2005).
**Floodway:** For river, stream and small inland lake systems, means the portion of the flood plain where the development and site alteration would cause a danger to public health and safety or property damage (PPS, 2005).

**Greenfield Area:** means the area within the urban area that is not built-up area.

**Greyfields:** means previously developed properties that are not contaminated. They are usually, but not exclusively, former commercial properties that may be underutilized, derelict or vacant.

**Ground Water Feature:** refers to water related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeological investigations (PPS, 2005).

**Growth Plan for the Greater Golden Horseshoe:** The Ontario government's program to manage growth and development in Ontario in a way that supports economic prosperity, protects the environment and helps communities achieve a high quality of life.

**Growth Related Integrated Growth Strategy (GRIDS):** A Growth analysis for the City that determines where and how future growth will be accommodated within the City over the next 30+ years. GRIDS focuses on the highest components of the Official Plan dealing with urban boundary and urban structure that will form the backbone of land use designation decisions in the Official Plan.

**Hazard Lands:** means hazardous lands and hazardous sites.

**Hazardous Lands:** means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits (PPS, 2005).

**Hazardous Sites:** means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography) (PPS, 2005).

**Hazardous Waste:** means materials that are defined as hazardous waste under Ontario Regulation 347 to the Environmental Protection Act.

**Hazardous Waste Management Facility:** means a waste transfer facility, a waste processing facility or a waste disposal facility that handles hazardous waste, and which has a Certificate of Approval for such purpose under Part V of the Environmental Protection Act. A hazardous waste management facility may also include the storage, transfer or processing of non-hazardous waste.

**Heavy Rail:** means freight and passenger rail including GO Transit rail used primarily to move people and goods inter-regionally. Heavy rail excludes light rail transit.
Hedgerows: means a narrow, linear band or row of trees or shrubs with a minimum width of 10 metres and length of 200 metres or more. Hedgerows are linear natural or cultural features which may contribute to species dispersal.

Heritage Attributes: means the principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a protected heritage property (PPS, 2005).

Higher Order Transit/Rapid Transit: Transit that generally operates in its own dedicated right-of-way, outside of mixed traffic where possible, and therefore can achieve a speed and frequency of service greater than conventional transit. Higher order transit can include heavy rail (such as subways), light rail transit (such as streetcars), and buses in dedicated rights-of-way and is typically referred to as rapid transit (Growth Plan, 2006).

Historic: means a time period, starting approximately 200 years ago, during which European settlement became increasingly widespread in the Hamilton area and for which a written (or 'historic') record has been kept.

Home Business: means an occupation or business which is wholly contained within a dwelling, conducted by a resident of the dwelling, and is clearly secondary to the predominant use of the dwelling for residential purposes.

Home Improvement Supply Store: means a store predominantly selling a focused range of building supplies such as paints, carpets, tiles, bathroom fixtures, lighting fixtures and similar products.

Housing with Supports: means public, private or non-profit owned housing with some form of support component, beyond economic support, intended or people who need support services to live independently in the community, where providers receive funding for support services. The tenure may be long term. Housing with supports includes special needs housing as defined by the Provincial Policy Statement (2005).

Hydrologic Function: means the functions of the hydrological cycle that includes the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things (PPS, 2005).

Important Habitat: means those fish habitats which are moderately sensitive to development and, although important to the fish population, are not considered critical (e.g. feeding areas, open water habitats of lakes). Important habitat corresponds with the older Ministry of Natural Resources classification for Type 2 watercourses.

Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, sewage treatment systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities (PPS, 2005).

Intensification: means the development of a property, site or area at a higher density than currently exists through:

a) redevelopment, including the reuse of brownfield sites;

b) the development of vacant and/or underutilized lots within previously developed areas;
c) infill development; and

d) the expansion or conversion of existing buildings. (PPS, 2005)

**Intensification Areas:** means lands identified by municipalities or the Province within a settlement area that are to be the focus for accommodating intensification. Intensification areas include urban growth centres, intensification corridors, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings and greyfields (Growth Plan, 2006, amended).

**Intermittent Streams:** means stream-related watercourses that contain water or are dry at times of the year and are more or less predictable, generally flowing during wet seasons of the year but not the entire year, and where the water table is above the stream bottom during parts of the year (Greenbelt Plan, 2005).

**Key Hydrologic Features (KHF):** these features include:

- Permanent and intermittent streams;
- Lakes (and their littoral zones);
- Seepage areas and springs; and,
- Wetlands. (Greenbelt Plan, 2005)

**Key Natural Heritage Features (KNHF):** include the following:

- Significant habitat of endangered, threatened, and special concern species;
- Fish habitat;
- Wetlands;
- Life Science Areas of Natural and Scientific Interest (ANSIs);
- Significant valleylands;
- Significant woodlands;
- Significant wildlife habitat;
- Sand barrens, savannahs, and tallgrass prairies; and
- Alvars. (Greenbelt Plan, 2005)

**Lake:** means any inland body of standing water usually fresh water larger than a pool or pond or a body of water filling a depression in the earth’s surface (Greenbelt Plan, 2005).

**Lands Adjacent:** with respect to Hazard lands, see “Adjacent Lands”

**Life Science Areas of Natural and Scientific Interest (ANSIs):** means lands and waters containing natural landscapes or features that are important for natural heritage protection, appreciation, scientific study, or education. Life Science ANSIs are identified by the Ministry of Natural Resources using evaluation procedures established by that Ministry, as amended from time to time (Greenbelt Plan, 2005).

**Light Rail Transit (LRT):** means a lightweight rail car rapid transit service operating on fixed rails in the right-of-way, usually at street-level, is typically propelled by overhead electrical wires, and offers a frequent, fast, reliable, comfortable and high quality service that is sustainable. Light rail transit (LRT) excludes heavy rail.

**Linkages:** means landscape areas that connect natural areas. Linkages are also important natural features, either in their own right or through restoration activities. They are
avenues along which plants and animals can propagate, genetic interchange can occur, populations can move in response to environmental changes and life cycle requirements, and species can be replenished from other natural areas. Conserving linkages also protects and enhances Core Areas.

**Lithic scatters:** means a collection of stone tools and/or debris from the manufacture and use of stone tools.

**Littoral Zones:** means the shallow water areas surrounding the outer boundary of a lake, which is usually a highly productive zone.

**Local Natural Areas:** means Environmentally Significant Areas (ESAs) as identified by the City of Hamilton, unevaluated wetlands, and Earth Science Areas of Natural and Scientific Interest (ANSI).

**Low and Moderate Income Households:** means:

a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the City of Hamilton; or,

b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the City of Hamilton. (PPS, 2005, amended)

**Major Activity Centres:** means areas where there are a large concentration of employees outside of the nodes and employment areas.

**Major Office:** Major office is generally defined as freestanding office buildings of 10,000 m² or greater or with 500 jobs or more (Growth Plan, 2006).

**Major Retail:** means those retail establishments that provide goods for sale to the public that are not ancillary to or associated with employment uses and are greater than 500 square metres. (This definition shall only be used in conjunction with designated Employment Areas.)

**Major Transit Generator:** means a facility or area which generates significant volumes of passenger and/or goods/services trips to/from residential, commercial and/or industrial land uses (Metrolinx, 2008).

**Major Transit Station Area:** The area including and around any existing or planned higher order transit station within a settlement/urban area; or the area including and around a major bus depot in an urban core. Station areas generally are defined as the area within an approximate 500m radius of a transit station, representing about a 10-minute walk (Growth Plan, 2006).

**Marginal Habitat:** means those fish habitats which have low productive capacity or are highly degraded, and do not currently contribute directly to fish productivity. They often have the potential to be improved significantly (e.g. a portion of a waterbody, such as a channelized stream, that has been highly altered physically). Marginal habitat corresponds with the older Ministry of Natural Resources classification of Type 3 watercourses.

**Meander Belt Allowance:** means the setback that keeps development from being affected by river and stream meandering (this includes allowance for the 100-year erosion rate).
Medical clinic: means a building, or part thereof, which is used jointly by three or more health professionals for the purpose of consultation, diagnosis and/or treatment of persons and shall include but not be limited to laboratories, dispensaries or other similar facilities.

Middle- and Late-Archaic: means Native cultural horizons, approximately 7,000 to 3,000 years ago, marked by technological adaptations and regionalization of traditions and styles.

Minimum Distance Separation (MDS) Formulae: means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock and manure storage facilities (PPS, 2005).

Mixed Use Development: A development or area made up of mixed land uses either in the same building or in separate buildings. The mix of land uses may include commercial, industrial or institutional uses but must include residential units.

Multi-Modal [transportation]: The availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, rail (such as commuter and freight), trucks, air and marine (Growth Plan, 2006).

Multiple Dwelling: means a building or part thereof containing three or more dwelling units but shall not include a street townhouse dwelling. Examples of such dwellings include block townhouse dwellings, stacked townhouse dwellings, and apartment dwellings.

Municipally Initiated Comprehensive Review: means a plan, undertaken by the City, which comprehensively applies the policies and schedules of the Growth Plan for the Greater Golden Horseshoe, the Provincial Policy Statement and the Official Plan. It can be undertaken on specific land use components, such as residential, employment, or undertaken as one comprehensive plan.

Natives: Indians as defined by the Indian Act of Canada.

Natural Self-Sustaining Vegetation: means vegetation dominated by native plant species that can grow and persist without direct human management protection, or tending (Greenbelt Plan, 2005).

Negative Impacts: means

a) In regard to water, degradation to the quality or quantity of surface or ground water, key hydrologic features or vulnerable areas, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities;

b) In regard to fish habitat, the harmful alteration, disruption, or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity; and,

c) In regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple, or successive development or site alteration activities. (PPS, 2005)
Neighbourhood Plans: are land use planning policies adopted by City Council to provide greater direction on land use planning matters than policies contained in Volume 1 of this Plan. Neighbourhood Plans contain maps and policies relating to matters such as land use, cultural heritage, urban design, natural heritage, etc. These Plans do not form part of the Official Plan.

Net Residential Density: means the number of dwelling units per net residential hectare on a lot or block basis. "Net residential hectare" includes all of the lands comprising the principal and accessory residential uses, and includes all of the buildings, structures, driveways, parking areas and other amenities for these uses. "Net residential hectare" excludes public lands comprised of streets, parkland and other open space, and storm water management facilities.

Noise Studies:
   a) feasibility noise study: means an initial noise assessment in the planning stage of a development project in order to determine the feasibility of the proposed project meeting provincial sound level criteria, and if necessary, to specify required noise control measures, in accordance with provincial guidelines;

   b) detailed noise study: means a detailed assessment of all noise sources affecting the lands subject to a proposed development, and control measures required to meet provincial sound level criteria, in accordance with provincial guidelines.

Other Natural Vegetation Types: means any meadow, thicket, or old field at least 0.5 hectares in size that connects Core Areas or is situated within 100 metres of a Core Area.

Paleo-Indian: Native cultural horizon, approximately 12,000 to 9,500 years ago, associated with the first human colonization of the American continents.

Passive Recreation uses: means recreation uses that do not involve major construction, landscaping or design, and are low impact, such as hiking, bird watching, and fishing.

Pedestrian Predominant Streets: means a street intended to cater to the pedestrian by creating a comfortable, active, and visually stimulating environment, as identified in Section E.4.3 - Pedestrian Predominant Streets of this Plan.

Permanent Stream: means a stream that continually flows in an average year (Greenbelt Plan, 2005).

Planned Function: means the essential planning intent for an area and the role the area is intended to play in providing a planned service to the public. That planned service may be a direct service such as the provision of government or commercial services, entertainment, housing, employment or the provision of retail goods. It may also be the provision of an indirect service that is key element for a community or neighbourhood such as an opportunity for socialization, recreation, and as an informal meeting place.

Planning Act: The Planning Act is Provincial legislation that sets out the ground rules for land use planning in Ontario and describes how land uses may be controlled, and who may control them.

Post-Contact: Anytime after the European colonization of the Hamilton area, approximately 350 years ago, to the present.
**Primary Rental Housing**: Buildings or groups of buildings containing six or more dwelling units, owned by a single owner or agency, built with the intention of being permanently rented.

**Protected Heritage Property**: means real property designated under Parts IV, V or VI of the *Ontario Heritage Act*; heritage conservation easement property under Parts II or IV of the *Ontario Heritage Act*; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss (PPS, 2005).

**Provincial Policy Statement**: The Provincial Policy Statement is issued under the authority of Section 3 of the *Planning Act*. It provides direction on matters of provincial interest related to land use planning and development, and promotes the provincial "policy-led" planning system.

**Provincially Significant Wetland**: means an area identified as provincially significant by the Province using evaluation procedures established by the Province, as amended from time to time (PPS, 2005).

**Quality and Quantity of Water**: is measured by indicators such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended soils, temperature bacteria, nutrients and hazardous contaminants, and hydrological regime (PPS, 2005).

**Rapid Transit**: Transit service separated partially or completely from general vehicular traffic and therefore able to maintain higher levels of speed, reliability and vehicle productivity than can be achieved by transit vehicles operating in mixed traffic. Rapid transit can include light rail transit and/or bus rapid transit (adapted from Metrolinx, 2008).

**Redevelopment**: means the creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites (PPS, 2005).

**Regeneration Area**: means an area identified by the municipality, through a Municipally Initiated Comprehensive Review of employment lands, as an area in transition, which may redevelop for non-employment land uses. A regeneration area retains an employment designation until such time as the municipality initiates further studies to determine the appropriate alternatives for non-employment land uses.

**Renewable Energy Systems**: means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

**Rent-Geared-To-Income Housing**: means financial housing support for low-to-moderate income households. Tenants pay rent based on the gross income of the household rather than paying the market rate.

**Residential Intensification**: Intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

a) redevelopment, including the redevelopment of brownfield sites;
b) the development of vacant or underutilized lots within previously developed areas;

c) infill development;

d) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and,

e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses. (PPS, 2005)

**Savannah:** means land (not including land that is being used for agricultural purposes or no longer exhibits savannah characteristics) that:

a) has vegetation with a significant component of non-woody plants, including tallgrass prairie species that are maintained by seasonal drought, periodic disturbances including fire, or both;

b) has from 25 per cent to 60 per cent tree cover;

c) has mineral soils; and,

d) has been further identified, by the Ministry of Natural Resources or by any other person according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time. (Greenbelt Plan, 2005)

**Seepage Areas and Springs:** means sites of emergence of groundwater where the water table is present at the ground surface (Greenbelt Plan, 2005).

**Sensitive:** in regard to surface water feature and ground water feature, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants (PPS, 2005).

**Sensitive Land Use:** means a building, amenity area, or outdoor space where routine or normal activities occurring at reasonably expected times would experience one or more adverse effect(s) from contaminant discharges generated by a nearby major facility. The sensitive land use may be a part of the natural or built environment. Depending on the particular facility involved, a sensitive land use and associated activities may include one or a combination of:

a) residences or facilities where people sleep (e.g. single and multi-unit dwellings, long term care facilities, hospitals, trailer parks, campgrounds, etc.). These uses are considered to be sensitive 24 hours a day;

b) a permanent structure for non-facility related use, particularly of an institutional nature (e.g. schools, churches, community centres, day care centres);

c) certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive (e.g. trailer park, picnic area, etc.);

d) certain agricultural operations (e.g. cattle raising, mink farming, cash crops and orchards);
e) bird/wildlife habitats or sanctuaries. (MOE Guidelines, Procedure D-1-3, amended)

**Significant**: In regard to cultural heritage and archaeology, means cultural heritage resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people (PPS, 2005).

**Significant Habitat of Threatened, Endangered, and Special Concern Species**: means the habitat, as approved by the Ministry of Natural Resources, that is necessary for the maintenance survival and/or recovery of naturally occurring or reintroduced populations of species at risk and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle. To identify which species are threatened, endangered, special concern, or provincially rare, the City will refer to species lists that are prepared and updated by the Ministry of Natural Resources (MNR), and Environment Canada’s Committee on the Status of Endangered Wildlife in Canada (COSEWIC). An updated list of locally rare species will be maintained through periodic updates to the Natural Heritage Database, co-owned by the Hamilton Naturalists’ Club and the City of Hamilton (PPS, 2005).

**Significant Wetlands**: means an area identified as provincially significant by the Province using evaluation procedures established by the Province, as amended from time to time (PPS, 2005).

**Significant Wildlife Habitats**: means areas where plants, animals and other organisms live and find adequate amounts of food, water, shelter and space needed to sustain their populations. Wildlife habitat is significant where it is ecologically important in terms of features, functions, representation, or amount and contributes to the quality and diversity of a Natural Heritage System. Significant wildlife habitat areas are defined as consisting of one or more of the following:

- a) Critical habitat areas that provide for seasonal concentrations of animals;
- b) Wildlife movement corridors;
- c) Rare vegetation communities or specialized habitats for wildlife; and/or
- d) Habitats for species of conservation concern including provincially and federally threatened, endangered, special concern species, and locally rare species.
- e) MNR identifies criteria, as amended from time to time for the forgoing. (Greenbelt Plan, 2005)

**Significant Woodland**: means an area which is ecologically important in terms of:

- a) Features such as species composition, age of trees, stand history;
- b) Functionally important due to its contribution to the broader landscape because of its location, size, or due to the amount of forest cover in the planning area; and
- c) Economically important due to site quality, species composition or past management history. (PPS, 2005)
In the City of Hamilton, significant woodlands must meet two or more of the following criteria:

<table>
<thead>
<tr>
<th>Criterion</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Size</td>
<td>All woodlands that meet the minimum size criteria (below) are significant.</td>
</tr>
<tr>
<td></td>
<td><strong>Forest Cover (by planning unit)</strong></td>
</tr>
<tr>
<td>&lt; 5%</td>
<td>1 ha.</td>
</tr>
<tr>
<td>5-10%</td>
<td>2 ha.</td>
</tr>
<tr>
<td>11-15%</td>
<td>4 ha.</td>
</tr>
<tr>
<td>16-20%</td>
<td>10 ha.</td>
</tr>
<tr>
<td>21-30%</td>
<td>15 ha.</td>
</tr>
<tr>
<td>Interior Forest</td>
<td>Any woodland with interior forest habitat (defined as 100 metres from edge) is considered significant.</td>
</tr>
<tr>
<td>Proximity/Connectivity</td>
<td>Woodlands that are located within 50 metres of a significant natural area (defined as wetlands 0.5 hectares or greater in size, ESAs, PSWs, and Life Science ANSIs) are significant.</td>
</tr>
<tr>
<td>Proximity to Water</td>
<td>Woodlands are considered significant if any portion is within 30 metres of any hydrological feature, including all streams, headwater areas, wetlands, and lakes.</td>
</tr>
<tr>
<td>Age</td>
<td>Woodlands with trees of 100 years or more in age are significant. Age will be determined initially using FRI mapping and can be verified during the EIS.</td>
</tr>
<tr>
<td>Rare Species</td>
<td>Any woodland containing threatened, endangered, special concern, provincially or locally rare plant or wildlife species is significant.</td>
</tr>
</tbody>
</table>

**Significant Valleylands**: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year which is ecologically important in terms of features, functions, representation or amount and contributing to the quality and diversity of an identifiable geographic area or natural heritage system (PPS, 2005, amended).

**Special Policy Area**: With respect to Hazard Lands, means an area within a community that has historically existed in the flood plain and where site-specific policies, approved by both the Ministers of Natural Resources and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from the strict adherence to provincial policies concerning development. The criteria and procedures for approval are established by the Province (PPS, 2005).
Site Alteration: means activities, such as grading, excavation, and the placement of fill that would change the landform and natural vegetative characteristics of a site (PPS, 2005, amended).

Social Housing: means living accommodation produced, operated and/or financed in whole or in part through government programs.

Soil Disturbance: means activities such as, but not limited to, tree planting; grubbing, including tree and brush removal; grading; stockpiling; soil capping or placement of fill; demolition; use of heavy machinery on-site, including staging areas and access routes; and, landscaping and landscape stabilization, which have the potential to impact and/or remove archaeological resources.

Stable Top of Bank (as it pertains to valleylands):

a) means the physical top of bank where the existing slope is stable and not impacted by toe erosion; or

b) is defined by the toe erosion allowance plus the stable slope allowance where the existing slope is unstable and/or is impacted by toe erosion.

Stable Top of Bank (as it pertains to shorelines): means a horizontal allowance measured landward from the toe of the bank equivalent to three times the height of the bank (e.g., difference in elevation between the top of the first lakeward break slope and the toe of the bank, which may not be above or below that water level)

Structure: means any structure that requires a building permit under the Building Code.

Sub-watershed Plan: means a plan used for managing human activities and natural resources in an area within a defined watershed. Watershed plans shall include, but are not limited to, the following components:

a) Characterization of hydrology, hydrogeology, aquatic environments, terrestrial environments, water quality, and water quantity;

b) land and water use and management strategies;

c) a framework for implementation;

d) an environmental monitoring plan;

e) requirements for the use of environmental management practices and programs;

f) criteria for evaluating the protection of water quality and quantity, and key hydrologic features and functions; and,

g) targets for the protection and restoration of riparian areas and the establishment of natural self-sustaining vegetation.

Successional Habitat: Communities with tree cover less than or equal to 25% and with shrub cover greater than 25%. Soils are parent mineral material.
Surface Water Feature: refers to water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics (PPS, 2005).

Tallgrass Prairies: means land (not including land that is being used for agricultural purposes or no longer exhibits tallgrass prairie characteristics) that:

a) has vegetation dominated by non-woody plants, including tallgrass prairie species that are maintained by seasonal drought, periodic disturbances such as fire, or both;

b) has less than 25 percent tree cover;

c) has mineral soils; and,

d) has been further identified, by the Minister of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time. (Greenbelt Plan, 2005)

Thermal Treatment: means the processing of waste into a waste-based fuel and/or the disposal of waste under controlled conditions by heating or combusting the materials and shall include refuse derived fuel manufacturing and energy from waste activities.

Transit: Includes public buses, streetcars, subways, and commuter light rail lines. In this document transit also encompasses public trains; ferries; buses (including intercity buses) operated by private companies and available to the public; Board of Education transportation systems; private company/institutional vans made available to employees, customers, or residents; taxis; and related pedestrian activities, as well as specialized transit services.

Transit-Supportive: Makes transit viable and improves the quality of the experience of using transit. When used in reference to development, it often refers to compact, mixed-use development that has a high level of employment and residential densities to support frequent transit service. When used in reference to urban design, it often refers to design principles that make development more accessible for transit users, such as roads laid out in a grid network rather than a discontinuous network; pedestrian-friendly built environment along roads to encourage walking to transit; reduced setbacks and placing parking at the sides/rear of buildings; and improved access between arterial roads and interior blocks in residential areas (Growth Plan, 2006).

Transportation Corridor: A transportation corridor includes any or all of the following:

a) major roads, arterial roads, and highways for moving people and goods;

b) rail lines/railways for moving people and goods;

c) transit rights-of-way/transitways including buses and light rail for moving people. (Growth Plan, 2006)

Transportation Demand Management: a program of incentives which influence whether, when, where and how people travel, and encourage them to make more efficient use of the transportation system (Metrolinx, 2008).
**Transportation System**: A system consisting of corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, parkland-ride lots, service centres, rest stops, vehicle inspection stations, inter-modal terminals, harbours, and associated facilities such as storage and maintenance (PPS, 2005).

**Urban Area**: The area inside the urban boundary.

**Urban Boundary**: The line that delineates the urban area from Rural Hamilton.

**Urban Braille**: A system of tactile information serving the needs of the visually impaired. By utilizing both colour and texture contrast it provides warning signals and clues related to orientation.

**Urban Corridors**: means areas of street-oriented uses which incorporate a mix of retail, employment and residential uses, developed at medium densities, located along arterial or collector roads serving as major transit routes. Such corridors may form the boundaries of residential subdivisions or neighbourhoods, but should act as a linear focus for activities and uses within the community.

**Urban Nodes**: means discrete areas that contain compact, mixed-use (residential, commercial and institutional) development and service the surrounding areas. They are accessible by higher order transit, active transportation, a good road network, and exhibit high quality urban design.

**Valley Lands**: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year (PPS, 2005).

**Vegetation Protection Zone (Greenbelt Plan)**: means a vegetated buffer area surrounding a key natural heritage feature or key hydrologic feature within which only those land uses permitted within the feature itself are permitted. The width of the vegetation protection zone is to be determined when new development or site alteration occurs within 120 metres of a key natural heritage feature or key hydrological feature. And is to be of sufficient size to protect the features and its functions from the impacts of the proposed change and associated activities that will occur before, during and after, construction, and where possible, restore or enhance the features and/or its function (Greenbelt Plan, 2005).

**Vegetation Protection Zone (Outside of the Greenbelt Plan area)**: means a vegetated buffer area surrounding a Core Area which is of sufficient size to protect the features and functions from the impacts of the proposed change and associated activities that will occur before, during, and after construction. Where possible, the buffer should restore or enhance the features and/or functions of the Core Area. The width of the vegetation protection zone is to be determined when new development or site alteration is proposed within the adjacent lands to the Core Area.

**Warmwater Watercourse**: means a watercourse, whether permanent, intermittent, or ephemeral, which supports or contributes to the support of fish habitat or species associated with warmwater such as carp, bass, warmwater benthic invertebrates, or have thermal characteristics of a warmwater stream such as designated by the Ministry of Natural Resources. Warmwater species that are best adapted to prefer or usually occur at water temperatures greater than 25 degrees Celsius.
**Waste**: means materials that are defined as waste under Part V of the Environmental Protection Act.

**Waste Disposal Facility**: means the use of land for the placement or final disposal of waste under controlled conditions in order to protect environmental and human health and which has a Certificate of Approval for such purpose under Part V of the Environmental Protection Act, and shall include but not be limited to: sanitary landfills; Industrial, Commercial and Institutional (ICI) landfills; and, Demolition and Construction (DC) landfills. A Waste Disposal Facility may also include accessory uses including, but not limited to energy from waste activities.

**Waste Management Facility**: means the use of land, building, structure, or part thereof, for the storage, processing or disposition of waste or hazardous waste and which has a Certificate of Approval for such purpose under Part V of the Environmental Protection Act. Waste management facilities shall include the following uses: waste processing facilities; waste transfer facilities; hazardous waste management facilities; and, waste disposal facilities.

**Waste Processing Facility**: means the use of land, building, structure, or part thereof, for the sorting and processing of waste and recyclable materials and which has a Certificate of Approval for such purpose under Part V of the Environmental Protection Act. Waste processing facilities shall include but not be limited to: thermal treatment, blue box recyclable recovery facilities, open-air or in-vessel organics processing, wood waste recycling, construction and demolition waste recycling and/or a Co-generation Energy Facility, but shall not include a Motor vehicle Wrecking Establishment or a Salvage Yard.

**Waste Transfer Facility**: means the use of land, building, structure or part thereof, for the temporary storage and collection of waste and which has a Certificate of Approval for such purpose under Part V of the Environmental Protection Act. A waste transfer facility may also include limited sorting of such waste prior to its transport.

**Watershed**: means an area that is drained by a river and its tributaries.

**Watershed Plan**: means a plan used for managing human activities and natural resources in an area defined by watershed boundaries. Watershed plans shall include, but are not limited to, the following components:

- **h)** a water budget and conservation plan;
- **i)** land and water use and management strategies;
- **j)** a framework for implementation;
- **k)** an environmental monitoring plan;
- **l)** requirements for the use of environmental management practices and programs;
- **m)** criteria for evaluating the protection of water quality and quantity, and key hydrologic features and functions; and,
- **n)** targets on a watershed or sub-watershed basis for the protection and restoration of riparian areas and the establishment of natural self-sustaining vegetation.
Wetlands: mean land such as swamp, marsh, bog, or fen (not including land that is being used for agricultural purposes and no longer exhibits wetland characteristics) that:

a) is seasonally or permanently covered with shallow water or has the water table close to or at the surface;

b) has hydric soils and vegetation dominated by water-tolerant plants; and

c) has been further identified according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

d) This includes provincially and locally significant wetlands. (Greenbelt Plan, 2005)

Wind Farm: means a site or property used for multiple commercial wind turbines.

Woodland: In regard to archaeology, refers to a Native cultural horizon, approximately 3,000 to 300 years ago, marked by a large population increase and adoption of agricultural practices.

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowners and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas (PPS, 2005).

Woodland Linkages: means any natural or planted wooded area of any size or composition of 0.5 hectares or more in size that either connects or lies within 100 metres of a Core Area.
Volume 1
SCHEDULES

URBAN HAMILTON OFFICIAL PLAN
Legend
- Core Areas
- Area Specific Policy - USC-1 and USC-2 in Volume 3
- Linkages
- Parks & General Open Space (Excluding Parkettes)
- Streams

Other Features
- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Municipal Boundary
- Subject to Future OMB Hearing

Urban Hamilton Official Plan
Schedule B
Natural Heritage System

Note: For Rural Natural Heritage Features refer to Schedule B of the Rural Hamilton Official Plan.
Note: For Rural Detailed Natural Heritage Features refer to Schedule B-5 of the Rural Hamilton Official Plan.
Note: For Rural Detailed Natural Heritage Features refer to Schedule B-6 of the Rural Hamilton Official Plan.

Legend
- Local Natural Area
- Environmentally Significant Area

Other Features
- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary
- Subject to Future CMB Hearing

Urban Hamilton Official Plan
Schedule B-6
Detailed Natural Heritage Features
Environmentally Significant Areas
Note: For Rural Functional Road Classification, refer to Schedule C-1 (future amendment).

Legend

Major Arterial
Minor Arterial
Collector
Provincial Highway (Controlled Access)
Provincial Highway Parkway
Proposed Roads

Other Features
Rural Area
John C. Munro Hamilton International Airport
Niagara Escarpment
Urban Boundary
Municipal Boundary
Subject to Future OMB Hearing
Subject to Future OMB Hearing

Urban Hamilton Official Plan
Schedule C
Functional Road Classification

Not To Scale
## SCHEDULE C-2 - FUTURE ROAD WIDENINGS

<table>
<thead>
<tr>
<th>Road</th>
<th>From</th>
<th>To</th>
<th>Future Right-of-Way Width (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anchor Road</td>
<td>Rymal Road</td>
<td>Stone Church Road</td>
<td>30.480</td>
</tr>
<tr>
<td>Arvin Avenue</td>
<td>Gray Road</td>
<td>Jones Street</td>
<td>26.213</td>
</tr>
<tr>
<td></td>
<td></td>
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<td>To</td>
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<td>To</td>
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## Schedule C-2 – Future Road Widenings

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*** Denotes that the road widenings are based on the centerline of construction as shown on Ministry of Transportation of Ontario Survey plans or existing centerline of construction shown on Regional Survey Plans or as noted on engineering or construction plans.
Legend

Secondary Plans

Parks Classification

Parkette

Neighbourhood

Community

City-Wide

General Open Space

Natural Open Space

Other Features

Road Area

John C. Munro Hamilton International Airport

Niagara Escarpment

Urban Boundary

Municipal Boundary

Subject to Future OMB Hearing

Urban Hamilton Official Plan

Appendix A

Parks Classification Map

(Parks Outside of Secondary Plans)

Note: For Rural Parks Classification Designations, refer to Appendix A of the Rural Hamilton Official Plan.

Key Map

Note: For Rural Parks Classification Designations, refer to Appendix A of the Rural Hamilton Official Plan.

Legend

Secondary Plans

Parks Classification

Parkette

Neighbourhood

Community

City-Wide

General Open Space

Natural Open Space

Other Features

Road Area

John C. Munro Hamilton International Airport

Niagara Escarpment

Urban Boundary

Municipal Boundary

Subject to Future OMB Hearing

Urban Hamilton Official Plan

Appendix A

Parks Classification Map

(Parks Outside of Secondary Plans)

Note: For Rural Parks Classification Designations, refer to Appendix A of the Rural Hamilton Official Plan.
Forecast Contours and Primary Zoning Regulation Area, refer to Appendix D of the Rural Hamilton Official Plan.

Legend:
- 25 - 2010 NEF Contour
- 28 - 2010 NEF Contour
- 30 - 2010 NEF Contour
- 35 - 2010 NEF Contour
- 40 - 2010 NEF Contour

Primary Airport Zoning Regulation Area

Other Features:
- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary
- Subject to Future OMB Hearing

Urban Hamilton Official Plan Appendix D
Noise Exposure Forecast Contours and Primary Zoning Regulation Area

Date: July 9, 2009
For a detailed view of Cultural Heritage Resources, refer to Appendices F-1, F-2 & F-3.
Note: For a detailed view of Cultural Heritage Resources, refer to Appendices F-1, F-2 & F-3.

Legend

Cultural Heritage Landscapes
Individually Designated Properties (Part IV)
Conservation Districts (Part V)

1. Cross Melville
2. Hamilton Beach
3. Mill St

Municipal Easements
Ontario Heritage Trust Easements

Other Features

Rural Area
Jackson C. Norris Hamilton International Airport
Niagara Escarpment
Urban Boundary
Municipal Boundary
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## SECONDARY PLAN APPENDICES

- Appendix A: Secondary Plan Index Map
- Appendix B: Secondary Plan Residential Density Chart
- Appendix C: Binbrook Village Secondary Plan
- Appendix D: Rymal Secondary Plan
Volume 2

CHAPTER A

Rural Settlement Area Plans

URBAN HAMILTON OFFICIAL PLAN
VOLUME 2, CHAPTER A - RURAL SETTLEMENT AREA PLANS

In Rural Hamilton Official Plan.
VOLUME 2 - SECONDARY PLANS

Secondary plans provide detailed and community specific guidance to growth and change in smaller geographical areas of the City. They identify more detailed land uses densities, design requirements, infrastructure requirements and other implementing actions appropriate for the community. These Plans are intended to supplement Volume 1 policy directions and land use designations. Secondary plans are adopted as amendments to this Official Plan.

The Secondary plans are structured in Volume 2 into two geographic areas - Rural Settlement Areas (for lands in Rural Hamilton) and Secondary Plans - Urban (for lands within the Urban Area). Each of these geographic areas is further subdivided by former municipality.
VOLUME 2, CHAPTER B - SECONDARY PLANS

B.1.0 GENERAL POLICIES

The policies of Section B.1.0 shall apply to all secondary plans contained within Volume 2.

1.1 Appendix A identifies the existing and pending secondary plan areas.

1.2 The policies of Volume 1 and 3 shall apply to all secondary plans unless otherwise specified in the policies of this Volume. Where a discrepancy between the policies and/or designations exists, the policies and designations of the secondary plan shall prevail.

1.3 All policy references within Volume 2 refer to policies in Volume 2 unless otherwise specified.

1.4 There shall be no minimum size required for the application of land use designations.

1.5 The residential density ranges and permitted built forms of Sections E.3.4, E.3.5 and E.3.6 – Residential Uses of Volume 1 shall apply to new secondary plans. The residential density ranges and permitted built forms shown in Volume 2, Appendix B shall apply to new and existing secondary plans.

1.6 For the purposes of calculating residential densities for existing secondary plans, the following definitions shall apply:

a) Ancaster - Gross to net residential density means the area of land measured in hectares including the lot area and local roads;

b) Flamborough - Net residential density, means the number of dwelling units per net residential hectare. Net residential hectare includes the lands for buildings, private internal driveways, parking areas, open space and other associated amenities directly related to and forming part of the development or redevelopment. Gross residential density, where used in this Plan, refers to the number of dwelling units per gross residential hectare. Gross residential hectare includes all lands designated within any given residential density category, including residential lots, public and private streets, storm water management facilities, parking and private open space areas.

c) Glanbrook - Net residential density means the number of dwelling units per net residential hectare of any particular development or redevelopment. More specifically:

i) Dwellings with individual lot frontages on a public road: In the case of single detached, semi-detached, duplex, triplex and street townhouse dwellings fronting on a public road, net residential density includes only the land for residential lots, and excludes lands used for public roads, public parks and public storm water management areas.

ii) Dwellings without individual lot frontages on a public road: In the case of single detached, semi-detached, duplex, triplex and townhouse dwellings not fronting on a public road (i.e., forming part of a private...
condominium or block development) and any other housing forms, net residential density includes the lands for dwellings, private internal roads, parking areas, private amenity areas and other associated facilities directly related to and forming part of the development and redevelopment.

d) Stoney Creek – Net Residential density means the number of dwelling units per net residential hectare of any particular development or redevelopment. In the case of single detached, duplex and semi-detached dwellings, net residential density includes only the land for residential lots, and excludes lands for public roads, parks and open space and hazard lands. In the case of any housing form other than single detached duplexes and semi-detached dwellings, net residential density includes the lands for dwellings, private internal roads, parking areas, open space and other associated amenities directly related and forming part of the development or redevelopment.

1.7 For the purposes of calculating residential densities for new secondary plans, the following definitions shall apply:

a) Net means the number of dwelling units per net residential hectare of a development or redevelopment site.

1.8 The location of roads on secondary plan maps are considered approximate and minor adjustments to the location of roads shall not require an amendment to a secondary plan provided the intent of its policies is maintained.

1.9 Population calculations within the secondary plans are considered estimates and are provided for information only.

1.10 Where a minor boundary change in the implementing Zoning By-law occurs, no amendment shall be required to the secondary plan, provided that the By-law conforms to the intent and purpose of the secondary plan and the policies of Volume 1.

1.11 If a public road is closed, the designation thereof shall coincide with the designation on each side to the middle of the road without amendment to the secondary plan, provided the general intent and purpose of the secondary plan are maintained.

1.12 Minor alterations to improve linkages to open spaces shall not require an amendment to a secondary plan.
**RESIDENTIAL CATEGORIES FOR ALL FUTURE & EXISTING SECONDARY PLANS**

<table>
<thead>
<tr>
<th>Volume 1</th>
<th>Built Form</th>
<th>Density</th>
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<tbody>
<tr>
<td><strong>Low Density 1</strong>&lt;br&gt;Includes only singles</td>
<td></td>
<td>0-20 units per hectare (uph)</td>
</tr>
<tr>
<td><strong>Low Density 1 (for existing Secondary Plans ONLY)</strong>&lt;br&gt;(a) Includes single detached at a maximum density of 18 units per hectare.&lt;br&gt;(b) Includes single detached at a maximum density of 15 units per hectare.</td>
<td></td>
<td>0 - 20 uph</td>
</tr>
<tr>
<td><strong>Low Density 2</strong>&lt;br&gt;Includes singles, semis, duplex, triplex, and street town homes</td>
<td></td>
<td>20 - 40 uph</td>
</tr>
<tr>
<td><strong>Low Density 2 (for existing Secondary Plans ONLY)</strong>&lt;br&gt;(a) Includes only single and semi detached dwellings&lt;br&gt;(b) Includes single, semi, and duplex dwellings&lt;br&gt;(c) Includes street, block, and courtyard townhouses, as well as other innovative ground oriented attached housing forms&lt;br&gt;(d) Includes single and semi detached dwellings, row houses, and stacked and blocked townhouses, as well as innovative forms of attached housing&lt;br&gt;(e) Includes single and semi detached dwellings, duplex, link dwellings, cluster homes&lt;br&gt;(f) Includes single and semi detached dwellings, duplex, and triplex&lt;br&gt;(g) Single detached, semi-detached and duplex dwellings, converted dwellings, shared accommodation, rooming and boarding houses and other similar forms of housing&lt;br&gt;(h) Street and block townhouse dwellings, and other forms of multiple dwellings such as duplexes, triplexes and stacked townhouses</td>
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<tr>
<td><strong>Low Density 3</strong>&lt;br&gt;Includes singles, semis, duplex, triplex, and street town homes same as above but higher density</td>
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<td>40 - 60 uph</td>
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<tr>
<td><strong>Low Density 3 (for existing Secondary Plans ONLY)</strong>&lt;br&gt;(a) Street, block, stacked and courtyard townhouses&lt;br&gt;(b) Street &amp; Block Townhouses &amp; innovative forms of attached housing&lt;br&gt;(c) Low rise apartments, Row houses, Stacked &amp; Block Townhouses &amp; innovative forms of attached housing&lt;br&gt;(d) Stacked, courtyard &amp; block townhouses&lt;br&gt;(e) Low-rise apartments, stacked townhouse dwellings and quatroplexes&lt;br&gt;(f) Low rise apartments</td>
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## Volume 1 - Built Form Density

### Medium Density 1
- Includes only singles and semis
- Rarely located in suburban areas

### Medium Density 1 (a)
- Includes ONLY street townhouses - rarely located in suburban areas

### R2
- **61 - 100 uph**

### Medium Density 2
- Includes full range of housing forms, but no singles or semis

#### Medium Density 2 (for existing Secondary Plans ONLY)
- (a) Low rise apartments
- (b) Stacked townhouses & low rise apartments
- (c) Apartments, townhouses, stacked townhouse dwellings and other forms of multiple attached dwellings as single form/mixed form

### Medium Density 3
- Includes full range of housing forms, but no singles or semis

### High Density 1
- Includes apartments

#### High Density 1 (for existing Secondary Plans ONLY)
- (a) All forms of townhouses, apartments, and other forms of multiple dwellings

### High Density 2 (Central Hamilton Only)
- Includes apartments

### High Density 2
- Includes apartments

### Density
- **60 - 75 uph**
- **60 - 75 uph**
- **75 - 100 uph**
- **100-200 uph**
- **200-500 uph**
- **200-300 uph**
B.2.0 ANCASTER SECONDARY PLANS

2.1 Meadowbrook West Secondary Plan

The Meadowbrook West Neighbourhood Secondary Plan area comprises ±77 hectares and is bounded by Highway 403 on the south, Shaver Road on the west, Jerseyville Road on the north and Meadowbrook Drive and the rear lot lines of the properties fronting on the west side of Galley Road on the east. The Meadowbrook West Secondary Plan establishes land uses and development standards to guide the development and/or redevelopment of lands located in the Meadowbrook West Secondary Plan area. Section B.2.1 and Map B.2.1-1 - Meadowbrook West - Land Use Plan constitute the Meadowbrook West Secondary Plan.

2.1.1 Residential Designations

The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential types are provided to meet the needs of all area residents.

2.1.1.1 The residential areas are designated Low Density Residential 1, Low Density Residential 1b, Low Density Residential 2a, Low Density Residential 2c and Low Density Residential 3a as identified on Map B.2.1-1 - Meadowbrook West - Land Use Plan.

2.1.1.2 General Residential Policies

a) Residential buildings in the designations listed in Policy B.2.1.1.1 shall have no more than three occupied storeys entirely above grade.

b) To minimize the impact of new residential development in the Meadowbrook West Neighbourhood upon existing single detached residential areas to the immediate east and west of the neighbourhood, a transition in dwelling type and density shall be applied. Adjacent to those existing single detached residential areas, single detached dwellings shall be located on minimum 18.3 metre frontage lots and larger.

c) In proximity to those existing single detached residential areas, single detached dwellings on 12.2 metre to 18.3 metre frontage lots shall be located to act as a buffer/separator and transition between the smaller lot single detached and medium density residential planned in the Meadowbrook West Neighbourhood and those homes.

2.1.1.3 Low Density Residential 1b Designation

Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the Low Density Residential 1b designation identified on Map B.2.1-1 - Meadowbrook West - Land Use Plan:

a) the permitted uses shall be single detached dwellings;

b) the lot frontages shall be a minimum 12.2 metres to 18.3 metres or larger frontage lots; and,

c) the density shall not exceed 15 dwelling units per gross/net residential hectare.
2.1.1.4 Low Density Residential 1 Designation
Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 1 on Map B.2.1-1- Meadowbrook West - Land Use Plan:

a) the permitted uses shall be single detached dwellings;

b) the lot frontages shall be a minimum 10.7 metres; and,

c) the density shall not exceed 22 dwelling units per gross/net residential hectare.

2.1.1.5 Low Density Residential 2a Designation
Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2a on Map B.2.1-1- Meadowbrook West - Land Use Plan:

a) the permitted uses shall be single and semi-detached dwellings;

b) the lot frontages shall be a minimum 9.1 metres; and,

c) the density shall not exceed 27 dwelling units per gross/net residential hectare.

2.1.1.6 Low Density Residential 2c Designation
Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2c on Map B.2.1-1- Meadowbrook West - Land Use Plan:

a) the permitted uses shall be street townhouses, block townhouses, and other ground-oriented attached housing forms; and,

b) the density shall not exceed 37 dwelling units per gross/net residential hectare.

2.1.1.7 Low Density Residential 3a Designation
Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 3a on Map B.2.1-1- Meadowbrook West - Land Use Plan:

a) the permitted uses shall be block townhouses, courtyard townhouses and stacked townhouses; and,

b) the density shall not exceed 49 dwelling units per gross/net residential hectare.

2.1.2 Parks and Open Space Designations
2.1.2.1 In addition to Sections B.3.5.3 - Parkland Policies and C.3.3 - Open Space Designation of Volume 1, the following policies shall apply to lands designated Neighbourhood Park, Natural Open Space and General Open Space on Map B.2.1-1 - Meadowbrook West - Land Use Plan:
a) The open space system planned for the Meadowbrook West Neighbourhood includes the following:

i) Neighbourhood Park;

ii) pedestrian walkways; and,

iii) Big Creek wooded ravine and valleylands.

b) The City shall encourage the development of a linked open space system in the Meadowbrook West Neighbourhood incorporating the Neighbourhood Park, Big Creek valleylands and pedestrian walkways through the approval of plans of subdivision.

c) Adjacent to the east boundary of the Meadowbrook West Neighbourhood where it abuts the existing residential uses along Galley Road, a 15 metre open space walkway shall be provided. The walkway shall not be considered part of the 5% parkland dedication. A visual buffer in the form of a planting screen or fence shall be established along both sides of the walkway to screen adjacent residences.

d) The Neighbourhood Park shall be 1.8 hectares in size.

e) The following policies shall apply to development adjacent to Big Creek wooded ravine/valleylands:

i) Applicants submitting development proposals on lands adjacent to the Big Creek wooded ravine/valleylands shall carry out a site specific investigation to establish the top of bank location in field. The investigations shall be conducted to the satisfaction of the City of Hamilton and the Grand River Conservation Authority. The proponent may be required to undertake a geotechnical study in areas with steep slopes to assist in identifying the top of bank location. The top of bank shall be used to define the rear lot lines to the satisfaction of the City and the Grand River Conservation Authority.

ii) The Big Creek wooded ravine/valleylands which contain significant natural features that should be protected and lands with inherent hazards to development shall be dedicated to the City and/or other public agency through the development approvals process.

2.1.3 Institutional Designation

2.1.3.1 In addition to Sections B.3.5 - Community Facilities/Services Policies, E.3.10 - Community Facilities and Services and E.6.0 - Institutional Designation of Volume 1, the following policies shall apply to the lands designated Institutional on Map B.2.1 - Meadowbrook West - Land Use Plan:

a) A place of worship shall be permitted within the Meadowbrook West Neighbourhood provided the following criteria are met:

i) the place of worship is located on a Collector or Arterial Road;

ii) potential proximity effects upon adjacent land uses can be mitigated:
iii) facility size and height and building size/landscape design is compatible with the character of the surrounding area;

iv) road access is adequate;

v) traffic generated can be accommodated by adjacent roads; and,

vi) proposed on-site parking is adequate.

b) A place of worship shall require site rezoning and site plan approval of the proposed facility to ensure compliance with community requirements.

c) A planning and traffic report shall be submitted in support of the rezoning application to clearly demonstrate site suitability related to land use compatibility, traffic/access, on-site parking, proximity effects, etc.

2.1.4 Utility Designation

Section C.3.4 – Utility Designation of Volume 1 shall apply to lands designated Utility on Map B.2.1-1 – Meadowbrook West – Land Use Plan.
2.2 Shaver Neighbourhood Secondary Plan

The Shaver Neighbourhood Secondary Plan area is ±156 hectares and is bounded by Highway 403 on the north, Shaver Road on the west, Highway 53 on the south and Fiddler's Green Road on the east. The Shaver Neighbourhood Secondary Plan establishes land uses and development standards to guide the development and/or redevelopment of lands located in the Shaver Neighbourhood area. Section B.2.2 and Map B.2.2-1 – Shaver Neighbourhood - Land Use Plan, constitute the Shaver Neighbourhood Secondary Plan.

2.2.1 Residential Designations

The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential types are provided to meet the needs of all area residents.

2.2.1.1 The residential areas are designated Low Density Residential 1, 2a, 2c, 3a and 3f, Medium Density Residential 2a, 2b and 2c, and High Density Residential 1, as identified on Map B.2.2-1 - Shaver Neighbourhood - Land Use Plan.

2.2.1.2 General Residential Policies

a) Residential buildings shall have no more than three occupied storeys entirely above grade.

b) Notwithstanding Section E.3.4 – Low Density Residential of Volume 1, a long term care facility shall be permitted in Low Density Residential 2c, 3a and 3f designated areas on sites that are adjacent to boundary roads for the Shaver Neighbourhood Secondary Plan area.

2.2.1.3 Low Density Residential Designations

Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the Low Density Residential designations identified on Map B.2.2-1 - Shaver Neighbourhood - Land Use Plan:

a) In the Low Density Residential 1 designation:
   i) the permitted use shall be single detached dwellings;
   ii) the lot frontages shall be a minimum 10.7 to 18.3 metres or larger; and,
   iii) the density shall not exceed 20 dwelling units per gross/net residential hectare.

b) In the Low Density Residential 2a designation:
   i) the permitted uses shall be single and semi detached dwellings;
   ii) the lot frontages shall be a minimum 9.1 metres; and,
   iii) the density shall not exceed 27 dwelling units per gross/net residential hectare.

c) In the Low Density Residential 2c designation:
   i) the permitted uses shall be street townhouses, block townhouses, other ground-oriented attached housing forms; and,
ii) the density shall not exceed 37 dwelling units per gross/net residential hectare.

d) In the Low Density Residential 3a designation:
   i) the permitted uses shall be street townhouses, block townhouses, and other ground-oriented attached housing forms; and,
   ii) the density shall not exceed 50 dwelling units per gross/net residential hectare.

e) In the Low Density Residential 3f designation:
   i) The permitted uses shall be low rise apartments; and,
   ii) the density shall range from 40 – 62 dwelling units per gross/net residential hectare.

2.2.1.4 Medium Density Residential Designations
Notwithstanding Policies E.3.5.2 and E.3.5.7 of Volume 1, the following policies shall apply to the Medium Density Residential designations identified on Map B.2.2-1 – Shaver Neighbourhood – Land Use Plan:

a) In the Medium Density Residential 2a designation:
   i) the permitted use shall be low rise apartment buildings; and,
   ii) the density shall not exceed 62 dwelling units per gross/net residential hectare.

b) In the Medium Density Residential 2b designation:
   i) the permitted uses shall be low rise apartment buildings and stacked townhouses; and,
   ii) the density shall have a minimum density of 40 units and a maximum density of 62 dwelling units per gross/net residential hectare.

c) In the Medium Density Residential 2c designation:
   i) the permitted uses shall be low rise apartment buildings, street and block townhouses, stacked townhouses; and,
   ii) the density shall have a minimum density of 40 units and a maximum density of 62 dwelling units per gross/net residential hectare.

2.2.1.5 High Density Residential 1 Designation
Notwithstanding Section E.3.6 - High Density Residential of Volume 1, and Policy B.2.2.1.2 a) of Volume 2, the following policies shall apply to the High Density Residential 1 designation identified on Map B.2.2-1 – Shaver Neighbourhood – Land Use Plan:

a) the density shall not exceed 110 dwelling units per gross/net residential hectare; and,

b) the height of residential buildings shall be no more than 4.5 storeys entirely above grade.
2.2.2 Local Commercial Designation

2.2.2.1 Notwithstanding Section E.3.8 - Local Commercial of Volume 1, the following policies shall apply to the lands designated Local Commercial on Map B.2.2-1 - Shaver Neighbourhood - Land Use Plan:

   a) The Local Commercial uses shall be contained within a single free-standing building.

   b) The site shall be a maximum of 0.46 hectares.

   c) The gross leasable area shall be a maximum of 1,000 square metres.

   d) Adequate landscaping, buffering, on-site parking, loading area and screened refuse disposal shall be provided to minimize impacts on adjacent uses.

2.2.3 Parks and Open Space Designations

2.2.3.1 In addition to Sections B.3.5.3 - Parkland Policies and C.3.3 - Open Space Designation of Volume 1, the following policies shall apply:

   a) The open space system for the Shaver Neighbourhood Secondary Plan area includes the following:

      i) Neighbourhood Parks;

      ii) Natural Open Space;

      iii) Notwithstanding Section C.3.3 - Open Space Designations of Volume 1, school playfields;

      iv) pedestrian walkways; and,

      v) Big Creek valleylands and wooded areas.

   b) Notwithstanding Section 3.3 - Open Space Designations of Volume 1, the City shall encourage the development of a linked open space system in the Shaver Neighbourhood incorporating the Community Park, Neighbourhood Park, schools, Big Creek valleylands, wooded areas and pedestrian walkways through the approval of plans of subdivision.

   c) Within the Shaver Neighbourhood the planned residential areas, the westerly Neighbourhood Park, the Community Park/schools complex and the publicly owned Natural Open Space lands shall be linked by a pedestrian/bikeway system utilizing a combination of open space walkways and sidewalks within the roadways. The internal pedestrian/bikeway system shall be connected to the planned Duff's Corners mixed use commercial/industrial area to the west and the Maple Lane Annex subdivision in the Garner Neighbourhood Secondary Plan area.

   d) Notwithstanding Policy B.3.5.3.4 b) - Parkland Policies, the Neighbourhood Park shall be 1.7 hectares in size.
2.2.4 Institutional Designations

2.2.4.1 In addition to Sections B.3.5 - Community Facilities/Services Policies, E.3.10 - Community Facilities and Services and E.6.0 - Institutional Designation of Volume 1, the following policies shall apply to the lands designated Institutional on Map B.2.2-1 - Shaver Neighbourhood - Land Use Plan:

a) A place of worship shall be permitted provided the following criteria are met:

i) The place of worship is located on a Collector or Arterial Road.

ii) Potential proximity effects upon adjacent land uses can be mitigated.

iii) Facility size and height and building size/ landscape design is compatible with the character of the surrounding area.

iv) Road access is adequate.

v) Traffic generated can be accommodated by adjacent roads.

vi) Proposed on-site parking is adequate.

vii) A proposed place of worship shall require site rezoning and site plan approval to ensure compliance with community requirements.

viii) A planning and traffic report shall be submitted in support of the rezoning application to clearly demonstrate site suitability related to land use compatibility, traffic/access, on-site parking, proximity effects, etc.

b) One secondary school and one elementary school shall be permitted on lands identified as Institutional-SSS on Map B.2.2-1 - Shaver Neighbourhood - Land Use Plan and shall comply with the following criteria:

i) School sites shall be reviewed by School Boards in cooperation with the City at the time of approval of plans of subdivision to ensure site configuration, pedestrian and vehicular access and facility design requirements are satisfied.

ii) The planning and design of the school sites shall have regard for the following matters:

   1. Where practical, separate open space walkway/bikeway linkages to the schools shall be provided from surrounding parts of the neighbourhood.

   2. Sidewalks shall be provided on both sides of the road that the schools are located on.

   3. Outdoor play areas shall be shielded from adjacent residences to minimize noise impacts from student activities.
4. School buildings shall be setback to accommodate emergency vehicle access and landscaping, and to minimize impacts on adjacent residences.

5. Adequate parking shall be provided for teaching and administrative staff, as well as for maintenance and operations and other special purpose events normally related to the school and its facilities.

6. An access driveway for the purposes of dropping off/picking up students shall be provided.

7. A storage/waiting area for school buses dropping off/picking up students shall be provided.

8. The height, scale and design of the school building shall be compatible with the established character of the surrounding area.

9. School sites shall be appropriately landscaped in keeping with the surrounding urban streetscape.

2.2.5 Area and Site Specific Policies

Site Specific Policy - Area A

2.2.5.1 For the lands located at No. 245 Garner Road West, and identified on Map B.2.2-1 - Shaver Neighbourhood - Land Use Plan as Site Specific Policy - Area A, the following policies shall apply:

a) The stone structure referred to as the Marshall House shall be retained, conserved and incorporated into the permitted development for the area designated as Low Density Residential 1.

b) The features of the Marshall House that shall be preserved as part of the adaptive reuse of the structure are the two storey, three bay, stone structure constructed in the vernacular Italianate style and its distinguishing elements including the pedimented projecting frontispiece, containing a door flanked by sidelights and transom surmounted by an arched window, all windows, stone sills and lintels, and a hipped roof.

c) New rear additions to the building may be permitted to accommodate adaptive reuse.

Site Specific Policy - Area B

2.2.5.2 In addition to the permitted uses set out in Policy B.2.2.1.3 d) and Policy B.2.2.1.4 a) – Medium Density Residential 2a, a paving contractor’s equipment, supplies and storage business shall be permitted on lands located at No. 305 Garner Road West, and identified as Site Specific Policy - Area B on Map B.2.2-1 – Shaver Neighbourhood – Land Use Plan.
2.3 Garner Neighbourhood Secondary Plan

The Garner Neighbourhood is ±145 hectares and is bounded by Highway 403 on the north, Fiddler's Green Road on the west, Highway 53 on the south and Southcote Road on the east. The Garner Neighbourhood Secondary Plan establishes land uses and development standards to guide the development and/or redevelopment of lands located in the Garner Neighbourhood Secondary Plan area. Section B.2.3 and Map B.2.3-1 – Garner Neighbourhood – Land Use Plan constitute the Garner Neighbourhood Secondary Plan.

2.3.1 Residential Designations

The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential types are provided to meet the needs of all area residents.

2.3.1.1 The residential areas are designated Low Density Residential 1, Low Density Residential 1a, Low Density Residential 2a, Low Density Residential 2c, Low Density Residential 3a, and Medium Density Residential 2b as identified on Map 2.3-1 – Garner Neighbourhood – Land Use Plan.

2.3.1.2 General Residential Policies

a) Residential buildings in the Low Density Residential and Medium Density Residential designations shall have no more than three occupied storeys entirely above grade.

b) To minimize the impact of new residential development on existing single detached residential uses to the immediate east and west of the neighbourhood, a transition in dwelling type and density shall be applied. Adjacent to those existing single detached residential areas, single detached dwellings shall be located on minimum 15 metre frontage lots and larger.

c) Where a higher density residential area (Low Density Residential 2a or higher) is adjacent or in proximity to a lower density residential area (Low Density Residential (Existing), 1 or 1a), potential conflicts related to physical compatibility of adjacent uses shall be reduced through the use of open space buffers, setbacks, screening, dwelling type and density, building/site design, and/or separator roads.

d) Development in the Low Density Residential 2c, Low Density Residential 3a and Medium Density Residential 2b designations shall be subject to site plan control.

e) Notwithstanding Sections E.3.4 – Low Density Residential and E.3.5 – Medium Density Residential of Volume 1, a long term care facility shall be permitted in Low Density Residential 2c, Low Density Residential 3a and Medium Density Residential 2b areas on sites that are adjacent to boundary roads for the Garner Neighbourhood Secondary Plan area.

2.3.1.3 Low Density Residential Designations

Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the Low Density Residential designations identified on Map B.2.3-1 – Garner Neighbourhood – Land Use Plan.
a) The Low Density Residential (Existing) designation shall be the existing Maple Lane Annex, Maple Land Gardens, Harmony Hall and Greenwood Estates subdivisions.

b) In the Low Density Residential 1a designation:
   i) the permitted uses shall be single detached dwellings;
   ii) the lot frontages shall be a minimum of 15 metres; and,
   iii) the density shall not exceed 18 dwelling units per gross/net residential hectare.

c) In the Low Density Residential 1 designation:
   i) the permitted uses shall be single detached dwellings;
   ii) the lot frontages shall be a minimum of 10.7 metres; and,
   iii) the density shall not exceed 20 dwelling units per gross/net residential hectare.

d) In the Low Density Residential 2a designation:
   i) the permitted uses shall be single detached and semi-detached dwellings;
   ii) the lot frontages for single detached dwellings shall be a minimum of 10 metres;
   iii) the lot frontages for semi-detached dwellings shall be a minimum of 9 metres; and,
   iv) the density shall not exceed 27 dwelling units per gross/net residential hectare.

e) In the Low Density Residential 2c designation:
   i) the permitted uses shall be street townhouses, block townhouses, courtyard townhouse and other innovative ground-oriented attached housing forms; and,
   ii) the density shall not exceed 37 dwelling units per gross/net residential hectare.

f) In the Low Density Residential 3a designation:
   i) the permitted uses shall be street townhouses, block townhouses, courtyard townhouse and stacked townhouses; and,
   ii) the density shall not exceed 50 dwelling units per gross/net residential hectare.

2.3.1.4 Medium Density Residential Designations

Notwithstanding Policies E.3.5.2 and E.3.5.7 of Volume 1, the following policies shall apply to the Medium Density Residential designations identified on Map B.2.3-1 – Garner Neighbourhood – Land Use Plan.
a) In the Medium Density Residential 2b designation:
   i) the permitted uses shall be stacked townhouses and low rise apartments; and,
   ii) the density shall not exceed 70 dwelling units per gross/net residential hectare.

2.3.2 Local Commercial Designation

2.3.2.1 Notwithstanding Section E.3.8 – Local Commercial of Volume 1, the following policies shall apply to the lands designated Local Commercial on Map B.2.3-1 – Garner Neighbourhood – Land Use Plan:

a) The westerly Local Commercial facility shall have a maximum gross leasable area of 1,200 square metres on a site of ±0.5 hectares. The easterly Local Commercial site shall have a maximum gross leasable area of 1,800 square metres on a site of ±0.8 hectares.

b) Adequate landscaping, buffering, on-site parking, loading area and screened refuse disposal shall be provided to minimize impacts on adjacent land uses.

c) New Local Commercial facilities shall require a zoning by-law amendment and site plan approval.

2.3.3 Parks and Open Space Designations

2.3.3.1 In addition to Sections B.3.5.3 - Parkland Policies and C.3.3 - Open Space Designation of Volume 1, the following policies shall apply:

a) The open space system planned for the Garner Neighbourhood includes the following:
   i) Neighbourhood Parks;
   ii) General Open Space;
   iii) Natural Open Space;
   iv) Notwithstanding Section C.3.3 - Open Space Designations of Volume 1, elementary school playfields;
   v) pedestrian walkways; and,
   vi) Ancaster Creek and wooded areas.

b) Areas where urban development would clearly present a hazard to the ecological integrity of the Garner Neighbourhood have been designated Natural Open Space on Map B.2.3-1 – Garner Neighbourhood – Land Use Plan. Those areas include the following:
   i) high quality forest;
   ii) fisheries with buffers; and,
c) Notwithstanding Section C.3.3 – Open Space Designations of Volume 1, the City shall encourage the development of a linked open space system in the Garner Neighbourhood incorporating the Neighbourhood Parks, General Open Space, Natural Open Space, elementary schools, Ancaster Creek floodplain and pedestrian walkways through the approval of plans of subdivision.

d) In the east part of the Garner Neighbourhood a Neighbourhood Park of ±2.5 hectares shall be established in a complex along with an elementary school.

e) Within the Garner Neighbourhood the planned residential areas, the Maple Lane Gardens Park, the neighbourhood park/elementary school complex and the Natural Open Space lands shall be linked by a pedestrian/bikeway system utilizing a combination of open space walkways and sidewalks within the roadways. The internal pedestrian/bikeway system shall be connected to the planned Neighbourhood Park in the eastern side of Shaver Neighbourhood to the west and the Meadowlands Community to the east. The open space walkways shall not cross or provide public access to privately owned Natural Open Space lands without the landowner’s consent.

f) The following policies shall apply to the Ancaster Creek floodplain and wooded areas which are designated Natural Open Space on Map B.2.3-1 – Garner Neighbourhood – Land Use Plan:

i) The Ancaster Creek floodplain and wooded areas which are designated Natural Open Space shall remain in their natural state, subject to any protection, conservation and replanting required by the City and the Hamilton Region Conservation Authority.

ii) The only new permitted uses shall be public passive recreational uses and walkways/trails, storm water management facilities and works for the conservation and protection of watercourses and all natural resources including flora and fauna, subject to approval of the Hamilton Region Conservation Authority, the Province and the City.

2.3.4 Institutional Designation

2.3.4.1 In addition to Sections B.3.5 – Community Facilities/Services Policies, E.3.10 – Community Facilities and Services and E.6.0 – Institutional Designation of Volume 1, the following policies shall apply to the lands designated Institutional on Map B.2.3-1 – Garner Neighbourhood – Land Use Plan:

a) A place of worship shall be permitted within the Garner Neighbourhood provided the following criteria are met:

i) the place of worship is located on a boundary Arterial Road;

ii) potential proximity effects upon adjacent land uses can be mitigated;

iii) facility size and height and building size/ landscape design is compatible with the character of the surrounding area;
iv) road access is adequate;

v) traffic generated can be accommodated by adjacent roads; and,

vi) proposed on-site parking is adequate.

b) A place of worship shall require site rezoning and site plan approval of the proposed facility to ensure compliance with community requirements.

c) A planning and traffic report shall be submitted in support of the rezoning application to clearly demonstrate site suitability related to land use compatibility, traffic/access, on-site parking, proximity effects, etc.

d) One new elementary school shall be permitted in the Garner Neighbourhood and shall comply with the following criteria:

i) School sites shall be reviewed by school boards in cooperation with the City at the time of approval of plans of subdivision to ensure site configuration, pedestrian and vehicular access and facility design requirements are satisfied.

ii) The public elementary school shall be located on a site with a minimum lot area of 2.5 hectares, within a planned elementary school/neighbourhood park complex.

iii) The elementary school shall be connected to the park/open space system and have access to the pedestrian walkway system.

iv) The planning and design of the school site shall have regard for the following matters:

1. Where practical, separate open space walkway/bikeway linkages to the school shall be provided from surrounding parts of the neighbourhood.

2. Sidewalks shall be provided on both sides of the road that the school is located on.

3. Outdoor play areas shall be shielded from adjacent residences to minimize noise impacts from student activities.

4. School buildings shall be setback to accommodate emergency vehicle access and landscaping, and to minimize impacts on adjacent residences.

5. Adequate parking shall be provided for teaching and administrative staff, as well as for maintenance and operations and other special purpose events normally related to the school and its facilities.

6. Where required, a storage/waiting area for school buses dropping off/picking up students shall be provided on-site.
7. The height, scale and design of school buildings shall be compatible with the established character of the surrounding area.

8. The school site shall be appropriately landscaped in keeping with the surrounding urban streetscape.

2.3.5 Utility Designation

Section C.3.4 – Utility Designation of Volume 1 shall apply to lands designated Utility on Map B.2.3-1 – Garner Neighbourhood – Land Use Plan.

2.3.6 Area and Site Specific Policies

Site Specific Policy – Area A

2.3.6.1 In addition to Section B.2.3.2 – Local Commercial Designation, the following policies shall apply to the lands located at Nos. 515 (front portion), 523, 527 and 535 Garner Road East, and identified as Site Specific Policy – Area A on Map B.2.3-1 – Garner Neighbourhood – Land Use Plan:

a) The City shall utilize a Holding provision in order to ensure that the subject lands are assembled and developed in a comprehensive manner. The subject lands shall be comprehensively planned incorporating all of the affected parcels. The Holding provision shall not be removed until site plan approval has been granted on the assembled property. Site plan approval shall ensure that access driveways onto Garner Road East are minimized.

b) Until the Holding provision is removed and the lands are redeveloped, the existing residential uses and the existing commercial use may continue and minor additions, alterations or renovations shall be permitted. Any intensification which compromises the comprehensive redevelopment of the lands shall be prohibited.

c) Access to the planned residential uses on the rear portion of the subject land shall be from an internal road system developed in conjunction with the plan of subdivision on the adjacent lots.
2.4 Meadowlands Mixed Use Secondary Plan

The Meadowlands Mixed Use Secondary Plan area is ±18.5 hectares and is bounded by Golf Links Road and the Lincoln Alexander interchange on the north, Old Golf Links Road and the hydro lands on the east, and Tiffany Creek on the west. The Meadowlands Mixed Use Secondary Plan establishes land uses, and development standards to guide the development and/or redevelopment of lands located in the Meadowlands Mixed Use Secondary Plan area. Section B.2.4 and Map B.2.4.-1 – Meadowlands Mixed Use – Land Use Plan constitute the Meadowlands Mixed Use Secondary Plan.

2.4.1 Goal

It the goal of the Meadowlands Mixed Use Secondary Plan to develop a complementary and environmentally-sensitive mixture of primarily residential and commercial uses, and possibly institutional or recreation activities, in low-rise buildings. Together these uses provide an identifiable eastern entrance to the Ancaster and Meadowlands communities.

2.4.2 Objectives

The following are objectives of the Meadowlands Mixed Use Secondary Plan:

a) Define, protect and enhance key attributes of the Core Area along Tiffany Creek.

b) Provide opportunity for safe and convenient pedestrian activity through the mixture and siting of activities, the form and placement of buildings, and walkable connections to neighbouring uses.

c) Use landscaping and streetscaping to create an attractive, distinctive and comfortable place within the Meadowlands community.

d) Provide for automobile movement and parking in an aesthetically pleasing, efficient and safe manner.

e) Allow for convenient access to transit, and to accommodate planned bicycle routes established by the City.

f) Provide storm water management facilities that will provide adequate quality control and ensure there is no increase in post-development quantity.


g) Encourage cooperative and equitable ownership arrangements in implementing the Secondary Plan including, where possible, comprehensive land assembly.

h) Ensure that Ontario Hydro’s transformer station and transmission corridors dissecting the subject property are protected for their future needs, while allowing for some possible infrastructure and recreation easements and links as may be necessary to carry out the Secondary Plan.

2.4.3 General Policies

All buildings with the Meadowlands Mixed Use secondary Plan shall have no more than three occupied storeys entirely above grade.
2.4.4 Residential Designations

The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential types are provided to meet the needs of all area residents.

2.4.4.1 The residential areas are designated Low Density Residential 2c, Medium Density Residential 1a and Medium Density Residential 2c as identified on Map 2.4-1 – Meadowlands Mixed Use – Land Use Plan.

2.4.4.2 Low Density Residential 2c Designation

Notwithstanding Policies E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2c on Map B.2.4-1 Meadowlands Mixed Use – Land Use Plan:

a) the density shall not exceed of 25 units per net hectare (including local roads).

2.4.4.3 Medium Density Residential Designations

a) In addition to Section E.3.5 – Medium Density Residential of Volume 1, the following policies apply to the lands north of Harrogate Drive and designated Medium Density Residential 1a and Medium Density Residential 2c on Map B.2.4-1 Meadowlands Mixed Use – Land Use Plan:

i) Notwithstanding Policy E.3.5.7 of Volume 1, the lands fronting on the new local road just west of Stone Church Road and designated Medium Density Residential 1a shall be developed for on-street townhouses at a density not to exceed 50 units per hectare.

ii) Notwithstanding Policy E.3.5.7 of Volume 1, the density of lands designated Medium Density Residential 2c shall not exceed 70 units per net hectare (including roads).

iii) The buildings shall be similar or compatible in form and appearance to those already existing west of Cloverleaf Drive along Golf Links Road.

iv) Buildings shall be sited in such a manner so as to allow an appropriate private open space and pedestrian connection between the buildings from Golf Links Road to the environmentally significant area along Tiffany Creek.

v) No automobile access shall be provided from Golf Links Road, instead access shall be provided from Harrogate Drive; the majority of the parking for residents shall be provided underground or within enclosed buildings, and surface parking for visitors shall be located to the rear or side(s) of the building(s).

vi) Landscaping and pedestrian amenities shall be provided along Golf Links Road (east of Cloverleaf Drive) and along Stone Church Road (south of Golf Links Road to approximately the new local road).

b) In addition to Section E.3.5 – Medium Density Residential of Volume 1, policies B.2.4.4.3a (i), (v), and (vi) shall apply to lands designated Medium Density Residential 1a located on the south side of Harrogate Drive and west of Stone Church Road.
2.4.5 Commercial Designations

The commercial area is designated Mixed Use - Medium Density as identified on Map 2.4-1 - Meadowlands Mixed Use - Land Use Plan.

2.4.5.1 Mixed Use - Medium Density Designation

a) Notwithstanding Section E.4.6 - Mixed Use - Medium Density Designation of Volume 1, the following policies shall apply to the lands designated Mixed Use - Medium Density on Map B.2.4-1 - Meadowlands Mixed Use - Land Use Plan and located at the southeast corner of Golf Links Road and Cloverleaf Drive:

i) The commercial development shall include a retail component that serves the day-to-day needs of residents in immediate parts of Meadowlands. Only restaurants with table service shall be permitted. Fast food restaurants and restaurants with drive-through service shall be prohibited.

ii) Food stores and department stores shall have a maximum floor area of 950 square metres.

iii) A maximum of two commercial buildings shall be permitted.

iv) The majority of parking areas shall be located to the rear or side(s) of the building(s) and the frontage along Golf Links Road shall be well landscaped.

v) Harrogate Drive shall be extended to the rear of the property and the primary access to parking shall be provided from Harrogate Drive.

b) Notwithstanding Section E.4.6 - Mixed Use - Medium Density Designation of Volume 1, the following policies shall apply to the lands designated Mixed Use - Medium Density on Map B.2.4-1 - Meadowlands Mixed Use - Land Use Plan and located at the southwest corner of Golf Links Road and Stone Church Road:

i) The lands shall be used primarily for community and neighbourhood commercial purposes. Retail and personal service uses primarily serving the daily and weekly needs of local residents and employees in the Meadowlands community such as specialty and convenience stores, financial institutions and small eating establishments shall be permitted.

ii) Most activities shall be accommodated in an architecturally cohesive grouping of buildings generally set back from the intersection. To define the corner, one or a limited number of activities in a free-standing building shall be brought close to the intersection of Golf Links and Stone Church Roads, provided that building's form and appearance is coordinated with the balance of development on site.

iii) Food stores and department stores shall have a maximum floor area of 930 square metres and large-scale destination retail uses such as big box stores shall not be permitted.

iv) The maximum building height shall be three storeys.
v) Accessory residential apartments or professional and business offices may be permitted, provided adequate parking, appropriate building access and private amenity areas are provided for the residential uses.

vi) Servicing and loading shall take place along the perimeter of the site via a driveway to the rear of buildings. It shall be adequately separated from other vehicular circulation and parking, and screened from the view of the commercial area’s patrons.

vii) The frontages along Golf Links Road and Stone Church Road shall be well landscaped, and where possible, integrated with the design of the buildings.

viii) The perimeter of the commercial site adjacent to residential uses shall be screened and landscaped so as to provide adequate separation and buffering of the two activities. Primary pedestrian access to the commercial site from adjacent residential uses is encouraged via walkways and sidewalks along Golf Links and Stone Church Roads.

ix) A service station, including gas, convenience retail and fast-food kiosk, and car wash, may be permitted as part of the commercial use provided the following criteria are met:

1. The proposed use shall be functionally and architecturally integrated with the overall development’s design, including building form and appearance, landscaping, and internal automobile access and circulation.

2. A convenience retail kiosk, which may include an integrated fast food outlet, may be brought close to the corner, if adequately screened. This building’s design should avoid blank walls and should be fully integrated with the landscaping.

3. Gas pumps shall be visually screened by, and physically integrated with, the convenience retail kiosk.

4. The car wash shall be located to the rear of any proposed service station use and shall be buffered by landscaping, fencing or other building element within the context of the overall commercial area’s design.

5. Direct access to the service station shall be limited from Golf Links and Stone Church Road to right in and right out movements only, and from within the overall internal circulation and parking provided as part of the overall commercial area’s design.

c) Notwithstanding Section E.4.6 - Mixed Use - Medium Density Designation of Volume 1, the following policies shall apply to the lands designated Mixed Use - Medium Density on Map B.2.4-1 - Meadowlands Mixed Use - Land Use Plan and located south of the Lincoln Alexander Parkway and Golf Links Road interchange, and east Stone Church Road:

i) The primary uses shall be non-retail commercial uses serving a broad community and regional market such as professional and business
offices, hotels/motels, and restaurants. These uses can take advantage of excellent regional accessibility afforded by their proximity to the Lincoln Alexander Parkway and Highway 403.

ii) Residential uses may also be permitted subject to the following policies:

1. Multiple attached residential units, including apartments, shall be permitted to a maximum density of 70 units per hectare and three storeys in height.

2. Adequate grading, noise attenuation, buffering and landscaping shall be required to provide an amenable and adequate living environment for residents.

3. Development may be subject to site specific servicing arrangements potentially including a private pumping station.

4. The dwellings are developed for condominium ownership given the potential for private servicing and access arrangements.

iii) A campus-like arrangement of buildings shall be designed as part of a comprehensive plan with a coordinated parking and landscape concept.

iv) Access shall be provided from Old Golf Links Road, except that the City may consider permitting limited access from Stone Church Road in the case of innovative land use arrangements, and subject to roadway improvements carried out at the proponent’s expense.

v) Buildings shall be oriented to Stone Church Road or the Golf Links Road - Mohawk overpass. Building design shall address the view from the intersection at Golf Links Road and Stone Church Road.

vi) A network of paths shall be provided between buildings and parking areas so as to provide convenient, safe and amenable pedestrian circulation.

vii) The City may require proponents of development to install sidewalks on Old Golf Links Road.

2.4.6 Parks and Open Space Designations

2.4.6.1 Sections B.3.5.3 - Parkland Policies and C.3.3 - Open Space Designations of Volume 1, apply to lands designated General Open Space and Natural Open Space on Map B.2.4-1 - Meadowlands Mixed Use - Land Use Plan.

2.4.6.2 The following policies shall apply to the lands designated Natural Open Space on Map B.2.4-1 - Meadowlands Mixed Use - Land Use Plan:

a) The lands designated Natural Open Space are part of the Tiffany Creek Core Area and cannot be developed. The limits of these lands were established by an Environmental Impact Statement (EIS) that was given consideration by the City’s Environmentally Significant Area Impact Evaluation Group (ESAIEG).
b) A minimum 40 metre development setback shall be maintained from the wetland boundary, consistent with Hamilton Region Conservation Authority guidelines and the established regional flood line.

c) It is intended that the degraded environmental areas along Tiffany Creek be restored.

2.4.6.3 In addition to Sections B.3.5.3 - Parkland Policies and C.2 - Natural Heritage System of Volume 1, the following policies shall apply to the lands within the Meadowlands Mixed Use Secondary Plan area:

a) The existing colony of regionally-rare Virginia Mountain Mint shall be relocated to an appropriate location to be determined in consultation with the Hamilton Region Conservation Authority.

b) The existing seepage function of the lands to the east of Stone Church Road shall continue to serve the wetland/stream function of the area on the west side of the Stone Church Road. Maintaining the seepage function will require special considerations in the installation of underground services. The groundwater supply to the wetland and the installation of underground services shall be addressed as a condition of subdivision, condominium or site plan approval.

2.4.7 Institutional Designation

In addition to the uses permitted in Sections B.3.5 - Community Facilities/Services Policies, E.3.10 - Community Facilities and Services and E.6.0 - Institutional Designation of Volume 1, the lands designated Institutional on Map B.2.4-1 - Meadowlands Mixed Use - Land Use Plan may be used for activities such as a public or private school, a daycare or recreation/social facility serving a primarily community-wide function, but also potentially servicing the broader community.

2.4.8 Utility Designation

2.4.8.1 Section C.3.4 - Utility Designation of Volume 1 shall apply to lands designated Utility on Map B.2.4-1 - Meadowlands Mixed Use - Land Use Plan.

2.4.8.2 Ontario Hydro intends to maintain the transmission corridor and the adjacent transformer facilities. Accessory uses that are needed and are complementary to the primary hydro function of those lands, such as recreational paths, walkways and municipal infrastructure, may be permitted subject to the approval of Ontario Hydro.

2.4.9 Urban Design Policies

The following policies shall apply to the lands designated Low Density Residential 2c or Institutional on Map B.2.4-1 - Meadowlands Mixed Use - Land Use Plan:

a) Residential buildings shall be setback from, but facing, Stone Church Road. Reverse lotting (backlotting) shall not be permitted.

b) Residential development shall endeavour to take advantage of opportunities to terrace buildings with the gradual rising grade of landscape.
c) Setbacks shall be provided along the east side of Stone Church Road to provide generous landscaped edge.

d) Suitable grading, noise attenuation, buffering and landscaping shall be provided in order to enable an adequate living environment for residents adjacent to the Ontario Hydro facilities.

e) Sidewalks shall be appropriately sited so as to provide pedestrian circulation to neighbouring development and the Meadowlands community to the west.

f) Paths or walkways shall be encouraged through the Hydro lands to the east to facilitate pedestrian bicycle connections to existing residential neighbourhoods in Hamilton.

g) Distinctive community and neighbourhood signs that are integrated with buildings and/or landscaping shall be encouraged at key intersections.

2.4.10 Transportation Policies

2.4.10.1 Notwithstanding Section C.4 - Integrated Transportation Network of Volume 1, the following policies shall apply:

a) Direct access onto Stone Church Road shall not be permitted south of Harrogate Drive/Old Golf Links Road.

b) The use of connections and linkages for pedestrians and cyclists shall be maximized in the Secondary Plan area. Sidewalks shall be required were alternative pedestrian linkages are not provided.

2.4.11 Infrastructure Policies

2.4.11.1 In order to ensure coordinated building concepts and high quality building design, the evaluation of site plan control applications shall be guided by the policies of this Secondary Plan.

2.4.11.2 Comprehensive land assembly shall be encouraged so as to facilitate coordinated site plans and building design, and to facilitate the provision of required infrastructure.

2.4.11.3 Holding symbols ('H') shall be used in implementing zoning by laws to ensure conditions regarding a master servicing plan, a storm water management plan, and built form concept plans are met to the satisfaction of the City and any other public agency having jurisdiction.

2.4.12 Area and Site Specific Policies

Site Specific Policy - Area A

2.4.12.1 Notwithstanding Policy B.2.4.3, the maximum permitted building height shall be six storeys and 22 metres for lands located 1173 and 1203 Old Golf Links Road, and identified on Map B.2.4-1 – Meadowlands Mixed Use – Land Use Plan, as Site Specific Policy - Area A.
Site Specific Policy – Area B

2.4.12.2 Lands identified as Site Specific Policy – Area B on Map B.2.4-1 – Meadowlands Mixed Use – Land Use Plan, are considered to have limited development potential. At this time these lands are predominantly under public ownership, exhibit awkward size and configuration and are adjacent to property owned by Ontario Hydro which has no interest at this time in disposing of their holdings. The precise land use designation and zoning will be determined on a site specific basis when a development application is received for these lands. Development shall be subject to the provision of adequate servicing.
2.5 Meadowlands Neighbourhood III Secondary Plan

The Meadowlands Neighbourhood III Neighbourhood Secondary Plan area comprises ±85.5 hectares and is bounded by bounded by Garner Road East on the south, Stonehenge Drive on the north, Southcote Road on the west, and by the eastern boundary of Redeemer University College. The Meadowlands Neighbourhood III Secondary Plan establishes land uses, basic transportation network, community facilities, infrastructure requirements and development standards to guide the development and/or redevelopment of lands located in the Meadowlands Neighbourhood III Secondary Plan area. Section B.2.5 and Map B.2.5-1 – Meadowlands Neighbourhood III – Land Use Plan constitute the Meadowlands Neighbourhood III Secondary Plan.

2.5.1 Residential Designations

The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential types are provided to meet the needs of all area residents.

2.5.1.1 The residential areas are designated Low Density Residential (Infill), Low Density Residential 1, Low Density Residential 2a, and Low Density Residential 3b as identified on B.2.5-1 – Meadowlands Neighbourhood III – Land Use Plan.

2.5.1.2 Low Density Residential Designations

Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the Low Density Residential designations identified on Map B.2.5-1 – Meadowlands Neighbourhood III – Land Use Plan.

a) In the Low Density Residential (Infill) designation:
   i) the permitted use shall be single detached dwellings; and,
   ii) the lot frontages shall be a minimum of 15 metres.

b) In the Low Density Residential 1 designation:
   i) the permitted use shall be single detached dwellings;
   ii) the lot frontages shall be a minimum of 5 metres; and,
   iii) the density shall not exceed 18 dwelling units per gross/net residential hectare.

c) In the Low Density Residential 2a designation:
   i) the permitted uses shall be single and semi detached dwellings;
   ii) the lot frontages shall be a minimum 10.7 metres; and,
   iii) the density shall not exceed 27 dwelling units per gross/net residential hectare.

d) In the Low Density Residential 3b designation:
   i) the permitted uses shall be street townhouses, block townhouses, and other ground-oriented attached housing forms; and,
ii) the density shall not exceed 55 dwelling units per gross/net residential hectare.

2.5.2 Local Commercial Designations

2.5.2.1 Notwithstanding Policy E.3.8.2 of Volume 1, the following policies shall apply to the lands designated Local Commercial on Map B.2.5-1 - Meadowlands Neighbourhood III - Land Use Plan:

a) Within the Local Commercial designation as identified on Map B.2.5-1 - Meadowlands Neighbourhood III - Land Use Plan, a commercial facility shall be permitted subject to the following criteria:

i) Permitted uses shall be existing uses, retail and personal services that primarily serve the day to day needs of Meadowlands Neighbourhood III residents such as a milk store, variety store, drug store, dry cleaning depot, walk-in medical clinic or community service office.

ii) Council shall use a Holding (H) provision in order to ensure that the subject lands are assembled and developed in a comprehensive manner. The subject lands shall be comprehensively planned incorporating all of the affected parcels. The Holding (H) provision shall not be removed until such time as site plan approval has been granted on the assembled property. Site planning shall ensure that access driveways onto Garner Road East are minimized and properly sited.

iii) Until such time as the Holding (H) provision is removed and the lands are redeveloped, the existing residential uses and the existing commercial use may continue and minor additions, alterations or renovations shall be permitted. Any intensification that compromises the comprehensive redevelopment of the lands shall be prohibited.

2.5.3 Parks and Open Space Designations

2.5.3.1 In addition to Sections B.3.5.3 - Parkland Policies and C.3.3 - Open Space Designations of Volume 1, the following policies shall apply:

a) The open space and parks system for the Meadowlands Neighbourhood III includes the following:

i) Neighbourhood Park

ii) Parkette;

iii) pedestrian walkways and bikeways;

iv) the wetlands located on the Redeemer University College lands, designated Natural Open Space; and,

v) Notwithstanding Section C.3.3 - Open Space Designations of Volume 1, the storm water management facility on Kitty Murray Lane, across from the Redeemer University College lands.

b) The Neighbourhood Park shall be approximately 2.25 hectares in size and is to be utilized in conjunction with a proposed walkway/bikeway system.
c) The City shall encourage the development of a linked open space system in the Meadowlands Neighbourhood III incorporating the Neighbourhood Park, pedestrian walkways/bikeways, and the Natural Open Space/wetland complex through the approval of plans of subdivision, and development agreements.

d) Areas where urban development would adversely impact the ecological integrity of the Meadowlands Neighbourhood III have been designated Natural Open Space on Map B.2.5-1 – Meadowlands Neighbourhood III – Land Use Plan. Those areas include wetlands, floodplain areas, and areas utilized for storm water management purposes.

e) The wetland located on the Redeemer University College lands contains natural features that warrant protection. These lands may be dedicated to the City and/or other public agency through the development approval process but shall not be accepted as part of the parkland dedication.

f) Any applicant submitting development proposals on lands adjacent to the local wetland shall carry out a site-specific investigation to establish the wetland boundary limit and appropriate buffers in the field. The investigation conducted shall be conducted to the satisfaction of the City and the Hamilton Region Conservation Authority.

g) The Background Master Plan Report for Ancaster identifies opportunity to utilize the wetland as part of the storm water management quality and quantity control for the neighbourhood. Opportunities to enhance the existing wetland by introducing a storm water function are supported by the City.

2.5.4 Institutional Designation

2.5.4.1 Sections B.3.5 – Community Facilities/Services Policies, E.3.10 – Community Facilities and Services and E.6.0 – Institutional Designation of Volume 1, shall apply to lands designated Institutional on Map B.2.5-1 – Meadowlands Neighbourhood III – Land Use Plan.

2.5.4.2 In addition to Sections B.3.5 – Community Facilities/Services Policies, E.3.10 – Community Facilities and Services and E.6.0 – Institutional Designation of Volume 1, the following policies shall apply to the lands west of Kitty Murray Land designated Institutional on Map B.2.5-1 – Meadowlands Neighbourhood III – Land Use Plan:

a) Expansion of an Institutional use onto lands or portions of lands designated Low Density Residential I on Map B.2.5-1 – Meadowlands Neighbourhood III – Land Use Plan, may be permitted without amendment to this Plan, provided that it can be demonstrated to the satisfaction of the City that the expansion will not hinder or preclude development of adjacent lands for residential purposes.

b) No new schools are required within Meadowlands Neighbourhood III. The Meadowlands Neighbourhood III shall be served by secondary and elementary school facilities outside of the neighbourhood.

c) The Redeemer University College property will continue to be utilized for post secondary educational purposes.
2.5.5 Utility Designation
2.5.5.1 Section C.3.4 - Utility Designation of Volume 1 shall apply to lands designated Utility on Map B.2.5-1 - Meadowlands Neighbourhood III - Land Use Plan.

2.5.6 Urban Design Policies
2.5.6.1 In addition to Section B.3.3 - Urban Design Policies of Volume 1, the following policies apply:

a) Wherever possible, existing trees, significant vegetation and distinctive site views such as to the wooded areas shall be protected and preserved through sensitive subdivision design.

b) Aesthetically pleasing streetscapes shall be encouraged through careful building, site and landscape design.

c) Building and site design, setbacks, landscaping, screening and buffering techniques shall be applied to minimize potential conflicts related to the physical compatibility of adjacent uses between new residential development and existing residential land uses located both within and adjacent to the neighbourhood.
2.6 Meadowlands Neighbourhood IV Secondary Plan

The Meadowlands Neighbourhood IV Neighbourhood Secondary Plan area comprises ±204 hectares and is generally bounded by Stonehenge Drive to the north, Redeemer College to the west, Tiffany Creek Headwaters Core Area to the east and Garner Road to the south. The Meadowlands Neighbourhood IV Secondary Plan establishes land uses, basic transportation network, community facilities, infrastructure requirements and development standards to guide the development and/or redevelopment of lands located in the Meadowlands Neighbourhood IV Secondary Plan area. Section B.2.6 and Map B.2.6-1 - Meadowlands Neighbourhood IV - Land Use Plan constitute the Meadowlands Neighbourhood IV Secondary Plan.

2.6.1 Residential Designations

2.6.1.1 The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential types are provided to meet the needs of all area residents.

2.6.1.2 The residential areas are designated Low Density Residential 2b, Low Density Residential 3b, and Medium Density Residential 2c as identified on B.2.6-1 - Meadowlands Neighbourhood IV - Land Use Plan.

2.6.1.3 General Residential Policies

a) Residential buildings in the Low Density Residential and Medium Density Residential designations shall have no more than three occupied storeys entirely above grade.

b) Development within the Meadowlands Neighbourhood IV is intended to provide a mix and diversity of housing opportunities in terms of lot size, unit size, style and tenure that are suitable for different age levels, income groups, lifestyles, and household structures.

c) To make best use of urban lands higher densities shall be encouraged throughout this neighbourhood. This density can be achieved through the provision of smaller lots in interior locations and higher density developments located at external locations within the neighbourhood.

2.6.1.4 Low Density Residential Designations

Notwithstanding Section E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the Low Density Residential designations identified on Map B.2.6-1 - Meadowlands Neighbourhood IV - Land Use Plan:

a) In the Low Density Residential 2b designation:
   i) the density shall be approximately 1 to 30 units per net residential hectare;
   ii) predominantly single detached dwellings, duplex and semi-detached dwellings shall be permitted; and,
   iii) generally located at the interior of residential neighbourhoods adjacent to local and/or collector roads.
b) In the Low Density Residential 3b designation:
   i) the density shall be a maximum of 50 units per net residential hectare;
   ii) predominantly town house dwellings and innovative attached housing
dwelling forms shall be permitted; and,
   iii) generally located at the periphery of residential neighbourhoods
adjacent to or close to arterial and/or collector roads.

2.6.1.5 Medium Density Residential Designations
Notwithstanding Section E.3.5.2 and E.3.5.7 of Volume 1, the following policies
shall apply to the Medium Density Residential 2c designations identified on Map
B.2.6-1 – Meadowlands Neighbourhood IV – Land Use Plan:

a) In the Medium Density Residential 2c designation:
   i) the density shall be a maximum of 70 units per net residential hectare;
   ii) predominantly apartment dwellings and innovative attached housing
forms in buildings; and,
   iii) generally located adjacent to or in close proximity to Arterial and/or
Collector Roads, community facilities/services and open space areas.

2.6.2 Parks and Open Space Designations
2.6.2.1 In addition to Sections B.3.5.3 – Parkland Policies and C.3.3 – Open Space
Designations of Volume 1, the following policies shall apply:

a) The open space and parks system for the Meadowlands Neighbourhood IV
includes:
   i) Neighbourhood Parks;
   ii) the Tiffany Creek Natural Open Space area, and,
   iii) pedestrian walkways/bikeways.

b) New multi-purpose trails shall be established in the linked open space
system where deemed appropriate by the City and where permitted by
Section C.2.0 – Natural Heritage System of Volume 1. The trails shall be
established through the approval of plans of subdivision and development
agreements.

c) Parkland shall be provided to enhance the linked open space system at
two locations:
   i) adjacent to the public elementary school site; and,
   ii) on the west side of the Hydro corridor, south of Stonehenge Drive.
2.6.3 **Institutional Designation**

Sections B.3.5 - Community Facilities/Services Policies, E.3.10 - Community Facilities and Services and E.6.0 - Institutional Designation of Volume 1, the following policies shall apply to the lands designated Institutional on Map B.2.6-1 - Meadowlands Neighbourhood IV - Land Use Plan.

2.6.4 **Utility Designation**

2.6.4.1 Section C.3.4 - Utility Designation of Volume 1 shall apply to lands designated Utility on Map B.2.6-1 - Meadowlands Neighbourhood IV - Land Use Plan.

2.6.5 **Urban Design Policies**

This Secondary Plan incorporates a number of design considerations in order to take advantage of the unique physical setting of the area and to create a visually and aesthetically distinct neighbourhood.

2.6.5.1 In addition to Section B.3.3 - Urban Design Policies of Volume 1, the following principles and policies should be addressed during the processing of a development application:

a) A local road pattern consisting of a generalized grid style local road pattern, which promotes pedestrian movements, friendlier streetscapes and neighbourhood connectivity.

b) Lands designated Low Density Residential 3b and located adjacent to Garner Road, Raymond Road or the proposed principle Local Road immediately south-east of the hydro corridor, shall be required to be developed with a window road for direct access to Garner Road or the principle Local Road. A minimum 3.0 metre-landscaped strip will be required between the window road and the public street. A landscape plan prepared by a qualified landscape architect will be required to be submitted as part of a site specific development application to address such issues as planting materials, fencing and berming of the landscaped strip.

c) Additional pedestrian walkways may be established to minimise walking distances to existing and potential transit routes. The location and design of pedestrian walkways shall be determined through the draft plan of subdivision approval process.

d) Gateways and landscaped boulevards shall be provided at the entrances of the neighbourhood where shown on Map B.2.6-1 - Meadowlands Neighbourhood IV - Land Use Plan. Landscaped plans prepared by a qualified landscaped architect will be required to be submitted for the Gateways and boulevards as part of an application for the approval of a draft plan of subdivision.

e) Existing trees, significant vegetation and distinctive site views should be protected and preserved through sensitive subdivision design.

f) Building and site design, setbacks, landscaping, screening and buffering techniques shall be applied to minimise potential conflicts between new and existing uses.
g) Use of streetscape features such as decorative streetlamps, landscaped traffic circle islands, reduced front yards, front and side yard porches, recessed or detached garages.

h) Traffic calming features such as reduced road way widths, curbing incorporating on street parking, formal boulevard landscaping and special intersection treatments and roundabouts.

i) Where appropriate, alternative development standards (i.e. 18 metre wide road allowances for local roads) shall be implemented in an effort to maximise the use of urban land and municipal services.

j) Three Feature Intersections are identified on Map B.2.6-1 – Meadowlands Neighbourhood IV – Land Use Plan. The intent of the Feature Intersections is to provide focal points within the neighbourhood while calming the traffic to create a pedestrian friendly neighbourhood. Feature Intersections can include the mini traffic circles similar to those found in other neighbourhoods within the Meadowlands. They can also include lane narrowing, centre medians or patterned pavement/concrete treatments or interlock stones.

2.6.6 Transportation Policies

2.6.6.1 Map B.2.6-1 – Meadowlands Neighbourhood IV – Land Use Plan identifies the Collector Roads for the Meadowlands Neighbourhood IV: Raymond Road and the proposed Collector Road which generally runs parallel to the Hydro corridor and meets Raymond Road south of Stonehenge Drive.

2.6.6.2 Map B.2.6-1– Meadowlands Neighbourhood IV – Land Use Plan, identifies bicycle routes on the collector and local roads. The exact location and design of on-road bicycle routes shall be determined in the draft plan of subdivision approval processes.

2.6.6.3 As a condition of draft plan approval, a traffic calming report shall be required to be submitted by a qualified traffic engineer, to address traffic calming measures on the three primary roads within this neighbourhood.

2.6.6.4 The Feature Intersections identified on Map B.2.6-1 – Meadowlands Neighbourhood IV – Land Use Plan should be designed to accommodate transit routing as well as reduce traffic speeds and discourage through traffic or short cutting traffic movements. The design and final treatment of the Feature Intersections shall be determined at the draft plan of subdivision stage in consultation with the City.

2.6.7 Infrastructure Policies

2.6.7.1 As part of a development application, the stormwater management pond located on Garner Road, east of Springbrook Avenue, shall be considered for relocation westerly towards Springbrook Avenue subject to the submission of a preliminary storm water management report prepared by a qualified engineer to the satisfaction of the City and the Hamilton Conservation Authority. Should the location of this pond change then the lands designated as storm water management pond on Map B.2.6-1– Meadowlands Neighbourhood IV – Land Use Plan, may be developed in accordance with the provisions of this Plan without further amendment.
2.6.8 Area and Site Specific Policies

Site Specific Policy - Area A

2.6.8.1 For the lands located at No. 1021 Garner Road East, and identified on Map B.2.6-1 – Meadowlands Neighbourhood IV – Land Use Plan as Site Specific Policy - Area A, the following policy shall apply:

a) To preserve and maintain the historic/architectural significance of this dwelling, any future development for these lands shall incorporate the existing single detached dwelling which is listed on the City's inventory as potentially being of historical/architectural significance. Any future development scenario for these lands shall incorporate this dwelling.

Site Specific Policy - Area B

2.6.8.2 For the lands located at No. 927 Garner Road East, and identified on Map B.2.6-1 – Meadowlands Neighbourhood IV – Land Use Plan as Site Specific Policy - Area B, the following policies shall apply:

a) The existing property contains an existing agricultural livestock operation (pig farm). This agricultural operation can continue to operate after the adoption of this Secondary Plan and as development occurs on adjacent lands.

b) The keeping of livestock has the potential to create nuisance impacts on residential development in proximity to the structures used for the keeping of livestock as a result animal odours, noise and possibly traffic. During the draft plan of subdivision and/or condominium stage or severance, the owner developing lands within 120 metres of Site Specific Policy - Area B shall be required to advise future property owners through an appropriate agreement, that there may be odours, noise or other nuisance impacts associated with the keeping of livestock on these lands.

Site Specific Policy - Area C

2.6.8.3 In addition to the permitted uses set out in Policy B.2.6.2.1, b) – Low Density Residential 3b, for the lands located just north of Garner Road East and east of Raymond Road, and identified on Map B.2.6-1 – Meadowlands Neighbourhood IV – Land Use Plan as Site Specific Policy – Area C the following policies shall apply:

a) The lands may be developed for street townhouse dwellings provided that an on street parking plan, prepared by a qualified professional engineer, is provided as part of a development application.

b) A minimum of 0.5 parking spaces per dwelling unit shall be provided for on street visitor parking associated with street townhouses.

Area Specific Policy - Area D

2.6.5.4 Notwithstanding the Policy B.2.6.2.1 b) and c), for the lands designated Low Density Residential 2b and 3b and Utility, located on the west side of Springbrook Road, and identified on Map B.2.6-1 – Meadowlands Neighbourhood IV – Land Use Plan as Area Specific Policy - Area D may be used in whole or part for the expansion of the institutional use located to the west (Redeemer University College), without amendment to this Plan, provided it can be demonstrated to the satisfaction of the City that the expansion shall
not hinder or preclude development of adjacent lands for residential purposes and storm water management is provided on a comprehensive basis.

**Area Specific Policy – Area E**

2.6.8.5 The lands designated Natural Open Space and Wetlands, located in the east side of the Secondary Plan area, and identified on Map B.2.6-1 – Meadowlands Neighbourhood IV – Land Use Plan as Area Specific Policy - Area E, may be developed for Low Density Residential 2b uses once the following conditions have been satisfied:

a) The landowners obtain the approval from the City and the Hamilton Conservation Authority in consultation with the Environmentally Significant Area Impacts Evaluation Group (ESAIEG) of an Environmental Impact Statement which justifies why Area Specific Policy - Area E should no longer be designated as a Core Area and Provincially Significant Wetland; and,

b) The landowners submit a storm water management report, prepared by a qualified engineer, to the satisfaction of the City and Hamilton Conservation Authority which addresses how the storm water facilities located in the Meadowlands Neighbourhood IV will accommodate the proposed future residential development of Area Specific Policy - Area E;

c) Should conditions a) and b) be satisfied, then as a condition of implementing the draft plan of subdivision and rezoning applications on these lands, the Area Specific Policy - Area E designation shall be changed by way of a City initiated amendment to reflect the intended development scenario.
2.7 Meadowlands Neighbourhood V Secondary Plan

The Meadowlands Neighbourhood V Neighbourhood Secondary Plan area comprises ±99 hectares and is generally bounded by Golf Links Road to the north, Meadowlands Boulevard to the west and Tiffany Creek to the east. The southern boundary is located approximately at the mid-point between Golf Links Road and Garner Road. The Meadowlands Neighbourhood V Secondary Plan establishes land uses, basic transportation network, community facilities, infrastructure requirements and development standards to guide the development and/or redevelopment of lands located in the Meadowlands Neighbourhood V Secondary Plan area. Section B.2.7 and Map B.2.7-1 - Meadowlands Neighbourhood V - Land Use Plan constitute the Meadowlands Neighbourhood V Secondary Plan.

2.7.1 Residential Designations

2.7.1.1 The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential types are provided to meet the needs of all area residents.

2.7.1.2 The residential areas are designated Low Density Residential 1, Low Density Residential 2d, Low Density Residential 3c, Medium Density Residential 2, and Medium Density Residential 3 as identified on Map B.2.7-1 - Meadowlands Neighbourhood V - Land Use Plan.

2.7.1.3 Low Density Residential Designations

Notwithstanding Sections E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 1, 2d, and 3c identified on Map B.2.7-1 - Meadowlands Neighbourhood V - Land Use Plan provided that adjacent housing forms and densities are compatible:

a) In the Low Density Residential 1 designation:
   i) the permitted uses shall be single detached dwellings;
   ii) the lot frontages shall be a minimum of 12.2 metres; and,
   iii) the density shall not exceed 20 dwelling units per gross/net residential hectare.

b) In the Low Density Residential 2d designation:
   i) the permitted uses shall be single detached, semi-detached, street townhouses, block townhouses, courtyard townhouse and other innovative ground-oriented attached housing forms;
   ii) the lot frontages shall be a minimum of 9.1 metres; and,
   iii) the density shall not exceed 29 dwelling units per gross/net residential hectare.

c) In the Low Density Residential 3c designation:
   i) the permitted uses shall be street townhouses, block townhouses, courtyard townhouse and other innovative ground-oriented attached housing forms;
ii) the lot frontages shall be a minimum of 9.1 metres; and,

iii) the density shall not exceed 50 dwelling units per gross/net residential hectare.

2.7.1.4 Medium Density Residential Designations

Notwithstanding Sections E.3.5.2 and E.3.5.7 of Volume 1, the following policies shall apply to the lands designated Medium Density Residential 2 and Medium Density Residential 3 identified on Map B.2.7-1 – Meadowlands Neighbourhood V – Land Use Plan:

a) In the Medium Density Residential 2 designation:
   i) the permitted uses shall be block townhouses, stacked townhouses, low-rise apartments and other forms of multiple attached dwellings; and,
   ii) the density shall not exceed 70 units per gross/net residential hectare.

b) In the Medium Density Residential 3 designation:
   i) the permitted uses shall be multiple dwelling forms; and,
   ii) the density shall range from 75 to 100 units per gross/net residential hectare.

2.7.2 Parks and Open Space Designations

2.7.2.1 In addition to Sections B.3.5.3 – Parkland Policies and C.3.3 – Open Space Designations of Volume 1, the following policies shall apply to lands designated Natural Open Space and General Open Space on Map B.2.7-1 – Meadowlands Neighbourhood V – Land Use Plan:

a) The open space system for Meadowlands Neighbourhood V includes the following components shown on Map B.2.7-1 – Meadowlands Neighbourhood V – Land Use Plan:
   i) Neighbourhood Park;
   ii) pedestrian walkways;
   iii) the Tiffany Creek Core Area, the Tiffany Creek Provincially Significant Wetlands (PSW) complex and associated buffers; and,
   iv) New multi-purpose trails shall be established in the linked open space system where deemed appropriate by the City. Every effort shall be made to connect the new trails to existing and planned trails. The trails shall be established through the approval of plans of subdivision and development agreements.

b) Parkland shall be provided to enhance a linked open space system.
2.7.3 Institutional Designation
2.7.3.1 Sections B.3.5 – Community Facilities/Services Policies, E.3.10 – Community Facilities and Services and E.6.0 – Institutional Designation of Volume 1, shall apply to the lands designated Institutional on Map B.2.5-1 – Meadowlands Neighbourhood V – Land Use Plan.

2.7.3.2 Notwithstanding Policy B.2.7.3.1, residential uses in accordance with the Low Density 3c designation shall be permitted on the eastern portion of the lands provided the residential area does not exceed 1.2 hectares.

2.7.4 Utility Designation
2.7.4.1 Section C.3.4 – Utility Designation of Volume 1 shall apply to lands designated Utility on Map B.2.6-1 – Meadowlands Neighbourhood V – Land Use Plan.

2.7.5 Urban Design Policies
2.7.5.1 In addition to Section B.3.3 – Urban Design Policies of Volume 1, the following policies shall apply:

   a) Wherever possible, existing trees, significant vegetation and distinctive site views shall be protected and preserved through sensitive subdivision design.

   b) Aesthetically pleasing streetscapes shall be encouraged through careful design and landscaping.

   c) Building and site design, setbacks, landscaping, screening and buffering techniques shall be applied to minimize potential conflicts between new and existing uses.

2.7.6 Area and Site Specific Policies
Site Specific Policy - Area A
2.7.6.1 In addition to the permitted uses set out in Policy B.2.7.1.3 b), a day nursery with a maximum designed capacity of 75 children shall be permitted at No. 900 Golf Links Road, and identified as Site Specific Policy - Area A on Map B.2.7-1 – Meadowlands Neighbourhood V Neighbourhood – Land Use Plan.

Site Specific Policy - Area B
2.7.6.2 In addition to the permitted uses set out in Policy B.2.7.1.2 b), a general business/professional offices shall be permitted in the existing building at No. 894 Golf Links Road, and identified as Site Specific Policy - Area B on Map B.2.7-1 – Meadowlands Neighbourhood V - Land Use Plan.

Site Specific Policy – Area C
2.7.6.3 Individual, separate access onto Stonehenge Drive is not permitted to/from the lands designated Low Density Residential 2d identified as Site Specific Policy – Area C on Map B.2.7-1 – Meadowlands Neighbourhood V – Land Use Plan.

Site Specific Policy – Area D
2.7.6.4 A 24 unit, 3 storey apartment building shall be permitted at 866 Golf Links Road on lands designated Medium Density Residential 3 and identified as Site Specific
Policy – Area D on Map B.2.7-1 – Meadowlands Neighbourhood V - Land Use Plan.
SECONDARY PLANS

Dundas

URBAN HAMILTON OFFICIAL PLAN
B.3.0 DUNDAS SECONDARY PLANS

There are no secondary plans for the former municipality of Dundas.
B.4 FLAMBOROUGH SECONDARY PLANS

B.4.1 West Waterdown Secondary Plan

The West Waterdown Secondary Plan is bounded by Parkside Drive to the north, Highway No. 5 to the south, Hamilton Street to the east, Borer’s Creek and the Utility Pipeline to the west and is located in Waterdown.

The West Waterdown Secondary Plan establishes land uses and development standards to guide the development and/or redevelopment of lands located in the West Waterdown Secondary Plan area. Section B.4.1 and Map B.4.1-1 - West Waterdown - Land Use Plan constitute the West Waterdown Secondary Plan.

4.1.1 Residential Designations

The residential policies define the location and scale of each type of residential use and shall ensure that a variety of housing types are provided to meet the requirements of residents of City and provincial policy by providing a range of dwelling types.

4.1.2 The residential areas are designated Low Density Residential 2e and Low Density Residential 3c on Map B.4.1-1 - West Waterdown – Land Use Plan.

4.1.3 Low Density Residential Designations

In addition to Section E.3.4 – Low Density Residential of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2e and Low Density Residential 3c on Map B.4.1-1 - West Waterdown - Land Use Plan:

a) Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2e on Map B.4.1-1 - West Waterdown - Land Use Plan:

i) The permitted uses shall be single detached dwellings, duplex, semi-detached and link dwellings.

ii) The maximum density shall be 26 units per net residential hectare.

b) Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 3c on Map B.4.1-1 - West Waterdown - Land Use Plan:

i) The permitted uses shall be townhouse dwellings and apartment dwellings.

ii) The maximum building height shall be three storeys.

iii) The density range shall be from 27 to 49 units per net residential hectare.

iv) Development shall be located in close proximity to parks and recreational facilities, institutional uses and near major intersections, on Local or Regional arterial roads and/or on Highway No. 5.
4.1.4 Mixed Use - Medium Density Designation

It is the intent of this Secondary Plan that the day-to-day shopping needs of the residents of this community shall be served by the existing and any proposed commercial facilities along Hamilton Street and Dundas Street.

4.1.4.1 In addition to Section E.4.6 - Mixed Use - Medium Density Designation of Volume 1, the following policies shall apply to the lands designated Mixed Use - Medium Density on Map B.4.1-1 - West Waterdown - Land Use Plan:

a) Notwithstanding Policy E.4.6.5 of Volume 1, the permitted uses shall include large retail, office, live/work, and medium density residential uses, including townhouses, duplex, triplex, stacked townhouses, and low rise apartments. Detailed permitted uses, appropriate to each location, shall be established in the implementing Zoning By-law.

b) Commercial development may occur as individual, mall or plaza building structures in single use or mixed use projects.

c) Special consideration shall be given for new development along Highway No. 5 (Dundas Street) and Hamilton Street in terms of providing a contiguous streetscape through consistent setback, signage and landscaping measures.

4.1.5 Parks and Open Space Designations

4.1.5.1 Section B.3.5.3 - Parkland Policies and Section C.3.3 - Open Space Designations of Volume 1 of this Plan shall apply to lands designated Parkette, Neighbourhood Park, General Open Space and Natural Open Space on Map B.4.1-1 - West Waterdown - Land Use Plan.

4.1.5.2 The open space system planned for the West Waterdown Secondary Plan area includes the following:

a) Neighbourhood Park;

b) Parkette;

c) General Open Space; and,

d) Natural Open Space.

4.1.6 Institutional Designation

It is the intent of this Secondary Plan to designate sufficient institutional lands to serve the needs of the Secondary Plan area, as well as most of the needs of the urban area of Waterdown.

4.1.6.1 In addition to Sections B.3.5 - Community Facilities/Services Policies, E.3.10 - Community Facilities/Services and E.6.0 - Institutional Designation of Volume 1, the following policies shall apply to the lands designated Institutional on Map B.4.1-1 - West Waterdown - Land Use Plan:

a) The Institutional designation shall permit both large and small scale uses.

b) The large scale institutional uses are intended to serve the broader urban area. Permitted large scale institutional uses shall include secondary schools,
recreation facilities, cultural and religious facilities, places of worship, day care facilities, government services, administrative facilities, and accessory uses that are necessary and subordinate to the institutional use.

c) The small scale institutional uses are intended to serve the neighbourhood. Permitted small scale institutional uses shall be neighbourhood oriented uses including elementary schools, places of worship, day care facilities, and accessory uses that are necessary and subordinate to the institutional use.

4.1.7 Area and Site Specific Policies

Site Specific Policy – Area A

4.1.7.1 In addition to the uses permitted in Policy B.4.1.6.1, on lands identified as Site Specific Policy - Area A on Map B.4.1-1 – West Waterdown – Land Use Plan, and located at 168 Dundas Street East, office uses shall be permitted within the existing building.
B.4.2 Waterdown North Secondary Plan

The Waterdown North Secondary Plan is bounded by the urban boundary to the north, Parkside Drive on the south, the pipeline easement on the west, lands north of the future east-west road and Centre Road on the east.

The Waterdown North Secondary Plan establishes principles, objectives, land uses, basic transportation network, community facilities, infrastructure requirements, and development standards to guide the development and/or redevelopment of lands located in the Waterdown North Area.


4.2.1 Principles

Development of the Waterdown North Secondary Plan area shall be based on the following principles:

a) Creation of a compact, safe, functional and attractive urban environment.

b) Provision of a mix and range of housing, including housing affordable to a wide spectrum of households through a variety of building types and densities to provide housing choices for families, seniors, single person households and other residents.

c) Creation of an interconnected and permeable transportation system and pattern of public streets and walkways, facilitating direct and safe pedestrian, bicycle and vehicular movement throughout the community and to adjacent communities.

d) Promotion of pedestrian and cycling connections to the existing Waterdown community, where appropriate.

e) Establishment of a mixed use centre serving local and community needs, including higher intensity housing, commercial uses and innovative live-work opportunities at the intersection of Centre Road and the future East-West Transportation Corridor.

f) Recognition of the existing institutional campus and provision for its expansion to serve the Waterdown North area and the broader community.

g) Achievement of residential and employment densities that meet provincial policy requirements and support potential future transit networks.

h) Intensification of existing areas of housing fronting onto Parkside Drive, through the conveyance of the rear portions of lots, where appropriate.

i) Establishment of an integrated park and open space system providing opportunities for passive use of the Borer's Creek Valley, while protecting and preserving significant natural features and functions of the environmental system.
j) Retention and enhancement of natural and cultural heritage features, other landscape elements such as hedgerows, prominent landform features and scenic views.

k) Development of a continuous pathway system throughout the community that incorporates links of varying character and function between natural features and community amenities.

l) Integration of the recommendations of the Waterdown/Aldershot Transportation Master Plan, Master Drainage Plan and Master Servicing Plan studies, including provision for the East-West Transportation Corridor, storm water management systems and a water tower.

m) Ensure that required roadway improvements are completed and infrastructure, including the necessary water, sanitary sewer, storm water management systems, telecommunications and public/private utilities are provided and are in place and operative, as necessary, prior to, or concurrent with the development of the land.

4.2.2 Objectives

The following objectives provide the framework for the planning and development of the Waterdown North Secondary Plan area and shall be achieved through the policies and mechanisms set out in this Secondary Plan and the Official Plan.

4.2.2.1 Residential

a) Create an urban environment that provides for safe, functional and attractive residential neighbourhoods.

b) Provide a wide variety and mix of housing types throughout the neighbourhoods.

c) Promote a more compact urban form, with higher densities located in proximity to arterial roads that may serve as future transit corridors.

d) Encourage the development of live-work dwelling units to provide for the opportunity of smaller scale commercial and business uses in close proximity to residential uses.

4.2.2.2 Commercial and Mixed Use

a) Provide for the development of a commercial centre of approximately 2 to 3 hectares in size that serves local and community needs.

b) Require the provision of appropriate amenities for commercial areas, including parking, signage, landscaping and streetscaping.

c) Provide an attractive image at this northern gateway to the Waterdown urban area.

d) Achieve an appropriate interface with adjacent residential areas.
4.2.2.3 Parks and Open Space
   a) Provide an integrated open space and park system with a clear functional relationship to the overall community.
   b) Promote community health through a system of non-vehicular trail connections through the new community with linkages to surrounding lands.
   c) Provide opportunities for recreation where they do not impact natural heritage features.
   d) Ensure that natural heritage features, including Core Areas, valleylands, floodplains and wetlands are protected and enhanced.
   e) Restrict development from occurring on lands with inherent natural hazards, including floodplains.
   f) Conserve the natural beauty and distinctive character of the Waterdown North landscape.

4.2.2.4 Institutional
   a) Accommodate facilities for public use, including education, health and community uses.
   b) Provide for expansion of the existing institutional uses.
   c) Integrate the institutional uses with the new residential community.

4.2.2.5 Utility Services
   a) Ensure that adequate utility networks are established to serve the anticipated development and that they can be phased in a way that is cost-effective and efficient.
   b) Ensure utilities are provided in a manner that minimizes the impacts on the natural environment.
   c) Ensure public and private utilities are clustered or grouped where possible to minimize visual impact.

4.2.2.6 Cultural Heritage
   a) Identify and protect historically or architecturally significant buildings.
   b) Ensure the appropriate management, conservation, mitigation or preservation of archaeological resources.

4.2.2.7 Urban Design
   a) Ensure the development of an attractive, compact, safe and pedestrian-oriented urban environment.
   b) Promote a high quality of design for public parks, open spaces, streetscapes, and buildings.
   c) Ensure compatibility between areas of different land use or development intensity.
4.2.2.8 Transportation
   a) Provide a safe and efficient means of travel (a balanced transportation network) for all residents.
   b) Provide an interconnected transportation system and pattern of streets, facilitating direct and safe pedestrian, bicycle and vehicular movement throughout the community.
   c) Encourage energy-efficient transportation, such as walking, cycling and transit, to reduce the dependency on the automobile.
   d) Provide transportation infrastructure to support future land uses in the community and its vicinity.

4.2.2.9 Infrastructure
   a) Encourage infrastructure required for any part of this Secondary Plan, to be in place and operative, as necessary, for that part of the Plan, prior to or concurrent with the development of the land.
   b) Ensure infrastructure is provided in a manner that minimizes the impacts on the natural environment.

4.2.2.10 Implementation
   a) Ensure that studies, services, public facilities and infrastructure required to support development of the lands are provided.
   b) Establish an integrated program of planning approvals and resources commitments to implement the provisions of this Secondary Plan.

4.2.3 General Policies
4.2.3.1 The pattern of land use and the schematic transportation network for the Waterdown North Secondary Plan area are identified on Maps B.4.2-1 – Waterdown North – Land Use Plan and Map B.4.2-3 – Waterdown North – Road Classification Plan.

4.2.3.2 Waterdown North Community Structure is identified on Map B.4.2-2 – Waterdown North – Community Structure Plan. The Community Structure Plan demonstrates a conceptual structure and general form of development, including a potential local road network that reflects the intent and objectives of this Secondary Plan. Map B.4.2-2 - Waterdown North - Community Structure Plan shall serve as a general guide to the City in the review of applications for plan of subdivision and/or site plan approval.

4.2.3.3 All development applications within Waterdown North shall be subject to design review to ensure a high quality of development in accordance with this Secondary Plan and the Waterdown North Urban Design Guidelines.

4.2.3.4 The Future East-West Transportation Corridor, identified as an arterial road on Maps B.4.2-3 – Waterdown North – Road Classification Plan, generally represents the northern limit of urban development in the Waterdown North community, with the exception of the two high density residential precincts to the west of...
Borer's Creek. The East-West Transportation Corridor shall be located in accordance with the Waterdown/Aldershot Transportation Master Plan.

4.2.3.5 All development within the Secondary Plan Area shall be planned on a comprehensive basis, consider impacts on natural features and be compatible with adjacent development. The zoning by-law shall incorporate provisions relating to the height, density and design of development based on the provisions of this Secondary Plan and the Waterdown North Urban Design Guidelines.

4.2.4 Residential Designations

The Waterdown North community shall be primarily a residential area that includes a wide range of housing types and demonstrates a mix of housing. The community shall consist of two neighbourhoods: a largely low density neighbourhood to the west of Borer's Creek; and a mixed use neighbourhood, featuring higher intensity residential uses, commercial uses, live/work units and an institutional use campus, to the east of Borer's Creek. While different, these two neighbourhoods are to be integrated through common design treatments, shared community amenities and a connecting pathway system. In addition, two higher density residential areas are to be developed to the north of the Future East-West Transportation Corridor.

4.2.4.1 The residential areas are designated Low Density Residential 2 and 3, Medium Density Residential 3 and 4 and High Density Residential 1, as identified on Map B.4.2-1 - Waterdown North - Land Use Plan. The following policies shall apply to each of these land use designations. Currently, there are no lands designated Medium Density Residential 4.

4.2.4.2 General Residential Policies

In addition to the Section E.3.0 - Neighbourhoods Designation of Volume 1, the following general policies shall apply to all residential land use designations identified on Map B.4.2-1 - Waterdown North - Land Use Plan:

a) Density ranges have been specified for each residential category. These densities shall be achieved for each land holding within the Secondary Plan area through the review of development applications on an application by application basis.

b) A broad range and mix of housing types are promoted between and within residential density categories. The City shall strive to achieve a variety of building types within each density category, such that no portion of the Secondary Plan area is dominated by one housing type. In appropriate locations, the development of live/work housing units, which are principally residential dwellings but also accommodate small scale commercial uses on the ground floor, shall be encouraged.

c) This Plan encourages the preservation of designated and/or listed heritage buildings found within the Waterdown North area through the retention of buildings that have been identified as having cultural, historical and/or architectural significance.

d) Reverse frontage or backlotted lots shall be discouraged on major roads, such as Parkside Drive, Centre Road and the Future East-West Transportation Corridor, as well as adjacent to parks. The City supports alternative
approaches, such as laneway housing and window streets, to promote improved streetscapes and public safety, where possible and appropriate.

e) As part of the submission of any development application, an overall concept plan for the adjoining lands and associated development statistics shall be submitted, to the satisfaction of the City. This concept plan shall detail the major components of the development and demonstrate compliance with this Secondary Plan and general conformity to the Waterdown North Urban Design Guidelines, including provision of a mix of housing types and lot sizes and achievement of density targets.

4.2.4.3 Low Density Residential 2 Designation

In addition to the policies of Section E.3.4 - Low Density Residential of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2 on Map B.4.2-1 - Waterdown North - Land Use Plan:

a) Notwithstanding Policy E.3.4.3 of Volume 1, single detached dwellings, semi-detached dwellings, duplexes and street townhouses shall be permitted.

b) Single detached and semi-detached dwellings shall be the primary form of housing in this designation. Street townhouse dwellings shall be permitted to a maximum of 10% of the housing units in this designation.

c) A mix of lot sizes and housing types shall be required throughout the Low Density Residential 2 designation such that there is not a large concentration of one type of lot size or housing unit in any one area. There shall be a variety of lot sizes and housing types along any given street.

d) Notwithstanding Policy E.3.4.4 of Volume 1, the density of lands designated Low Density Residential 2 shall be in the range of 22 units to a maximum of 30 units per net residential hectare.

e) A limited number of residential dwellings may be permitted to have direct frontage on Parkside Drive provided the lot frontages are adequate to minimize the number of driveways and achieve enhanced landscaping, or where alternative design approaches are implemented that minimize driveway connections to Parkside Drive while making adequate provision for parking and enhanced landscaping.

f) The maximum building height shall be 3 storeys.

4.2.4.4 Low Density Residential 3 Designation

In addition to the policies of Section E.3.4 - Low Density Residential of Volume 1, the following policies shall apply to the lands designated Low Density Residential 3 on Map B.4.2-1 - Waterdown North - Land Use Plan:

a) The Low Density Residential 3 designation shall permit single detached dwellings, semi-detached dwellings, duplexes and street townhouses.

b) Street townhouses shall be the primary form of housing in this designation and shall comprise a minimum of 50% of the housing units in this designation.
c) Notwithstanding Policy E.3.4.4 of Volume 1, the net residential density of lands designated Low Density Residential 3 shall be in the range of greater than 30 units to a maximum of 46 units per net residential hectare.

d) The maximum building height shall be 3 storeys.

e) Live-work housing units may be permitted in accordance with Section B.4.2.4.8 - Mixed Use - Medium Density Designation; however, an amendment to the Low Density Residential 3 designation shall be required.

4.2.4.5 Medium Density Residential 3 Designation

In addition to the policies of Section E.3.5 - Medium Density Residential of Volume 1, the following policies shall apply to the lands designated Medium Density Residential 3 on Map B.4.2-1 - Waterdown North - Land Use Plan:

a) The Medium Density Residential 3 Designation shall permit a range of multiple dwellings such as all forms of townhouses, apartments and other forms of multiple dwellings. Housing for seniors, including retirement apartments shall also be permitted. The maximum building height shall be 6 storeys.

b) Notwithstanding Policy E.3.5.7 - Medium Density Residential Designation of Volume 1, the density for all lands designated Medium Density Residential 3 shall be greater than 46 units to a maximum of 70 units per gross residential hectare. This density shall be achieved through the provision of a mix of housing types within the designation.

c) Notwithstanding Policy B.4.2.4.5 b) and Policy E.3.5.7 of Volume 1, individual sites may be developed to a maximum net residential density of 125 units per hectare, provided that the overall density of the lands within the designation does not exceed 70 units per gross residential hectare.

d) The City shall consider the provision of additional live-work housing units elsewhere in the Low Density Residential 3 designation, subject to provision of an acceptable site plan and building elevations illustrating the nature and function of the development and demonstrating compatibility with adjacent development and adequate provision for on-street parking. An amendment to the Low Density Residential 3 designation shall be required.

4.2.4.6 Medium Density Residential 4 Designation

In addition to the policies of Section E.3.5 - Medium Density Residential of Volume 1, the following policies shall apply to lands designated Medium Density Residential 4 on Map B.4.2-1 - Waterdown North - Land Use Plan.

Currently, there are no lands designated Medium Density Residential 4:

a) The Medium Density Residential 4 designation shall permit a range of multiple dwellings such as all forms of townhouses, apartments and other forms of multiple dwellings. Housing for seniors, including retirement apartments shall also be permitted.

b) The maximum building height shall be 10 storeys.
c) Notwithstanding Policy E.3.5.7 of Volume 1, the density for all lands designated Medium Density Residential 4 shall be greater than 70 units to a maximum of 100 units per gross residential hectare. This density shall be achieved through the provision of a mix of housing types within the designation.

d) Notwithstanding Policy B.4.2.4.6c) and Policy E.3.5.7 of Volume 1, individual sites may be developed to a maximum net residential density of 150 units per hectare, provided the overall density of the lands within the designation does not exceed 100 units per gross residential hectare.

4.2.4.7 High Density Residential 1 Designation

In addition to the policies of Section E.3.6 - High Density Residential of Volume 1, the following policies shall apply to the lands designated High Density Residential 1 on Map B.4.2-1 - Waterdown North Land Use Plan:

a) The High Density Residential 1 designation shall permit multiple dwellings such as all forms of townhouses, apartments and other forms of multiple dwellings. Housing for seniors, including retirement apartments shall also be permitted.

b) The maximum building height for apartments shall be 15 storeys.

c) Notwithstanding Policy E.3.6.6 of Volume 1, the density for all lands designated High Density Residential 1 shall be greater than 100 units to a maximum of 125 units per gross residential hectare.

d) Individual sites may be developed to a maximum net residential density of 175 units per hectare, provided that the gross residential density is achieved.

e) A range of building types shall be encouraged on lands designated High Density Residential 1. In particular, lower-rise multiple housing forms shall be encouraged along the frontage of the Future East-West Transportation Corridor to enhance the streetscape and provide an appropriate transition to the lower density housing to the south.

f) Access to the High Density Residential 1 lands should align with public road intersections to the south of the Future East-West Transportation Corridor.

g) Parking for vertically attached housing forms shall generally be located below grade or within buildings. Limited surface parking areas may be permitted provided that they are screened from the arterial road.

h) Consideration shall be made in the design of buildings in the High Density Residential 1 designation for the function and aesthetics of a future trail on the pipeline easement.

4.2.4.8 Mixed Use - Medium Density Designation

In addition to the policies of Section E.4.6 - Mixed Use - Medium Density Designation of Volume 1, the following policies shall apply to the lands designated Mixed Use - Medium Density on Map B.4.2-1 - Waterdown North Land Use Plan:
a) The intent of the Mixed Use - Medium Density designation is to promote the development of live-work housing. Single detached, semi detached, duplex, street townhouses and stacked townhouses residential forms with grade-related commercial uses, as permitted in Policy B.4.2.4.8 b), shall be permitted.

b) Notwithstanding Policy E.4.6.5 of Volume 1, permitted commercial uses in the Mixed Use - Medium Density designation include retail, personal services, and offices.

c) The maximum building height shall be four storeys.

d) Live-work housing units shall be developed on the collector road in the vicinity of the intersection with Centre Road, as identified on Map B.4.2-1 - Waterdown North - Land Use Plan.

e) Live-work housing located on the north side of the collector road, adjacent to the District Commercial designation, shall have commercial uses at grade.

f) Alternative road and sidewalk standards and reduced building setbacks shall be encouraged in areas of live-work housing, as identified in the Waterdown North Urban Design Guidelines.

4.2.5 District Commercial Designation

The District Commercial designation is intended to provide for the shopping needs of Waterdown North residents and the broader community. The location of the District Commercial designation shall benefit from traffic on Centre Road and the Future East-West Transportation Corridor, and serves a gateway function at the north end of the Waterdown Urban Area.

4.2.5.1 In addition to the policies of Section E.4.7 - District Commercial Designation of Volume 1, the following general policies shall apply to lands designated District Commercial on Map B.4.2-1 - Waterdown North - Land Use Plan:

a) The maximum building heights shall be four storeys.

b) Residential uses and institutional uses shall be permitted in conjunction with commercial uses in the form of mixed use buildings with only commercial uses on the ground floor.

c) A high quality of design, streetscaping and landscaping shall be required for commercial development. Site plan control, compliance with design guidelines, and other tools shall be used to ensure appropriate design of all commercial development.

d) Commercial buildings shall be sited in close proximity to public streets to provide definition to the street edge and screen large areas of parking from the boundary roads.

e) A Gateway feature, which may consist of special building treatment, landscaping and/or public art, shall be provided at the intersection of Centre Road and the Future East-West Transportation Corridor, as identified on Map B.4.2-2 - Waterdown North - Community Structure Plan. The nature
of the Gateway feature is to be determined in association with the City and in accordance with the Waterdown North Urban Design Guidelines.

4.2.6 Open Space and Parks Designations

Natural Open Space and Neighbourhood Parks form the core of a system of interconnected greenlands within Waterdown North and linking with the broader area. While the two land use designations, identified on Map B.4.2-1 - Waterdown North - Land Use Plan, are complementary, they perform different key functions.

The Natural Open Space designation includes natural areas of environmental significance that are to be preserved and protected. In Waterdown North, Natural Open Space areas consist of Borer's Creek and associated valleylands, floodplain and wetlands. Where appropriate, passive recreation uses such as walking or cycling trails are permitted in this designation.

Neighbourhood Parks provide for physical and visual connections to Natural Open Space areas. Two Neighbourhood Parks are designated in the Secondary Plan Area and shall include functions servicing the immediate neighbourhood. A City-wide park shall not be developed in Waterdown North.

4.2.6.1 In addition to Sections B.3.5.3 - Parkland Policies and C.3.3 - Open Space Designations of Volume 1, the following policies shall apply to the lands designated Neighbourhood Park, Parkette, Natural Open Space and General Open Space on Map B.4.2-1 - Waterdown North - Land Use Plan:

a) The open space and parks system within the Waterdown North community includes:

i) the tributaries of Borer's Creek and the associated natural heritage features and buffers;

ii) Neighbourhood Parks in both the east and west neighbourhoods;

iii) recreational use and landscaped areas in the institutional use campus;

iv) a Parkette;

v) landscaped pedestrian linkages through the central portion of the community along the east-west collector roads; and,

vi) small open space areas that are intended to provide a visual connection and access to the open space areas along Borer's Creek.

b) Natural features that are not specifically designated on Map B.4.2-1 - Waterdown North - Land Use Plan, such as hedgerows, shall be protected and incorporated into the open space system and public and private development projects, wherever possible. The relocation of native plant materials from development areas to parks and other open space areas shall be encouraged, subject to approval by the City.

c) Neighbourhood Parks shall be visible and accessible to the public. Unobstructed views and access to major components of the open space and parks system shall be provided. Continuous road frontage adjacent to such facilities shall be encouraged.
d) All lands designated Neighbourhood Park shall be secured by the City, or other public agency, in accordance with the policies of Volume 1 and the City’s Parkland Dedication By-law.

e) Lands conveyed to the City as Neighbourhood Parks shall be graded, landscaped, restored and/or enhanced as required by the City and, where relevant, in accordance with an Environmental Impact Statement approved by the City.

f) Appropriate planting shall be encouraged along public rights-of-way, including road corridors and the pipeline easement, both to create ecological linkages and for visual amenity. The east-west collectors, identified as the Community Spine on Map B.4.2-2 – Waterdown North Community Structure Plan, shall be designed to provide an east-west landscaped pedestrian linkage connecting the two neighbourhoods; Borer’s Creek, the institutional use campus, the parks, the commercial area and Main Street. Enhanced design standards, as outlined in the Waterdown North Urban Design Guidelines, including roadway design and landscaping, shall be employed to create a safe and pedestrian friendly environment.

g) All new planting on public lands in Waterdown North should be in the form of native plant species.

h) The City supports the creation of an interconnected trail system using the Borer’s Creek Valley and the pipeline corridor as a pedestrian and cycling link between Waterdown North and other areas, including the Parkside Drive Woodlot, Joe Sam’s Park and the Bruce Trail.

i) Trail connection shall be provided across the Borer’s Creek in the vicinity of the existing dam to provide a pedestrian link between the east and west neighbourhoods. The location and characteristics of this trail connection shall be determined through an Environmental Assessment completed by the City.

j) Trails within the Natural Open Space designation shall be designed and constructed in a manner that protects the integrity of these areas and maintains and protects the natural heritage features and their functions.

k) Environmental buffers shall be included within the Natural Open Space designation. The width of the buffer shall be determined through the preparation of an EIS for development on adjacent lands. The purpose of an environmental buffer is to protect the ecological function and integrity of significant natural features and to provide the opportunity for enhancement and restoration. Lands in the environmental buffer shall be preserved in their natural, undisturbed condition, or in cases where the indigenous vegetation has been removed, shall be landscaped through appropriate planting. Measures shall be required to protect the buffer during construction. A public pathway is permitted in the buffer.

l) The Zoning By-law may provide that lands within the environmental buffer may be included in the land area of abutting development lands for purposes of calculating density, notwithstanding that the lands within the buffer shall be conveyed to the City.
m) The City shall compensate landowners from the parkland reserve for any over-dedication of parkland, at fair market value.

n) Utility corridors and storm water management facilities, while not part of the Open Space and Parks system, may be used to link Natural Open Space and provide visual amenity.

### 4.2.7 Institutional Designation

The Institutional designation, as identified on Map B.4.2-1 - Waterdown North - Land Use Plan, recognizes an existing institutional use campus in Waterdown North, comprised of the Allen A. Greenleaf Public Elementary School, Waterdown Public High School and the YMCA, and provides for the expansion of the high school. These institutions provide for the needs of citizens of the community and surrounding areas. These uses shall be provided in a manner which ensures the needs of local residents are met, and that development is compatible with adjacent land uses.

#### 4.2.7.1 In addition to Section E.3.10 - Community Facilities/Services Policies and Section E.6.0 - Institutional Designation, the following general policies apply to lands within the Institutional designation identified on Map B.4.2-1 - Waterdown North - Land Use Plan:

a) The expansion of Waterdown Public High School shall be undertaken in a manner that is sensitive to adjacent residential areas in regards to the siting of buildings and the locations of off-street parking and loading areas.

b) Adequate provision shall be made for vehicular and/or pedestrian access to Institutional areas in order to effectively integrate the institutional uses with the surrounding residential community. Provision shall be made for appropriate pedestrian linkages to facilities in the Institutional designation, to the satisfaction of the City.

c) No expansion to institutional facilities shall be permitted unless the City is satisfied that adequate servicing capacity is available to accommodate the expansion.

d) Should lands identified for the expansion of the high school not be required for school use, these lands may be used for Low Density Residential 2 purposes in accordance with Sections B.4.2.4.2 and B.4.2.4.3.

### 4.2.8 Utility Designation

In addition to Section C.3.4 - Utility Designation of Volume 1, the following policies shall apply to the lands designated Utility on Map B.4.2-1 - Waterdown North - Land Use Plan:

a) Until such time as the location of specific storm water management facilities has been determined, these facilities shall be represented by symbols on Map B.4.2-1 - Waterdown North - Land Use Plan. Once the final locations of these facilities have been determined, the facilities shall be designated Utility on Map B.4.2-1 - Waterdown North - Land Use Plan.

b) No development may proceed in Waterdown North until adequate arrangements have been made for the provision of public and private utilities, to the satisfaction of the City.
c) Public and private utility services shall be:
   i) installed within public road allowances, other City owned land or within appropriate easements;
   ii) encouraged, wherever possible, to coordinate and locate within a common trench to avoid unnecessary over-digging and disruption of municipal rights-of-way;
   iii) clustered or grouped where possible to minimize visual impact; and
   iv) encouraged to consider innovative methods of containing utility services on or within streetscape features such as gateways, lamp posts, transit shelters, etc.

d) Prior to approval of development applications, all interested utilities and telecommunication providers shall confirm that service can be provided to support the proposed development, and determine appropriate locations for large telecommunication equipment and utility cluster sites. Prior to development proceeding, proponents of development are to coordinate with the utility providers to ensure the provision of necessary utility services, in a manner that is consistent with the policies of this Plan.

e) All dwelling units shall be set back a minimum distance of 20 metres from the pipeline within the Sun-Canadian Pipeline Company Limited easement on the western perimeter of the Secondary Plan area, which is designated Utilities on Map B.4.2-1 - Waterdown North - Land Use Plan.

f) Proposed planting on the pipeline easement in accordance with Policy B.4.2.6.1f shall be subject to the approval of the Sun Canadian Pipeline Company Limited.

4.2.9 Urban Design Policies

The principles of urban design influence the physical design and layout of a community. It is an important planning tool used to help achieve a recognizable image of a community, enhance the quality of life, and promote a greater economic vitality through the more efficient use of resources. Good urban design, both in the public and private realm, is required in the Waterdown North community.

4.2.9.1 Notwithstanding Section B.3.3 - Urban Design Policies of Volume 1, development in Waterdown North shall occur in accordance with the Waterdown North Urban Design Guidelines.

4.2.9.2 A high quality of neighbourhood development shall be achieved in Waterdown North by:

a) developing a strong community image and character, which may be articulated in the design of built form, natural features, architecture, streetscape design details, gateways, open space and multi-modal systems and road patterns;
b) incorporating important existing features and conditions. These features may include natural areas such as woodlots, valley lands, ponds, creeks and streams, heritage features or important views and vistas;

c) enhancing the visual experience of residents, motorists and pedestrians. This objective may be achieved through the strategic alignment of road rights-of-way, the layout of circulation and open space systems and the siting of major features, public uses and built form; and,

d) implementing the Waterdown North Urban Design Guidelines.

4.2.9.3 Development shall be based on an interconnected system of public and private streets and pedestrian routes that facilitate continuous and direct movement throughout the Secondary Plan area. The road system shall generally reflect a grid pattern to facilitate pedestrian, cycling and vehicular circulation.

4.2.9.4 Streets and buildings shall be designed and developed to ensure attractive streetscapes, and to promote social interaction, transit usage, and safety. Enhanced building elevations shall be required for flankage lots.

4.2.9.5 Streetscape components shall consist of street trees, lighting, street furniture, signage, built form and landscape features. The design of these streetscape elements shall be coordinated in order to:

a) communicate the image and character of the Waterdown North Area;

b) reinforce the street network;

c) promote an urban relationship between built form and public spaces;

d) achieve a pedestrian-scaled environment for the public domain that is safe and comfortable; and,

e) de-emphasize the importance of the garage/car on the streetscape.

4.2.9.6 Roofscapes shall be designed to provide visual interest for the public streetscape.

4.2.9.7 The layout of streets, configuration of lots and the siting of buildings shall ensure that:

a) there is no reverse lotting or backlotting adjacent to streets unless otherwise approved by the City;

b) visibility to parks, open space, community facilities, and significant views, shall be encouraged through continuous street frontages, whenever possible;

c) streets and open spaces have an appropriate degree of continuity and enclosure, and opportunities are provided for the creation of views both within the community and to adjacent natural heritage and rural areas; and,
d) development surrounding or facing parks and open spaces shall have a high level of building, streetscape and landscape design, and shall generally be oriented towards the public spaces.

4.2.9.8 Gateway intersections shall be designed as integral components of the arterial streets. At these locations, the sense of entrance, arrival and movement shall be reinforced and achieved through the surrounding built form and site planning.

4.2.9.9 Community image and identity shall be conveyed through the detailed design of the built form and entrance features. The design shall include orienting the primary building to face the intersection/corner, and the use of special architectural elements and landscape features.

4.2.9.10 Service and parking facilities shall be integrated into the design of buildings to minimize disruption to the safety and promote attractiveness of the adjacent public realm.

4.2.9.11 The safety and security for all persons in public places including streets, parks and amenity areas shall be promoted through the design and siting of buildings, entrances, walkways, amenity and parking areas to provide visibility and opportunities for informal surveillance.

4.2.9.12 Development shall reinforce the importance of public and institutional buildings in the community and enhance their role through design, location and orientation.

4.2.9.13 Development shall be compatible with adjacent open space areas and surrounding development in the Waterdown community.

4.2.9.14 Street trees shall be planted and replaced along arterial and residential streets in the community. Trees shall be planted to improve the appearance of the streetscapes and replace trees lost due to development.

4.2.9.15 The City shall work with the utility agencies (public and private) to encourage and determine appropriate design, location and provision of services within the public realm. Above ground utilities shall be visually screened by the use of attractive utility box designs, street furniture, light standards and other streetscape elements.

4.2.9.16 The placement of public art at appropriate public and private development sites shall be encouraged to enhance the overall quality of Waterdown North by creating local landmarks and heightening the neighbourhood image and identity.

4.2.9.17 Loading areas shall be designed to:

a) minimize the visual, noise, and air impact on the surrounding environment. In commercial development, the service and loading areas shall be located away from residential uses and arterial roads; and,

b) be accessible but not highly visible.

4.2.9.18 Parking areas shall be organized into small units separated by landscaping and pedestrian facilities to provide safe, attractive pedestrian environments and visual enhancement.
4.2.9.19 Convenient surface parking shall be provided for commercial areas without affecting the character of major streetscapes. Parking areas shall be located at the rear or side of the blocks whenever possible and connected to the streetscape through pedestrian links.

4.2.9.20 The City shall take a leading role in proactively promoting superior development design including the creation of a high quality public realm.

4.2.9.21 The City shall use a variety of tools in accordance with the policies of Section B.4.2.13 - Implementation and the Planning Act, to help provide principles and guidance towards promoting Waterdown North as a "high quality neighbourhood". These include:

a) Waterdown North Urban Design Guidelines;

b) architectural control;

c) subdivision approval;

d) zoning and design standards; and,

e) site plan control.

4.2.9.22 Prior to draft approval of a plan of subdivision or site plan approval, an urban design brief shall be submitted to demonstrate compliance with the urban design policies of this Plan and the Waterdown North Urban Design Guidelines. The urban design brief shall include text, plans, details and/or elevations, as necessary, to demonstrate how the intent of the Secondary Plan policies and the Waterdown North Urban Design Guidelines have been met.

4.2.10 Cultural Heritage Resources Policies

There are several residences in Waterdown North of potential heritage significance. These residences are to be assessed for their merit for retention and incorporation into the new community. In addition, the potential for resources of archaeological significance needs to be evaluated prior to development activity occurring within the community.

4.2.10.1 Three properties in Waterdown North have been identified by the City as having historical or architectural merit: 111 Parkside Drive; 157 Parkside Drive (residence demolished); and 619 Centre Road (residence demolished). Prior to approval of development applications, these properties shall be reviewed by the City and a determination shall be made as to whether the properties are to be designated under the Ontario Heritage Act or listed in the City's Inventory of Buildings of Architectural and/or Historical Interest. It is the intent of the Secondary Plan to encourage the retention and conservation of buildings of architectural or historical merit on their original sites and to promote the integration of these resources into new development proposals in their original use or an appropriate adaptive reuse.

4.2.10.2 Prior to the construction of infrastructure or development approval, an archaeological assessment shall be completed to the satisfaction of the City and the Province. No grading or other disturbance shall take place on any site within Waterdown North prior to the issuance of a letter of clearance from the Province.
4.2.11 Transportation Policies

The transportation system in the Waterdown North community is intended to promote a variety of modes of travel, including roads, transit, cycling and walking for people to live, work, shop and attend school in the area. The pedestrian and bicycle network shall be recognized as a vital component of the overall transportation system. The transportation system reflects the recommendations of the Waterdown/Aldershot Transportation Master Plan for the future East-West Transportation Corridor through Waterdown.

4.2.11.1 In addition to Section C.4.0 - Integrated Transportation Network of Volume 1, the following policies shall apply:

a) The proposed transportation network servicing this Secondary Plan area shall include public roads and lanes, private access roads, pedestrian/bicycle pathways and potential future transit routes. A conceptual road network, including approximate alignment of collector and local roads and lanes, is shown on Map B.4.2-2 - Waterdown North - Community Structure Plan. Alternative local road alignments shall be considered by the City provided that it can be demonstrated the intent and objectives of this Secondary Plan are met in a similar or superior manner. Changes to local roads and lanes shall not require an amendment to this Plan. Lands within the Medium Density Residential 3 and High Density Residential 1 designations shall be developed with an internal road structure as determined appropriate by the City through the review of development applications.

b) The proposed network of key roads, including collector and arterial roads and other roads that help to define the urban structure of Waterdown North, is shown on Map B.4.2-1 - Waterdown North - Land Use Plan. The collector and arterial road system is shown on Map B.4.2-3 - Waterdown North - Road Classification Plan.

c) A grid pattern of streets shall generally be required to provide an interconnected road system for ease of pedestrian, cycling and vehicular circulation.

d) The alignment of the road network shall be detailed within plans of subdivision. The rights-of-way of all streets within and bordering the Secondary Plan area shall be protected and dedicated in accordance with the requirements of the City.

e) The right-of-way width of major collector roads shall generally be 26 metres, subject to confirmation through review of detail design to ensure that all required roadway features can be accommodated.

f) The location and width of the proposed arterial road shall be determined through the completion of the Waterdown/Aldershot Transportation Master Plan.

g) The provision of roundabouts at collector road intersections shall be encouraged. Potential locations for roundabouts have been shown conceptually on Map B.4.2-3 - Waterdown North - Road Classification Plan. The extent and nature of roundabouts shall be confirmed through the review of development applications.
h) Significant transportation network improvements are required prior to the development of much of the Waterdown North community. The City shall restrict the number of housing units that may be developed prior to completion of the required transportation network improvements, in accordance with Policy B.4.2.13.1.

i) The completion of the connection of the east-west collector road to Centre Road shall not be permitted by the City until measures have been put in place to prevent vehicular traffic infiltration onto Main Street, to the satisfaction of the City.

j) Access shall generally not be permitted from individual residential lots to arterial roads, with the exception of a limited number of lots fronting on Parkside Drive in accordance with Section B.4.2.4.3 e). Multiple accesses to development blocks from the arterial roads shall be discouraged. Access to individual properties or buildings abutting arterial roads, particularly in mixed use, medium density and other multiple unit residential development, from rear lanes and/or adjoining local roads shall be strongly encouraged. The nature and location of accesses to the arterial roads shall be confirmed through the review of development applications.

k) Rear access lanes for residential and mixed use dwellings shall be encouraged where the use of these streets shall provide for:
   
i) the realization of higher densities along collector roads and adjacent to parks in built forms compatible with adjacent development;
   
ii) an improved pedestrian realm uninterrupted by driveways; and,
   
iii) continuous on-street parking to serve live-work areas.

l) Rear access lanes shall be designed in accordance with the Waterdown North Urban Design Guidelines and Section B.4.2.9 - Urban Design Policies to achieve objectives of safety, ease of maintenance, and maximizing cost efficiency.

m) On-street parking shall be encouraged at appropriate locations.

n) Sidewalks, on-road cycling lanes and multi-use paths serving pedestrians and bicycles throughout the community shall be required and confirmed through the review of development applications.

o) The pedestrian system shall ensure the safety of pedestrians and shall provide user-friendly facilities and amenities to encourage pedestrian use.

p) Pedestrian safety and ease of access for children in and around institutional areas shall be considered by the City in the review of subdivision and site plan applications.

q) A comprehensive transit review by the City shall be undertaken for Waterdown to address transit routing and the integration of transit with other modes of transportation.

r) To encourage future use of public transit within the community, the following guidelines shall be considered at the subdivision and/or site plan approval
stage where potential transit stop locations have been identified by the City:

i) local road patterns should provide direct pedestrian access to transit stops; and,

ii) using information available from the appropriate transit authorities, applicants shall document walking distances to transit stops as part of the background information accompanying draft plan of subdivision submissions.

4.2.12 Infrastructure Policies

Infrastructure, such as sewers, water and storm water systems, shall be provided, maintained and upgraded as necessary to accommodate the needs of existing and future development in Waterdown North and the surrounding community.

4.2.12.1 In addition to Section C.5.0 - Infrastructure of Volume 1, the following policies shall apply:

a) No development may proceed in Waterdown North until adequate arrangements have been made for the provision of infrastructure, including the construction of a water tower, to the satisfaction of the City.

b) The locations of storm water management facilities are identified conceptually on Map B.4.2-1 - Waterdown North - Land Use Plan. The location, sizing, and nature of these facilities are to be determined through a storm water management study prior to approval of draft plans of subdivision and/or site plans. Once the final locations for storm water management facilities have been determined, the facilities shall be designated Utility on Map B.4.2.1 - Waterdown North - Land Use Plan. The design of storm water management systems shall reflect the policies and guidelines of the City and the Conservation Authority. Storm water management facilities shall be designed to complement the natural characteristics of adjacent open space areas and provide visual amenity for surrounding development.

c) Where a storm water management study, prepared to the satisfaction of the City in accordance with Policies B.4.2.12.1 a) and b), confirms that any storm water management facility identified on Map B.4.2-1 - Waterdown North Land Use Plan is not required, demonstrated to the satisfaction of the City, the lands may be developed in accordance with the underlying designation.

4.2.13 Implementation

Development Phasing Policies

4.2.13.1 Significant transportation network improvements are required throughout the Waterdown Aldershot Master Transportation Plan Area prior to the development of much of the Waterdown North community. No development shall proceed in Waterdown North until the following conditions have been completed to the satisfaction of the City:

a) A traffic study has been prepared by the developer demonstrating that excess capacity exists to accommodate the proposed development, or:
b) Where it has been demonstrated that no excess capacity exists, no development shall proceed until such time as the following conditions have been satisfied to the satisfaction of the City:

i) completion of the Waterdown Aldershot Transportation Master Plan;

ii) construction of required transportation upgrades and/or improvements, land dedication, and/or financial contributions as determined by the City, pursuant to the Waterdown Aldershot Transportation Master Plan and the approved Secondary Plan to accommodate the new development proposed; and,

iii) the City may require a Traffic Impact Study to demonstrate that any phasing of the developable land can be accommodated in the overall network for Waterdown / Aldershot.

c) A water tower has been constructed pursuant to the Water/Wastewater Master Plan.

Land Dedication and Acquisition Policies

4.2.13.2 The City may acquire and hold any lands required to implement any feature of this Secondary Plan, in accordance with the Planning Act. Such actions may include the expropriation of lands required to implement the servicing of the community, including the required water tower, or the major road network in the Plan, including the Future East-West Transportation Corridor, where the property owners or the developers group are unable to secure lands for the construction of the required servicing or road infrastructure.

4.2.14 Area and Site Specific Policies

Area Specific Policy – Area A

4.2.14.1 The following policies shall apply to the lands identified as Area Specific Policy – Area A on Map B.4.2-1 – Waterdown North – Land Use Plan:

a) Notwithstanding Policy B.4.2.4.3 b), with regard to street townhouses, street townhouse dwellings shall be permitted to a maximum of 22% of the housing types in this designation; and,

b) Notwithstanding Policy B.4.2.4.3 d), the permitted density range shall be from 22 to 38 units per net residential hectare.

Area Specific Policy – Area B

4.2.14.2 Notwithstanding Policy B.4.2.4.2 d), on lands identified as Area Specific Policy – Area B on Map B.4.2-1 – Waterdown North – Land Use Plan, reverse frontage or backlotted lots shall be permitted adjacent to the Neighbourhood Park.

Area Specific Policy – Area C

4.2.14.3 Notwithstanding Policy E.4.6.10 of Volume 1 and Policy B.4.2.4.8, on lands identified as Area Specific Policy – Area C on Map B.4.2-1 Waterdown North – Land Use Plan, only live-work housing forms shall be permitted.
Legend

Residential Designations
- Low Density Residential 2
- Low Density Residential 3
- Medium Density Residential 3
- High Density Residential 1

Commercial and Mixed Use Designations
- Mixed Use - Medium Density
- Mixed Use - High Density

Parks and Open Space Designations
- Parkette
- Neighbourhood Park
- General Open Space
- Natural Open Space

Other Designations
- Institutional
- Utility
- SWM: Storm Water Management
- WT: Water Tower

Other Features
- Walkways
- Proposed Roads
- Secondary Plan Boundary

Urban Hamilton Official Plan
Waterdown North
Secondary Plan
Land Use Plan
Map B.4.1-1

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B.5.0 GLANBROOK SECONDARY PLANS

5.1 Binbrook Village Secondary Plan

The Binbrook Village Secondary Plan area is bounded by Fletcher Road to the west, the Ontario Hydro easement to the south, a pipeline easement to the north and lands east of Regional Road 56. The Binbrook Village Secondary Plan establishes land uses and development standards to guide the development and/or redevelopment of lands located in the Binbrook Village Secondary Plan Area. Section B.5.1 and Maps B.5.1-1 – Binbrook Village - Land Use Plan and B.5.1-2 – Binbrook Village - Open Space Linkages constitute the Binbrook Village Secondary Plan.

Binbrook shall be developed in a compact urban form to achieve a net overall density of approximately 18 units per hectare to enhance the livability of the community, provide for cost efficiencies, and support environmental sustainability.

5.1.1 Vision

Binbrook shall develop as an integrated and sustainable community with a unique small town identity. The Core of Binbrook Village, the Mixed Use - Medium Density area or Community Core, is a key factor for Binbrook’s unique identity. The Community Core enjoys a high degree of visibility, provides a gateway to the City from areas to the south and east, and is visited by many people during the annual Binbrook Fair. Making the Village Core a destination and community focal point is an important issue of public perception and can be achieved through appropriate scale, form and urban design. Urban design is extremely important in the quality and character for this highly visible area. Residents and visitors should sense they are within a unique area as they move around the Village Core and must know when they are entering or leaving it. The overall design of the Village Core is important in defining Binbrook Village’s small-town character and providing a sense of place.

5.1.2 Policy Goals

The following goals shall apply to development and redevelopment within the Binbrook Village Secondary Plan Area:

5.1.2.1 Comprehensively plan and develop Binbrook Village as an integrated and sustainable community with an identifiable, separate, distinct and unique identity.

5.1.2.2 Take advantage of the special circumstances, location and characteristics of Binbrook Village to provide a unique community within the City of Hamilton.

5.1.2.3 Maintain the small town community character and historical identity of Binbrook Village.

5.1.2.4 Develop Binbrook Village in a manner that is sensitive to and harmonious with the predominately rural character of the surrounding area, with particular sensitivity to the urban/rural edges.

5.1.2.5 Establish the Community Core as the identifiable commercial and service centre of Binbrook Village which serves the needs of Binbrook Village and the surrounding area.
5.1.2.6 Make the Community Core a destination by providing a unifying theme which will identify it as a unique and special area in Binbrook Village and ensuring it develops in a coordinated, well designed and aesthetically pleasing manner.

5.1.2.7 Provide an enhanced and integrated visual experience along Regional Road 56 and Binbrook Road by promoting an attractive, comfortable and safe streetscape and buildings in a well landscaped setting, as well as greater architectural interest in individual buildings.

5.1.2.8 Provide adequate and appropriately located natural, passive and active open space, parks and recreational areas to service the local community with pedestrian and cycling linkages between the open space/recreation areas and surrounding neighbourhoods.

5.1.2.9 Develop Binbrook Village in an environmental sustainable manner, by preserving existing woodlots, maintaining or enhancing surface water quality and quantity characteristics, and employing naturalized forms of storm water management such as dry extended detention wetlands.

5.1.2.10 Preserve significant portions of the existing natural vegetation within Binbrook Village’s woodlots.

5.1.2.11 Develop an open space linkages system through any appropriate designations.

5.1.3 General Policies

5.1.3.1 Binbrook Village shall be developed as an integrated and sustainable community with an identifiable, separate, distinct and unique identity.

5.1.3.2 Development in Binbrook Village shall maintain and respect Binbrook’s historical community identity.

5.1.3.3 Appropriate alternative development standards for all types of development, streets and servicing shall be considered.

5.1.3.4 The City shall encourage a coordinated and cooperative approach to the acquisition, improvement and use of the City’s public open space areas and other semi-public open space areas, such as School Board lands.

5.1.3.5 Design of new greenfield development or development/ redevelopment of large sites shall enable future public transit services to be within reasonable walking distances.

5.1.3.6 The City shall ensure that the design of Binbrook Village will provide for the ability to accommodate future public transportation within the Village through:

   a) community design which minimizes pedestrian street walking distance to future transit service;

   b) design of community focal points which integrates future transit system needs; and,

   c) design of the street system to promote the efficient circulation of future transit vehicles.
5.1.3.7 Development of urban design guidelines is essential to promote a consistent visual theme and character for the entire community. Comprehensive design guidelines should be established and implemented for Binbrook Village overall. The Binbrook Village Core Design Guidelines provide design direction for the Mixed Use - Medium Density designation (Community Core). Design policies are contained in Section B.5.1.10 to provide design guidance for lands designated Residential, Mixed Use - Medium Density, or District Commercial, Parks and Open Space, and for gateways and streetscapes.

5.1.3.8 The land use designations for Binbrook Village are established in Map B.5.1-1 - Binbrook Village - Land Use Plan. The approximate area of land within each land use designation is provided for information purposes only on Appendix B - Land Use Analysis, to this secondary plan.

5.1.4 Residential Designations

5.1.4.1 The following goals shall apply to the Residential designations:

a) Establish residential neighbourhoods which are diverse in population, scaled for the pedestrian, can accommodate cars and transit, and have a well-defined public realm.

b) Create visually unifying neighbourhoods with a clear identity.

c) Create safe, efficient and attractive residential neighbourhoods consisting of a range and mix of housing types and densities.

d) Integrate residential neighbourhoods with parks and schools in order to provide a functional, efficient, practical, safe and visually pleasing living environment.

e) Create an identifiable, functional and usable community focal point for all residential neighbourhoods.

f) Create linkages from residential neighbourhoods to the Mixed Use - Medium Density area and other land uses.

g) Ensure new residential development considers and is sensitive to existing residential uses and other existing and permitted uses in Binbrook Village.

h) Encourage the reuse of existing large residential lots to maximize the efficient use of urban land and services.

General Residential Policies

5.1.4.2 The residential areas are designated Low Density Residential 2d, 2e, 2h and 3e as indicated on Map B.5.1-1 - Binbrook Village - Land Use Plan. The policies which follow are applicable to each of these land use designations.

5.1.4.3 In addition to Section E.3.0 - Neighbourhoods Designation of Volume 1, the following general policies apply to all residential land use designations identified in Map B.5.1-1 - Binbrook Village - Land Use Plan:

a) Residential development in Binbrook Village shall have a compact urban form to enhance the livability of the community, provide for cost efficiencies, and support environmental sustainability.
Each neighbourhood shall contain the following elements:

i) compact and well defined urban form;

ii) a variety and balance of dwelling types;

iii) accessible elementary schools and parks;

iv) community design that encourages walking and socializing; and,

v) a clearly defined public realm (streets, open spaces, etc).

c) A range and mix of housing types shall be permitted, including single detached, semi-detached, duplexes, townhouses, quatroplexes, and apartment (multiple) dwellings, as well as housing with supports.

d) Innovative and varied housing types and designs shall be encouraged.

e) The location and design of new residential areas shall be sensitive to the density and form of existing residential uses. To encourage compatibility, new residential areas shall also be sensitive to the location and nature of existing and future non-residential uses.

f) Residential development shall comply with Policy B.5.1.10.1 - Residential Design Guidelines.

5.1.4.4 The residential areas are designated Low Density Residential 2d, Low Density Residential 2e, Low Density Residential 2h, and Low Density Residential 3e as identified on Map B.5.1-1 - Binbrook Village - Land Use Plan. The following policies shall apply to each respective residential land use designation.

5.1.4.5 Low Density Residential

a) Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2d on Map B.5.1-1 - Binbrook Village - Land Use Plan:

i) The permitted uses shall be single and semi detached dwellings and street, block and stacked townhouses. Innovative forms of attached housing may also be permitted.

ii) The density range shall be from 26 to 40 units per net hectare;

b) Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2e on Map B.5.1-1 - Binbrook Village - Land Use Plan:

i) The permitted uses shall consist primarily of single detached dwellings. Semi-detached dwellings, duplexes and cluster homes may also be permitted.

ii) The density shall not exceed 30 units per net hectare.
c) Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2h on Map B.5.1-1 – Binbrook Village – Land Use Plan:

i) The permitted uses shall consist primarily of multiple dwelling unit types including street, block and stacked townhouse dwellings. Duplexes and triplexes may also be permitted.

ii) The density range shall be from 26 to 40 units per net hectare.

iii) New institutional uses such as churches and day nurseries shall be permitted on lands designated Low Density Residential 2h and adjacent to collector or major or minor arterial roads without an amendment to this Plan.

d) Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 3e on Map B.5.1-1 – Binbrook Village – Land Use Plan:

i) The permitted uses shall be low-rise apartments, stacked townhouse dwellings and quatroplexes.

ii) The density range shall be from 41 to 60 units per net hectare.

iii) In locating new Low Density Residential 3e development, consideration shall be given to the following criteria:

1. Low Density Residential 3e uses shall generally be located on the periphery of the neighbourhood, in areas abutting commercial development, or fronting major or minor arterial or major collector Roads.

2. Some Low Density Residential 3e development in proximity to the Mixed Use – Medium Density area is desirable.

3. Low Density Residential 3e dwelling forms shall be sensitively integrated with and adequately buffered from adjacent land uses.

4. Where Low Density Residential 3e areas are proposed adjacent to Low Density Residential 2e and 2h uses, consideration shall be given to appropriate integration and compatibility of the dwelling forms. Compatibility may be accomplished through attention to architectural massing, height, scale, buffering and landscaping.

5.1.5 Commercial and Mixed Use Designations

The Commercial and Mixed Use designations in Binbrook Village are designated on Map B.5.1-1 – Binbrook Village – Land Use Plan. These designations include commercial uses of a small town main street nature in the Mixed Use - Medium Density designation, which also includes pedestrian predominant streets; commercial uses possessing more land extensive requirements in the District Commercial designation; and Local Commercial uses to service the daily needs of residential neighbourhoods.
Mixed Use - Medium Density Designation

5.1.5.1 In addition to Section E.4.6 - Mixed Use - Medium Density designation of Volume 1, the following policies shall apply to the lands designated Mixed Use - Medium Density on Map B.5.1-1 – Binbrook Village – Land Use Plan, also referred to as the Community Core:

a) The Mixed Use - Medium Density designation, also referred to as the Community Core, shall serve as the commercial, service and cultural centre of Binbrook Village and shall be the main location within Binbrook for Mixed Use development, retail stores, business and service uses, offices and community uses such as the library and post office.

b) The City shall permit and encourage commercial and business development of a size and scale to service the local community and to provide employment opportunities.

c) The City shall encourage existing commercial, business and service uses to remain in the Community Core and grow with Binbrook Village.

d) The City shall encourage the Binbrook Agricultural Society to continue the annual Binbrook Fair on the existing Fairgrounds.

e) The following institutional and community facility/service uses currently exist in the Community Core: the post office, library, Binbrook Memorial Hall, fire station and churches. The City encourages the retention of these existing uses to maintain Binbrook’s historical and community identity and to serve the needs of Binbrook Village and the surrounding rural community.

f) Binbrook Park, identified on Map B.5.1-2 – Binbrook Village – Open Space Linkages has an important role in the retention of the Community Core’s sense of place. Binbrook Park should be retained as an important public open space and enhanced as a meeting place with both passive and active recreational facilities.

g) A Village Square shall be provided at the northeast corner of Regional Road 56 and Binbrook Road.

h) Notwithstanding Policies E.4.6.7 and E.4.6.8 of Volume 1, building heights shall not exceed three storeys.

i) Section E.4.3 – Pedestrian Predominant Streets of Volume 1 shall apply to the lands identified as pedestrian predominant streets on Map B.5.1-1 – Binbrook Village – Land Use Plan.

j) To guide and control development and to ensure that the Community Core develops in a well designed manner with adequate infrastructure and amenities, the City may investigate the designation of these lands as a Community Improvement Project Area.

District Commercial Designation

5.1.5.2 In addition to Section E.4.7 – District Commercial designation of Volume 1, the following policies shall apply to the lands designated District Commercial on Map B.5.1-1 – Binbrook Village – Land Use Plan:
a) The District Commercial designation north of the Mixed Use - Medium Density designation and at the western entrance to Binbrook Village ensures that new District Commercial development does not compromise the viability of commercial development within the Mixed Use - Medium Density designation. District Commercial uses shall include but not be limited to uses with land extensive requirements, such as a larger free standing building with a single user.

b) Building height shall not exceed three storeys.

c) The development of residential uses in combination with commercial uses shall be permitted subject to the following considerations:

   i) amenity space is provided exclusively for the residential component and is functionally separated from public areas associated with the commercial component;

   ii) any adverse audio, visual or pollution effects emanating from the commercial component that may affect the residential component shall be safe-guarded against; and,

   iii) parking and service areas associated with the commercial component are physically and functionally separated from such areas associated with the residential component.

Local Commercial Designation

5.1.5.3 In addition to Section E.3.8 - Local Commercial of Volume 1, the following policies shall apply to the lands designated Local Commercial on Map B.5.1-1 - Binbrook Village - Land Use Plan:

   a) Notwithstanding Policy E.3.8.4 of Volume 1, Local Commercial retail uses shall be restricted to one store of not more than 250 square metres of ground floor area.

   b) Corner Local Commercial retail buildings shall be designed in keeping with the character and setting of the surrounding residential area.

Parks and Open Space Designations

5.1.6.1 In addition to Sections B.3.5.3 - Parkland Policies and C.3.3 - Open Space Designations of Volume 1, the following policies shall apply to lands designated Natural Open Space, General Open Space, Community Park, Neighbourhood Park, and Parkette on Map B.5.1-1 - Binbrook Village - Land Use Plan, to provide a variety of recreational opportunities for the residents of Binbrook Village and to preserve significant existing natural vegetation:

   a) The open space system planned for Binbrook Village includes the following:

      i) Natural Open Space;

      ii) General Open Space;

      iii) Community Park;

      iv) Neighbourhood Park; and,
v) Parkette.

b) Major watercourses identified by the City in consultation with appropriate agencies, shall be maintained within appropriately designed natural channels.

c) To take advantage of the natural features of sites, existing wooded areas, hedgerows and individual trees and drainage features shall be integrated into development in a manner which will enhance the aesthetic qualities and enable the natural features to retain their ecological functions.

d) The preservation of existing significant vegetation other than the significant woodlands, designated Natural Open Space, shall be encouraged by designing future development in a manner that incorporates this vegetation as a natural and aesthetic component of the development and/or as a natural part of the public parkland or storm water management facility.

e) The following policies shall apply to the lands designated Natural Open Space:

i) Lands are designated Natural Open Space on Map B.5.1-1 to recognize two existing significant woodlands. These woodlands perform important ecological and biological functions and provide passive recreational opportunities to the residents of Binbrook Village.

ii) Lands designated Natural Open Space shall be conserved in their existing natural state through protection, management and/or stewardship to maintain their important environmental functions.

iii) Where possible, street systems shall be oriented around, not through, Natural Open Space.

iv) Notwithstanding the intent to preserve both of the existing woodlands, the construction of one public roadway shall be permitted through the eastern end of the woodland on the immediate north side of Binbrook Road. Appropriate precautions shall be taken at the design stage of this road to minimize the impact on the woodland.

v) Fragmentation of these Natural Open Spaces shall be discouraged.

vi) Where possible, a woodland management plan shall be prepared to address trails, walkways, etc. within and through the woodlands.

f) The following policies shall apply to the lands designated Community Park:

i) The Community Park shall serve as a vital focal point and link to the neighbourhoods within Binbrook Village.

ii) An identifiable focal building or structure shall be provided in the Community Park (e.g., gazebo, band shell, fountain, etc.).

g) The following policies shall apply to the lands designated Neighbourhood Park:
i) Where possible, Neighbourhood Parks shall be linked to a natural environmental feature such as a naturalized storm channel/walkway or woodlot to provide a continuous link through the neighbourhood.

5.1.7 Institutional Designation

5.1.7.1 In addition to Sections B.3.5 – Community Facilities/Services Policies and E.3.10 – Community Facilities/Services of Volume 1, the following policies shall apply to the lands designated Institutional on Map B.5.1-1 – Binbrook Village – Land Use Plan, which are intended to be developed as elementary schools:

a) The City shall encourage institutional and community facility/service uses in Binbrook Village, of a size and scale to service the local community and surrounding rural area.

b) All schools shall be located adjacent to Parks where feasible, to provide opportunities to share facilities.

c) Should the relevant school board(s) not require all designated elementary school sites these surplus lands may be used for Low Density Residential 2e and 2h uses, and/or other new institutional uses, without amendment to this Plan provided:

i) the proposed uses are compatible with the surrounding area;

ii) all elementary school board(s) have provided written confirmation to the City that the lands are not required for school purposes; and,

iii) the change is supported by a Council Resolution.

5.1.8 Utility Designation

5.1.8.1 In addition to Section C.3.4 – Utility Designation of Volume 1, the following policies shall apply to the lands designated Utility on Map B.5.1-1 – Binbrook Village – Land Use Plan:

a) Lands designated Utility and identified as Storm Water Management (SWM) shall be used primarily for storm water drainage purposes, but may also be used for compatible open space purposes.

b) Lands required for storm water management facilities shall be dedicated to the City.

c) The use of naturalized forms of storm water management shall be encouraged.

d) Storm water drainage channels shall provide appropriate drainage facilities. Additionally they may be used for a public walkway/trail linkage through the southern half of Binbrook Village. Efforts to link the channels to proposed parkland shall be encouraged.

e) The storm water management drainage Channels identified on Map B.5.1-1 – Binbrook Village – Land Use Plan, shall be a minimum of 19.5 metres wide to maintain a meandering channel design, and to provide sufficient lands to accommodate the water, as well as table land for maintenance purposes and a public walkway along one side of the drainage channel.
5.1.9 **Adjacent Utility Uses**

5.1.9.1 There is an oil pipeline easement in favour of Enbridge Pipelines Inc, and an Ontario Hydro easement abutting the northern and southern boundaries of Binbrook Village, respectively:

a) The City shall ensure the development of Binbrook Village does not interfere with the important function of the major pipeline and hydro easements.

b) The City is encouraged to work in consultation with the utility agencies and the property owners in order to establish pedestrian/bicycle path/trail linkages along these easements and a continuous east-west pedestrian linkage for Binbrook Village.

c) Development within or adjacent to these easements and facilities shall be subject to the approval of the appropriate agency.

d) Grading and drainage of lands within and/or adjacent to these easements shall be designed to ensure there are no adverse impacts on these lands and shall be subject to the approval of the appropriate agency.

5.1.10 **Urban Design Guidelines**

**Residential Design Guidelines**

5.1.10.1 In addition to Section B.3.3 - Urban Design Policies of Volume 1, the following policies shall apply to all Residential designations identified on Map B.5.1-1 - Binbrook Village - Land Use Plan:

a) The overall composition of the neighbourhood and the attractiveness of its streets shall be considered in the design of residential buildings.

b) Direct access to individual dwelling units from major or minor arterial or collector roads should be limited by utilizing alternative development designs such as common driveways and rear laneways.

c) Buildings should have a strong, pedestrian-friendly street presence.

d) Mitigation of the intrusion of garages and car parking shall be encouraged to foster streets as interactive outdoor space for pedestrians.

e) To ensure ease of access for pedestrians and the enjoyment of public streets and other outdoor spaces, quality streetscape design, including paving, planting, fencing, lighting and signage, shall be encouraged.

f) A variety of building types and designs shall be encouraged, and excessive repetition discouraged within each Low Density Residential 2e area to provide an interesting streetscape through compliance with the following criteria:

   i) No identical front elevations may be sited on adjacent lots.

   ii) No more than three houses of the same model may be adjacent, regardless of elevation.

   iii) Identical elevations are allowed to a maximum of 25% repetition in any group of houses.
iv) The builder is required to develop alternative elevations for models that exceed the limits set for repetition.

g) Long and short townhouse blocks shall be mixed to provide rhythm in the streetscape.

h) The massing of long townhouse blocks should be broken down so not to create a single monotonous elevation. Rooflines, colours, chimneys, window bays, changes in material and other elements should be used to achieve this objective.

i) The side façade of a residential building which abuts a street should be given an architectural design treatment to create a street presence.

j) Flat rooflines shall not be permitted, except to enable energy efficient and environmental design in accordance with Section B.3.7 – Energy and Environmental Design.

k) Pairing of driveways shall be encouraged where appropriate.

Mixed Use - Medium Density Designation Design

In addition to the policies of Section B.3.3 – Urban Design Policies of Volume 1, the following policies shall apply to all lands designated Mixed Use – Medium Density on Map B.5.1-1 – Binbrook Village – Land Use Plan:

a) Development shall comply with the Binbrook Village Community Core Urban Design Guidelines to ensure that Community Core area develops as a destination and attractive community focal point with a distinct community identity. Notwithstanding the boundaries of the Community Core in the Binbrook Village Community Core Urban Design Guidelines, the Guidelines shall apply to all lands within the Mixed Use – Medium Density designation. The principles of the Binbrook Village Community Core Urban Design Guidelines include:

   i) greening the core;

   ii) conserving and enhancing the unique character of the core;

   iii) providing a safe and friendly environment for pedestrians; and,

   iv) encouraging Mixed Use commercial development.

b) The Community Core area shall provide an enhanced and interrelated visual experience along Binbrook Road and Regional Road 56 by promoting an attractive streetscape and buildings in a well-landscaped setting, as well as greater architectural detail in individual buildings.

c) Enhanced architectural and functional relationships between buildings, structures, landscaping, parking, pedestrian and vehicular access and public streets shall be promoted.

d) The Community Core area must have a presence in the development of Binbrook Village from the early stages of development.
e) The City shall promote an attractive, comfortable and safe streetscape for both pedestrian and vehicular traffic.

**Mixed Use - Medium Density Designation – Design within the Road Allowances**

5.1.8.3 Design within the road allowances of lands within the Mixed Use - Medium Density designation shall be accessible to surrounding uses and be designed as pedestrian predominant streets in compliance with Section E.4.3 – Pedestrian Predominant Streets of Volume 1, the Binbrook Village Community Core Urban Design Guidelines, and the following additional policies:

a) The streetscape design of the intersection of Regional Road 56 and Binbrook Road is particularly important. Consideration shall be given to providing a landscaped median at the intersection of Regional Road 56 and Binbrook Road to provide a site for plantings.

b) Street furniture should be coordinated to ensure a consistent, unified and attractive streetscape appearance. Street furniture, such as benches, garbage containers, tree grates and guards, bicycle racks, etc. should be thoughtfully placed with regard for pedestrian circulation in and around buildings, vehicular traffic and parking, and loading areas.

c) High quality street light fixtures of a design which complements the street furniture should be provided within the Mixed Use - Medium Density designation.

**District Commercial Design Guidelines**

5.1.8.4 The following design criteria shall apply to development in the District Commercial designation:

a) A complementary relationship shall be established between the Mixed Use - Medium Density designation and the District Commercial designation along Regional Road 56 through appropriate linkages and connecting urban design elements.

b) Strict design guidelines should be applied to emphasize the importance of the District Commercial designation as gateways to Binbrook Village at the north and west entrances.

c) Wherever possible, regard shall be given to the sharing of a limited number of access points, adequate internal traffic circulation, and adequate off-street parking and loading facilities.

d) Buildings shall be encouraged to be located closer to the street line with parking to the rear.

e) Landscaping shall form an integral part of all District Commercial designated development and screening and/or buffering shall be provided between commercial and other adjacent uses.

f) Loading and unloading areas shall be located to the rear of all buildings and screened from view.

g) All high intensity outdoor lighting shall be oriented away from residential areas and streets.
Gateways

5.1.8.5 Gateways, identified on Map B.5.1-1 – Binbrook Village – Land Use Plan, are located at the primary entrances to Binbrook Village and the entrances to the Mixed Use - Medium Density designation. The following policies shall apply to Gateways:

a) Gateways establish the first and often lasting impression of an area for residents and visitors. They indicate entrance into a focal point and indicate transition points from one area to another.

b) Features of gateways may include but not be limited to:
   i) buildings designed as a gateway;
   ii) landscaping elements;
   iii) sculptural elements;
   iv) cultural elements (i.e. clock tower); and/or,
   v) special markers (e.g., welcoming signs, banners, directories, sculptural markers, etc.).

c) A visual identity program for Binbrook Village should be reinforced through the use of common markers in gateway areas. These markers may include maps or directories, welcoming signs and/or banners, or sculptural markers. Some of these elements should also be placed at strategic locations throughout the Mixed Use - Medium Density designation to provide a common theme.

Parks and Open Space Design Guidelines

5.1.8.6 The City shall be encouraged to develop a Master Open Space Plan and Design Guidelines for Parks and Open Space designations in Binbrook Village. This Plan and Guidelines should address overall parkland goals, scenic character, and park designations, design requirements, edge conditions, walking paths and pedestrian routes, parking, seating, lighting, plantings, park architecture, playground standards, park signage, planters, display/flagpoles, and recycle/waste receptacles. The following policies shall apply to lands designated as a park or open space:

a) Parks should be distinctive and express the character of the neighbourhood in which they are located.

b) Opportunities for passive play shall be provided in all parks.

c) Siting of facilities should be efficient and allow ample space for unstructured play.

d) Parking lots for schools adjacent to parks should be shared with park users.

e) Park layout and design should be prepared comprehensively with a view toward maximizing utilization of the site without fencing or barriers between public land ownership boundaries.
f) The design of parks should be supportive of a balanced vision for recreation, urban design, natural systems and community identity.

g) The design of parks shall maintain visibility and accessibility so that they become amenities for all to enjoy.

h) Planting design should explore a variety of layout and arrangement options that structure and characterize parks.

i) Plantings should form distinct outdoor spaces articulating edge conditions of activity areas, circulation and view corridors.

j) Where possible, walking and cycling traffic should be directed to a corner or controlled crossing point.

**Streetscape Design Guidelines**

5.1.8.7 Streetscape is key to a successful public realm. The street plays an important role in the character of any neighbourhood or area. In addition to Section B.3.3 – Urban Design of Volume 1, the following policies apply to the planning and design of roads, including both the road allowance and privately owned lands from building face to building face:

a) Streets in Binbrook Village shall be of quality streetscape design.

b) The design of all streetscape elements shall be coordinated to create unique and attractive places. Streetscape elements include adjacent architecture and open space, roads, sidewalks, planting of trees, fences and utilities.

c) The City should establish a comprehensive streetscape plan for the overall Binbrook Village which includes the following:

   i) the function, design and treatment of street types (i.e., sidewalks and crosswalks, landscaping/boulevard plantings, intersection treatments, on-street parking, signage, lighting and utility wires, etc.);

   ii) a continuous bicycle route system;

   iii) a continuous pedestrian route system, including public sidewalks; and

   iv) barrier free design requirements for persons with disabilities.

d) Existing road classifications are shown on Schedule C – Functional Road Classification – Urban Area of Volume 1.

e) Collector roads, identified on Schedule C – Functional Road Classification – Urban Area of Volume 1, should be designed to accommodate a bicycle lane. Boulevard tree planting, evenly spaced, with medium canopy density should be provided for both sides of the road.

f) Local roads, identified on Map B.5.1-1 – Binbrook Village – Land Use Plan, should be provided with boulevard tree planting, evenly spaced with a heavy canopy density on the side of the road with fronting residences.
g) Major intersections should be pedestrian orientated with special paving features to highlight connecting walkways/bikeways and sidewalks. The design of major intersections should be unique to each intersection.

h) Minor intersections should continue feature landscape treatment through street tree selection with an increased density of boulevard tree planting.

i) Where intersections define a special entry point or gateway feature, angled entry signage with accent planting should be provided.

j) The streetscape appearance of major or minor arterial and collector roads shall be enhanced by encouraging buildings to present their main building façades to these roads and to enhance their treatment to avoid the appearance of blank buildings at service entrances.

5.1.11 Transportation

5.1.11.1 In addition to Section C.4.0 - Integrated Transportation Network of Volume 1, the following general policies shall apply to the transportation network in Binbrook Village to encourage the development of an efficient, practical and safe system of internal roads and other corridors to accommodate the movement of people in private vehicles, public transit, and by active transportation:

a) External access to Binbrook Village shall be from Regional Road 56, Binbrook Road and Fletcher Road. No new access shall be permitted through the rural area of the City adjacent to Binbrook Village.

b) All new roads within Binbrook Village shall be designed and constructed in accordance with Section 0.4.5 - Road Network of Volume 1. The City may consider alternative development standards where, in the opinion of the City, they are appropriate and do not compromise public safety or the efficiency of the transportation network.

c) All lands required for new internal public roads, road widenings for existing public roads and/or day-lighting triangles, shall be dedicated free of charge and free of all encumbrances at the time of development or redevelopment to the satisfaction of the City in accordance with Policy C.4.5.2 - Functional Classification and C.4.5.6 - Road Widening of Volume 1.

d) The costs related to the design and construction of all new public roads and the appropriate upgrading of the adjacent existing public roads required as result of development of Binbrook Village shall be at the expense of the developers. The details regarding these works and costs shall be established in the subdivision agreements and/or development, maintenance and use (site plan) agreements to be approved by the City and executed by the City and the developers.

e) In some areas, and for some development, such as single detached dwellings fronting on collector or arterial roads and street townhouses, access to development serviced by rear lanes may be appropriate and contribute to an improved streetscape and urban character.

f) Notwithstanding Policy C.4.5.7 - Daylighting Triangles of Volume 1, where a collector road intersects a collector road or a local road, a 7 metre by 7 metre day-lighting triangle shall be required.
Local Roads
5.1.11.2 In addition to Section C.4.0 – Integrated Transportation Network of Volume 1, the following policies shall apply to local roads:

a) Local roads shall be designed to discourage through traffic, reduce speed, and promote an attractive streetscape that encourages pedestrian and bicycle use.

b) On-street parking shall be permitted on one side of Local Roads.

Parking
5.1.11.3 In addition to the following policies, the City shall be encouraged to establish overall parking policies for Binbrook Village and specific parking policies for the Mixed Use - Medium Density designation:

a) On-street parking shall be encouraged to be provided on collector and local roads in an appropriate manner.

b) On-street parking shall be encouraged to be provided along both sides of Regional Road 56 and Binbrook Road within the Mixed Use - Medium Density area, where appropriate. The design of on-street parking shall be subject to an overall streetscape design.

c) Notwithstanding Policy C.4.5.15 - Parking and Loading of Volume 1, on street parking should be located on the side of the road that abuts a park, open space, or school.

Sidewalks
5.1.11.4 Sidewalks are places for pedestrian movement, children’s play and neighbours’ socializing. Sidewalks encourage walking as urban transportation, walking to transit and walking for pleasure. Sidewalks improve the livability of a community, enhance safety and are vital to seniors and the disabled. The following policies shall apply to sidewalks in Binbrook:

a) An overall plan should be prepared to identify the location of sidewalks within Binbrook Village.

b) Sidewalks shall be provided along streets that act as regular routes to local amenities such as parks, schools, recreation centres and shopping.

c) Generous sidewalks with a minimum width of 2 metres shall be provided on both sides of Binbrook Road and Regional Road 56 within the Mixed Use - Medium Density area.

Public Transportation
5.1.11.5 The City shall encourage the provision of public transportation facilities to service Binbrook Village at such time as the need and economic feasibility is demonstrated.

Linkages and Trail System
5.1.11.6 The Parks and Open Space system is designed to provide opportunities for non-motorized transportation throughout Binbrook Village. Residents should be able to travel from one open space area to another, as well as connect to
surrounding neighbourhoods and the Mixed Use - Medium Density designation (Community Core) without having to drive a car.

a) The City shall encourage development of a network of open space links and nodes for pedestrian, bicycle and other appropriate non-motorized movement, using features such as parkland areas, woodlots, school yards, utility corridors, storm water management areas and where appropriate, local streets and identified on Map B.5.1-2 - Binbrook Village - Open Space Linkages.

b) The City encourages the development of an open space linkage system along the Hydro and Pipeline easements that form the southern and northern boundaries, respectively, of Binbrook Village, subject to the approval of the individual property owners and utility companies.

c) Walkways or trails shall be provided adjacent to the top of bank demarcation of naturalized storm water drainage channels. Where necessary, appropriate setbacks (e.g., 3 metres) from the top of bank shall be incorporated to ensure stability and maintenance.

d) Maintenance routes in storm water management areas shall be incorporated with the pedestrian and bicycle trail system, wherever possible.

e) The design of this open space linkage system, among other matters, must consider and be sensitive to the adjacent residential and agricultural uses, and comply with the Trails Master Plan.

Mixed Use - Medium Density Designation By-passe

5.1.11.7 To redirect local residential neighbourhood through traffic away from the Mixed Use - Medium Density designation, a Mixed Use - Medium Density designation by-pass road shall be established according to the following policies:

a) The by-pass shall extend west from Regional Road 56 to Binbrook Road, as identified on Map B.5.1-1 - Binbrook Village - Land Use Plan.

b) The by-pass is not intended for through truck traffic.

c) Direct access to the by-pass should be limited. Adjacent development shall be encouraged to use common access driveways or rear lanes in order to minimize direct access to the by-pass.

d) No on-street parking shall be permitted along the by-pass.

5.1.12 Infrastructure

5.1.12.1 Existing development on private services in Binbrook Village is encouraged to connect to municipal services when they become available.

5.1.12.2 From time to time, consideration may be given to subsequent agreements between the City and the private sector with respect to the financing of the expansion of the municipal trunk sanitary sewerage and water facilities required to service the Phase 2 Development Area.
5.1.12.3 Wiring for electrical power distribution, telephones, cable television and other energy distribution systems shall be located underground.

5.1.13 Area or Site Specific Policies

Area Specific Policy - Area A

5.1.13.1 For lands generally located on the east side of Highway 56, north of Binbrook Road, designated Low Density Residential 2d, and identified as Area Specific Policy - Area A on Map B.5.1-1 - Binbrook Village - Land Use Plan, the following policies shall apply:

a) the lands are intended for private and permanent adult lifestyle developments or Low Density Residential 2d development on the following basis:
   i) development and redevelopment shall comply with Policies B.5.1.8.3;
   and,
   ii) proximity of these residential areas to the Mixed Use - Medium Density designation is desirable.

b) The predominant use of lands shall be for residential dwellings. All Low Density 2d dwelling types shall be permitted. Ancillary uses may be permitted as part of an adult lifestyle development provided they serve the needs of the residents and are compatible with the residential uses. These uses may include recreational uses, local commercial uses, storage facilities, long term care facilities, and other types of housing with supports. An accessory administrative and sales office shall also be permitted within an adult lifestyle development.

c) Clustering of residential units within adult lifestyle developments and other innovative site planning which satisfies the policies of this Plan and the implementing Zoning By-law, shall be encouraged to enhance the provision of open space areas.

d) All development shall be subject to site plan control.

Area Specific Policy - Area B

5.1.13.2 For new residential development immediately adjacent to existing development fronting Regional Road 56, and identified as Area Specific Policy - Area B on Map B.5.1-1 - Binbrook Village - Land Use Plan, the following policies shall apply:

a) Policy B.5.1.13.1 shall apply;

b) new residential development shall be restricted to a maximum height of one storey;

c) a buffer strip with a minimum width of nine metres comprised of a continuous strip of landscaping, shall be provided along the westerly boundary;

d) no buildings or structures shall be permitted within the buffer strip identified above;
e) a solid fence shall be provided along the westerly boundary of these lands; and,

f) a minimum rear yard setback of 15 metres from the westerly boundary of these lands shall be required for all new residential dwellings adjacent to existing residential development fronting Regional Road 56.

Area Specific Policy - Area C
5.1.13.3 Notwithstanding the density ranges of Policy B.5.1.4.5 - Low Density Residential, for the lands known municipally known as 3385 Binbrook Road, part of Lot 3, Concession 4, with an area of 33.26 hectares and identified as Area Specific Policy – Area C on Map B.5.1-1 – Binbrook Village – Land Use Plan, the following policies shall apply:

a) The density range of development in the Low Density Residential 2e designation shall be 25 to 31 units per net residential hectare; and,

b) The density range of development in the Low Density Residential 2h designation shall be 31 to 71 units per net residential hectare; and,

c) The density range of development in the Low Density Residential 3e designation shall be 71 to 150 units per net residential hectare.

Site Specific Policy – Area D
5.1.13.4 Notwithstanding Section B.5.1.4.5 d), for the portion of the lands located on the south west corner of Binbrook Road and the second north south collector road east of Fletcher Road with an area of 0.93 hectares, and identified as Site Specific Policy – Area D on Map B.5.1-1 – Binbrook Village – Land Use Plan, the following policies shall apply:

a) ground floor related commercial uses shall be also permitted, in accordance with Policy B.5.1.5.3 – Local Commercial designation, and any other provisions of this Plan.
# BINBROOK VILLAGE SECONDARY PLAN

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5.2 Rymal Road Secondary Plan

The Rymal Road Secondary Plan establishes land uses and development standards to guide the development and/or redevelopment of lands located in the Rymal Road Secondary Plan area. Section B.5.2 and Map B.5.2-1 – Rymal Road – Land Use Plan constitute the Rymal Road Secondary Plan.

The Rymal Road Secondary Plan area comprises ±190 hectares and is bounded by Hydro corridor on to the south, Trinity Church Road to the west, Rymal Road to the north and Swayze Road to the east.

5.2.1 Vision

Development of the Rymal Road Secondary Plan area shall be based on a compact urban form which promotes a sense of community, encourages a mixing of uses, establishes a vibrant neighbourhood setting, encourages pedestrian travel and other alternative modes of movement, creates residential densities which support transit and protects natural heritage features.

5.2.2 Policy Goals

The following goals shall apply to development and redevelopment within the Rymal Road Secondary Plan Area:

a) Encourage a mix of dwelling types and densities, including the opportunity for lifestyle residential development and to encourage ‘aging in place’ where different housing forms accommodate life cycle changes.

b) Encourage the provision of commercial and higher intensity residential uses in corridors along Rymal Road to serve the community and to support public transit.

c) Encourage commercial areas to develop with a range of commercial, service and community uses appropriate to their function and to intensity over time into mixed use areas.

d) Establish a hierarchy of commercial areas which complements the existing and designated commercial areas and commercial hierarchy within the West Mountain (Heritage Green) community and which together serves the needs of the residents within the Rymal Road and West Mountain (Heritage Green) Secondary Plan areas and surrounding areas in an integrated manner.

e) Create a transition of uses and densities along the southern boundary of the Secondary Plan area adjacent to the rural area, and to provide for view corridors from public streets into the rural landscape south of the Rymal Road Secondary Plan area.

f) Ensure land use compatibility between nearby existing and planned industrial uses through the distribution of land uses including transitional uses and distance separations.

g) Provide and encourage ease of pedestrian accessibility between residential neighbourhoods, commercial areas and other land uses.
h) Develop a pedestrian and bicycle network, using features such as Parkland areas, school yards, utility corridors, storm water management areas and where appropriate, local streets.

i) Encourage multi-use institutional and community facilities.

j) Establish a system of open space trails and linkages on the lands within the hydro corridor which form the southern boundary of the Secondary Plan area.

5.2.2 Residential Designations

The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential types are provided to meet the needs of all area residents.

5.2.2.1 The residential areas are designated Low Density Residential 2g, Low Density Residential 2h, Medium Density Residential 2b and Medium Density Residential 2c on Map B.5.2-1 Rymal Road - Land Use Plan. The following policies shall apply to each of these land use designations.

5.2.2.2 General Residential Policies

In addition to Section E.3.0 - Neighbourhoods Designation of Volume 1, the following policies shall apply:

a) Adult lifestyle development shall be permitted within each residential designation, on lands west of Fletcher’s Road, provided it is contained in a housing form permitted by the respective designation and provided:

i) The predominant use of these lands shall be for residential dwellings. Other accessory uses may be permitted including recreational uses, local commercial uses, storage facilities, and administration and sales office(s), which are designed to exclusively serve the needs of the residents of the adult lifestyle community and are compatible with the residential development.

ii) The provision of open space areas within the adult lifestyle developments through the clustering of the residential units shall be encouraged, as well as other innovative site plan designs which satisfy the policies of this Plan and the regulations of the implementing Zoning By-law.

iii) These areas shall be zoned on a site-specific basis in the implementing Zoning By-law. The site specific zoning shall identify specific permitted uses and establish regulations which may include such matters as minimum setback distances; maximum building heights; separation distances between separate and/or blocks of dwelling units; minimum landscaping and buffering requirements; on-site recreational and commercial uses; minimum parking and open space requirements; and other matters deemed necessary by Council.

b) Small scale Institutional uses, such as private schools, churches, day nurseries and other related community and institutional uses, shall be permitted in all residential designations on lots up to 0.4 hectare without an amendment to
this Plan, subject to appropriate Zoning By-law amendments and site plan approvals.

c) The mitigation of the protrusion of garages shall be encouraged to foster streets as interactive outdoor space for pedestrians. The implementing Zoning By-law shall contain provisions restricting the extent of garage protrusions.

d) Direct access to individual dwelling units along major and minor arterial roads shall not be permitted except for infill development or other similar situations where the City has determined that no other alternative access options are available.

e) Direct access to individual street townhouse units along collector roads shall be discouraged and the use of common access or rear lane arrangements will be encouraged.

f) Reverse frontage lotting patterns shall be discouraged and may only be permitted in short reaches or where the owner satisfies the City that no other alternative development form or street patterns are feasible. The use of long reaches of acoustical walls adjacent to arterial roads shall also be discouraged.

g) Ninety per cent of all residential units shall be within approximately a 400 metre walking distance from a public transit stop.

5.2.2.3 Low Density Residential Designations

Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the Low Density Residential designations identified on Map B.5.2-1 - Rymal Road - Land Use Plan:

a) In the Low Density Residential 2g designation:

   i) The permitted uses shall be single detached, semi-detached and duplex dwellings. Street related townhouse dwellings and other low rise multiple dwellings may also be permitted.

   ii) The net residential density for the uses permitted in Policy B.5.2.2.3 a) i) shall be from 14 to 35 units per net residential hectare. The net residential density may be averaged over each plan of subdivision.

   iii) Notwithstanding Policy B.5.2.2.3 a) ii), street related townhouses shall be permitted up to maximum density of 45 units per net residential hectare, provided the units are integrated with other housing forms on the street and do not exceed 15 units in any one cluster.

   iv) Street related townhouses and other low rise multiple dwellings shall be encouraged to locate adjacent to or in the nearby vicinity of the collector roads within the Secondary Plan.

   v) The implementing Zoning By-law shall create the flexibility to encourage a mix of housing forms in the Low Density Residential 2g designation; and,
vi) A variety of housing elevations shall be encouraged within each residential block to provide an interesting streetscape. In this regard, the Zoning By-law may contain standards controlling the repetition of front building elevations.

b) In the Low Density Residential 2h designation:

i) the permitted uses shall be low rise apartments (up to three storeys), single detached dwellings, multiple attached dwelling unit types including street and block townhouse dwellings, and/or other forms of multiple dwellings such as semi-detached, duplexes, triplexes, stacked townhouses and low rise apartment buildings.

ii) Mixing of unit types shall be encouraged, and the implementing Zoning By-law may contain provisions to allow for a mixing of units.

iii) Retirement homes and long term care facilities shall be permitted provided they are contained within a building form permitted in Policy B.5.2.2.3 b) i).

iv) The density range shall be from 24 to 50 units per net residential hectare. The net residential density may be averaged over each plan of subdivision within the designation.

v) Multiple dwellings shall be encouraged to locate adjacent to or in the nearby vicinity of the arterial and collector roads within and adjacent to the Secondary Plan area.

vi) A variety of housing elevations shall be encouraged within each residential block to provide an interesting streetscape. Where town houses are proposed, a mix of long and short townhouse blocks on public and private streets is encouraged to provide variety to the streetscape. The massing of long townhouse blocks can be broken down so that a single monotonous elevation is not created. The Zoning By-law may contain standards controlling this circumstance.

5.2.2.4 Medium Density Residential Designations

Notwithstanding Policies E.3.5.2 and E.3.5.7 of Volume 1, the following policies shall apply to the Medium Density Residential designations identified on Map B.5.2-1 – Rymal Road – Land Use Plan.

a) In the Medium Density Residential 2b designation:

i) The permitted uses shall be comprised predominantly of a variety of low rise (up to four storeys) multiple attached dwelling unit types including street and block townhouse dwellings, and other forms of multiple dwellings such as semi-detached, duplexes, triplexes, stacked townhouses and low rise apartment buildings.

ii) Retirement homes and long term care facilities are also permitted provided they are contained within a building form permitted in Policy B.5.2.2.4 a) i).
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iii) The density range shall be from 35 to 70 units per net residential hectare. The net residential density may be averaged over each plan of subdivision within the designation.

iv) In locating new Medium Density Residential 2b areas, consideration shall be given to the following criteria:

1. Location adjacent to arterial roads and other public transit routes.

2. Where Medium Density Residential 2b uses are proposed to be located adjacent to Low Density Residential uses, consideration shall be given to the appropriate integration of built form, landscaping, and buffering to enhance compatibility.

3. Where townhouses are proposed, a mix of long and short townhouse blocks on public and private streets is encouraged to provide variety to the streetscape. The massing of long townhouse blocks can be broken down so that a single monotonous elevation is not created. The Zoning By-law may contain standards controlling this circumstance.

b) In the Medium Density Residential 2c designation:

i) Permitted uses shall be apartments, townhouses, stacked townhouse dwellings and other forms of multiple attached dwellings as a single form or mixed form development in a mid-rise housing form (up to nine storeys).

ii) Retirement homes and long term care facilities are also permitted provided they are contained within a building form permitted in Policy B.5.2.2.4 b) i);

iii) The minimum density shall be 60 units per net residential hectare. The maximum density shall be set out in the implementing Zoning By-law.

iv) Medium Density Residential 2c areas shall be generally located on the periphery of the residential area or in areas abutting commercial development, major and minor arterial or collector roads.

v) Where Medium Density Residential 2c areas are proposed to be located adjacent to lower density residential uses, consideration shall be given to the appropriate integration of built form to enhance compatibility. Integration may be accomplished through architectural massing, lot setbacks, height, setbacks of upper floors, scale, density, buffering and landscaping.

5.2.3 Commercial and Mixed Use Designations

5.2.3.1 The commercial areas are designated Mixed Use – Medium Density, Local Commercial, and District Commercial, on Map B.5.2-1 – Rymal Road - Land Use Plan. The following policies shall apply to each of these land use designations.

5.2.3.2 Mixed Use – Medium Density Designation
Notwithstanding Policies E.4.6 - Mixed Use - Medium Density Designation of Volume 1, the following policies shall apply to the lands designated Mixed Use - Medium Density on Map B.5.2-1 - Rymal Road - Land Use Plan:

a) Lands designated Mixed Use - Medium Density are intended for commercial development which has land extensive requirements such as a larger free standing buildings with a single user, group of buildings or multiple tenant shopping centres. This designated area is intended to primarily serve the more occasional commercial needs of the surrounding residential areas and shall be 16.4 hectares.

b) Permitted uses shall include a full range of retail, and service commercial, personal and business services, offices and medical centres, entertainment facilities, and restaurants excluding supermarkets. The particular range and size of uses shall be determined through a market impact study. Medium Density Residential 2c uses may also be permitted in a co-ordinated development format.

c) Prior to approval of any implementing Zoning By-law amendment for a Mixed Use - Medium Density site, a market impact study (including consumer surveys) shall be undertaken to demonstrate that the proposed use will not adversely impact the planned function of any existing or designated commercial areas. The market impact study shall identify appropriate uses, timing and minimum floor sizes for individual stores in order to avoid adverse impact on the planned function of any existing or designated commercial areas. The City shall retain an outside peer review consultant at the proponent’s expense to peer review the proponent’s market impact study.

d) The Mixed Use - Medium Density designation shall be developed in a co-ordinated and comprehensive manner. Access points shall be limited and regard shall be given to the sharing of access points, adequate internal traffic circulation, and adequate off-street parking, loading and manoeuvring facilities.

e) Open storage of goods and materials shall not be permitted except in special cases (e.g., garden centre, hardware store), subject to the City’s approval and implementing Zoning By-law regulations.

f) Loading and unloading areas shall be located so as to minimize adverse effects to adjacent residential areas and shall be screened from view.

g) Landscaping shall form an integral part of all developments and screening and/or buffering shall be provided between commercial and other sensitive adjacent land uses.

h) All high intensity outdoor lighting shall be oriented away from residential areas and streets.

5.2.3.3 District Commercial Designation
Notwithstanding Policies E.4.7 - District Commercial Designation of Volume 1, the following policies shall apply to the lands designated District Commercial on Map B.5.2-1 - Rymal Road - Land Use Plan:
a) Lands designated District Commercial are intended to provide the daily and weekly shopping amenities for the surrounding residential areas. These areas shall generally not exceed 4.6 hectares.

b) Permitted uses shall include a range of retail stores including a supermarket (but excluding a department store) as well as service commercial uses, restaurants, and community and institutional uses. Medium-high density residential uses may also be permitted in a co-ordinated development format.

c) A District Commercial designated area shall have a maximum gross leaseable floor area of 11,000 square metres. Prior to approval of any implementing Zoning By-law amendment for a District Commercial site, a market impact study shall be undertaken to demonstrate that the proposed use will not adversely impact the planned function of any existing or designated commercial areas.

d) Policies B.5.2.3.2 d) to h) inclusive shall also apply to the development of District Commercial areas.

5.2.3.4 Local Commercial Designation

Notwithstanding Policies E.3.8 – Local Commercial of Volume 1, the following policies shall apply to the lands designated Local Commercial on Map B.5.2-1 – Rymal Road – Land Use Plan:

a) Lands designated Local Commercial are intended to provide the convenience shopping amenities for the surrounding residents as well as to the pass-by travelling public.

b) Permitted uses shall include a limited range of convenience retail, personal services professional offices and restaurant uses.

c) The maximum gross leaseable floor area of any individual commercial establishment shall be 500 square metres, and the maximum gross leaseable floor area of any group of Local Commercial uses shall be 1,500 square metres.

d) Sections B.5.2.3.2 d) to h) inclusive also apply to the development of Local Commercial designated lands.

5.2.4 Parks and Open Space Designations

5.2.4.1 In addition to Sections B.3.5.3 – Parkland Policies and C.3.3 – Open Space Designations of Volume 1, the following policies shall apply:

a) Parks are encouraged to be located to and in conjunction with public school sites.

b) Notwithstanding Policy B.3.5.3.4 of Volume 1, Neighbourhood Parks are intended to be square or rectangular in shape, have a significant street frontage and be a minimum of approximately 1 hectare in size. However, to provide flexibility in design at draft plan of subdivision, the specific location, size and shape of the Neighbourhood Parks may vary subject to the approval of the City. Any major size or shape change or relocation of a Neighbourhood Park will require an amendment to this Plan.
c) A pedestrian and bicycle trail network shall be established to link parks with adjacent residential areas. The pedestrian and bicycle trail network shall also link with Collector Roads extending north of Rymal Road so as to provide the opportunity to link with the proposed trail network in the West Mountain Area (Heritage Green) Secondary Plan area. It is intended that the network will use public streets, sidewalks and public open space lands. The network shall be identified through the Streetscape Manual in B.5.2.8 and more specifically delineated during the processing of subsequent plans of subdivision.

d) In co-operation with the respective utility companies, the City shall establish a pedestrian and bicycle trail network along the Hydro corridor that forms the southern boundary of the Rymal Road Secondary Plan area.

5.2.5 Institutional Designation

5.2.5.1 In addition to Sections B.3.5 – Community Facilities/Services Policies, E.3.10 – Community Facilities and Services and E.6.0 – Institutional Designation of Volume 1, the following policies shall apply to the lands designated Institutional on Map B.5.2-1 – Rymal Road - Land Use Plan:

a) Certain Institutional sites shown on Map B.5.2-1 – Rymal Road - Land Use Plan are labelled as public and separate elementary (PES and SES) and public secondary school (PSS) sites. These represent the general location and size of elementary and secondary school sites, as requested by the Hamilton-Wentworth Roman Catholic Separate School Board and the Hamilton-Wentworth District School Board. These labels can change without an amendment to this Plan.

b) All schools shall be located adjacent to designated parks to provide opportunities to share facilities.

c) The City encourages the development of schools in a joint campus setting as well as the development of multiple use buildings for joint school use and joint school - community facility use.

d) The specific size of each designated school site shall be determined prior to approval of the draft plan of subdivision in which each school site is located. The need for a particular school site shall also be confirmed prior to draft plan approval, and the timing for which the site is reserved will also be established at that time.

e) Should any or all of the designated school sites not be required, such lands may be used for the following purposes without the requirement for an Official Plan amendment:

   i) Uses permitted in the Low Density Residential 2e and 2h designations; or,

   ii) Other Institutional uses.

f) Institutional buildings should be designed as neighbourhood focal points, which create a distinctive community identity and sense of place and serve as landmarks for orientation and local identity.
g) At the time of subdivision approval, school sites may be zoned for both institutional purposes and Low Density Residential 2e, and 2h purposes.

5.2.6 Utility Designation

5.2.6.1 In addition to Section C.3.4 - Utility Designation and C.5.4 - Storm Water Management of Volume 1, the following policies shall apply to the lands designated Utility on Map B.5.2-1 - Rymal Road - Land Use Plan:

a) Permitted uses shall include facilities for stormwater drainage purposes such as stormwater drainage channels and ponds to control stormwater quantity and improve stormwater quality, as well as compatible trail or passive recreational purposes.

b) Changes to the areas identified as Storm Water Management areas may be made without an amendment to this Plan, based on more detailed information and analysis, subject to an amendment to the Master Servicing and Drainage Plan and the approval of the City and pertinent agencies.

c) Where possible, storm water management facilities should be adjacent to open space uses such as parks.

5.2.7 Water Quality, Water Quantity and Stormwater Management

The pre-development landscape within the Rymal Road Secondary Plan Area consists largely of cultivated farmland bisected by intermittent streams. The area is located at the headwaters for a number of streams and is divided into two watersheds, the Red Hill Creek and Twenty Creek. The central portion of the study area drains north into the Stewart and Phoenix Creeks. Within the heritage Green community, these creeks have created a Karst landscape consisting of sinkholes and caves. The area associated with these Karst features including the upstream watershed has been proposed as an Area of Natural and Scientific Interest (ANSI). Despite this proposal, development within the respective watersheds within the Rymal Road Secondary Plan can occur provided that the quality and quantity of surface water draining from the Secondary Plan area in a post-development condition does not impact the downstream Karst process or features. The western portion of the study area drains to the Hannon Creek. The intermittent streams associated with the headwaters of the Hannon Creek have created Karst features in this portion of the Rymal Road Secondary Plan Area. These Karst landscapes represent the most significant natural features on and adjacent to the Rymal Road Secondary Plan Area. The eastern portion of the Secondary Plan Area drains east to Sinkhole Creek a tributary of Twenty Creek.

5.2.7.1 In addition to Section C.2 - Natural Heritage System, Section C.5.4 - Stormwater Management Facilities of Volume 1 and Policies B.5.2.6 - Utility Designation, the following policies shall apply:

a) The water quality draining north into the Stewart and Phoenix Creeks shall be improved principally with respect to sediment load through naturalized stormwater management techniques both during and following construction.

b) The water quantity draining north into the Stewart and Phoenix Creeks shall maintain the pre-development regime in accordance with applicable municipal stormwater management policies of the City of Hamilton, and
flows should go to both Stewart and Phoenix Creek at approximately the same proportion as currently exists.

c) The Karst features located within the Rymal Road Secondary Plan area and associated with Hannon Creek shall be closed out. Storm water management systems shall be designed, by the applicant, prior to approval of draft plans of subdivision, to re-route surface water that drains into these Karst features so that it drains into the Hannon Creek watershed west of Trinity Church Road.

d) The water quantity draining west into Hannon Creek shall maintain the pre-development levels in accordance with applicable municipal storm water management policies of the City of Hamilton.

e) Geotechnical studies shall be completed, by the applicant prior to approval of draft plans of subdivision, to identify the location of Karst features which could affect the construction of buildings, roads, services and utilities and recommend appropriate construction techniques and other mitigative measures to protect public health and safety.

f) A sedimentation and erosion control plan shall be submitted with detailed engineering prior to registration of plans of subdivision which addresses how sedimentation will be controlled during construction stages.

g) The design of the storm water management facilities shall comply with the requirements of the City pursuant to the approved Master Servicing and Drainage Plan for the Rymal Road Secondary Plan Area, the adopted standards of the City of Hamilton, the policies of this Plan and the requirements of the applicable Conservation Authorities, and the Province.

h) Storm water management facilities should be designed in consultation with a qualified landscape architect, and where possible, incorporate a naturalized design to achieve a park-like setting, with appropriate trees, shrubs, meadow grasses and wildflowers, as well as incorporate trail or passive recreational uses.

i) Storm water management ponds shall be clay-lined to prevent loss of surface flow to Stewart and Phoenix Creeks.

j) Lands required for storm water management facilities shown on Map B.5.2-1 – Rymal Road Secondary Plan – Land Use Plan shall be dedicated to the City.

k) The City may consider the establishment of interim storm water management facilities on a temporary basis within the Rymal Road Secondary Plan Area, notwithstanding the underlying land use designation for the lands, provided the interim facilities do not preclude or prejudice future development on the basis of the land use designations shown on Map B.5.2-1 – Rymal Road - Land Use Plan.

5.2.8 Transportation Policies

The system of streets within the Secondary Plan area provides for not only the efficient movement of vehicle traffic but also contributes to the public realm through a land use pattern that encourages walking, creates pedestrian oriented development and streetscapes, links the components of the
community and provides the infrastructure for alternative modes of transportation. The mid-block east-west collector extending the length of the study area will also function as a pedestrian and bicycle oriented spine of the community linking all significant land uses within the community.

5.2.8.1 Policy Goals
The following goals shall apply to the transportation network within the Rymal Road Secondary Plan area:

a) Create a grid system of collector and local roads and discourage cul-de-sacs.

b) Develop walkable neighbourhoods through a grid system of streets, short blocks, street oriented development, a safe and attractive public realm and pedestrian scaled streets.

c) Provide a transportation network that accommodates and promotes pedestrian and bicycle movement in a safe and convenient manner and that supports public transit.

d) Orientate all schools and the majority of parks along the main collector road spine of the community and to ensure that all commercial areas within the Plan area are either directly or indirectly connected to the collector road spine through intersecting collector and arterial roads.

e) Orientate streets to promote energy conservation.

5.2.8.2 General Policies
In addition to Section C.4.0 - Integrated Transportation Network of Volume 1, the following policies shall apply:

a) Major arterial, minor arterial, and collector roads for the Rymal Road Secondary Plan are identified on Schedule C - Functional Road Classification of Volume 1.

b) The City may consider alternative development standards where, in the opinion of the City, they are appropriate and do not compromise public safety or the efficiency of the transportation network or the ability to locate the required services.

c) The applicable portion of growth related costs related to the design and construction of all new public roads and the appropriate upgrading of the adjacent existing public roads required as result of development of Rymal Road Secondary Plan area shall be paid for by development, and shall be subject to the financing provisions of Section B.5.2.8 and the cost sharing provisions of Section B.5.2.13 of this Plan.

d) Access to development serviced by rear lanes or front lanes may be appropriate and encouraged in order to contribute to an improved streetscape and urban character, but such rear lanes or front lanes may remain in private ownership.

e) On-street parking may be permitted on collector and local roads.
f) The use of cul-de-sacs may only be permitted where the owner satisfies the City that no other alternative development form or street patterns are feasible.

g) Separate pedestrian and cycling networks along public streets and through public parkland shall be provided, where possible.

h) Traffic calming measures should be employed on collector roads in order to reduce traffic speeds and make the streets conducive to pedestrian and bicycle travel.

Arterial Roads

5.2.8.3 In addition to Section C.4.5 – Roads Network, the following policies shall apply to lands within the Binbrook Village Secondary Plan area:

a) Trinity Church Road shall be realigned at Rymal Road to align with the Trinity Church Road extension north of Rymal Road. To accommodate this realignment or to provide for additional turning lanes, merging lanes or other measures required to align with the Trinity Church Road extension north of Rymal Road, additional road widening may be required at the intersection with Rymal Road.

b) Reverse lot frontage development shall not be permitted along arterial roads, except as provided for in Policy B.5.2.2.2 f) of Volume 2.

c) In accordance with Policy C.4.5.6.3 b) – Road Widening of Volume 1, the required road widening will be taken equally from both sides of Trinity Church Road where it bounds the Rymal Road Secondary Plan area.

Collector Roads

5.2.8.4 In addition to Section C.4.5 – Roads Network of Volume 1, the following policies apply:

a) Notwithstanding Policy C.4.5.2 e) i) of Volume 1, the right-of-way width of the collector roads shall be 26 metres, but may be up to 30 metres to accommodate traffic calming mechanisms or streetscape features identified in the Streetscape Manual.

b) The City shall require a sufficient right-of-way be dedicated to ensure the possible long term future extension of Second Road West south through the hydro corridor, the alignment of which shall be co-ordinated with Hydro-One Networks or its successor company. In the interim, this public right-of-way shall be used as a pedestrian and bicycle access.

c) Dedicated bicycle lanes shall be included within collector road right-of-ways.

d) The central east-west collector road shall contain a maximum of two through lanes, provide for on-street parking on at least one side, and incorporate traffic calming features.

e) Notwithstanding Policies C.4.5.9 and C.4.5.10 – Traffic Management of Volume 1, appropriate traffic calming features shall be incorporated into the collector roadway system, where appropriate, at locations determined
by the City of Hamilton and constructed to the satisfaction of the City at the sole expense of the landowner.

Local Roads
5.2.8.5 In addition to Section C.4.5 – Roads Network, the following policies apply:

a) As set out in Policy 5.2.8.2 b) of Volume 2, alternative development standards and road widths may be considered. The details regarding appropriate rights-of-way widths shall be addressed prior to draft plan of subdivision approval.

b) On-street parking shall be permitted on one side of the road.

c) The alignment of a possible extension of Swayze Road shall be determined prior to the approval of any draft plan of subdivision for the adjacent lands.

Sidewalks and Bicycle Paths
5.2.8.6 Sidewalks are places for pedestrian movement, children’s play and neighbours’ socializing. Sidewalks encourage walking as urban transportation, walking to transit and walking for pleasure. Sidewalks improve the liveability of a community, enhance safety and are vital to seniors and the disabled.

a) In addition to Section C.4.5 – Roads Network, the following policies apply:

i) The Streetscape Manual, as required in Section B.5.2.10, shall identify the location of sidewalks, their widths and design elements within the Rymal Road Secondary Plan area.

ii) Sidewalks should be provided on both sides of major and minor arterial and collector roads and one side of local roads or as set out in a new City of Hamilton sidewalk policy.

iii) The width of public pedestrian walkways to parks and the hydro corridor shall be of sufficient width to accommodate utilities, provide adequate visibility from the street and promote public safety, and shall be determined prior to draft plan approval.

iv) A continuous bicycle trail system shall be identified as part of the Streetscape Manual in Section B.5.2.10. The bicycle trail system shall include both on-street and off-street routes linking the parks and community facilities. Off-street routes will use public open space lands including school sites and a potential route along the hydro corridor.

Public Transportation
5.2.8.7 In addition to Section C.4.4. – Public Transit Network of Volume 1, the following policies apply:

a) The City shall ensure the design of the Rymal Road Secondary Plan area including the location of higher density land uses and the streetscape design will provide for the ability to accommodate future public transportation at an early stage in the development of the community and the long term potential for higher order transit such as express bus service along the arterial roads.
b) Neighbourhood design should minimize pedestrian walking distance to transit service. Within the Rymal Road Secondary Plan area, 90% of all residential dwellings shall be within approximately 400 metres of a potential transit stop.

c) The transit system must be integrated into the community design and be a key component of community focal points including commercial areas.

5.2.8 Infrastructure Policies

5.2.8.1 All municipal services, including transportation infrastructure, required to service the Rymal Road Secondary Plan area or specific phases of development of the Secondary Plan area are to have received all necessary approvals including financial commitment, and all sanitary, water and stormwater management facilities are to be in place and operative prior to or coincident with the development of the land or development of specific phases of the land.

5.2.8.2 Costs for the applicable portion of growth related infrastructure and service improvements required to service development within the Secondary Plan area including roads, sanitary, storm and water services shall be paid for by development. To implement this principle and to ensure that such infrastructure is available in a timely manner.

5.2.8.3 The City shall update the City's Development Charges By-law to include all improvements required by the development. Until such time as the City updates the Municipal Development Charges By-law, it may consider area specific development charges.

5.2.8.4 In addition to development charges referred to in Policy B.5.2.8.3, the City may also employ:

a) front-ending agreements, development charge credit agreements and prepayment of development charge agreements under the Development Charges Act;

b) public/private partnerships;

c) conditions of subdivision approval;

d) creation of one foot reserves;

e) cost sharing agreements or best effort agreements to recover costs from benefiting landowners;

f) any of the above singly or in combination with any others; or,

g) any other mechanism the City considers appropriate in the circumstances.

5.2.8.5 Wiring for electrical power distribution, telephones, cable television and any similar systems shall be located underground except along existing arterial roads.

5.2.9 Streetscape

The streetscape is a key element of a successful public realm. The road is the principal interface between built form and the public realm and as such plays a
dominant role in determining the character of any given neighbourhood. The elements that shape the streetscape include adjacent architectural design, the relationship of buildings to the street, yards and boulevards, roads, sidewalks, planting of trees, fences and utilities. Streetscape policies are intended to guide the Secondary Plan and design of public roadways including the spaces extending across the road.

a) A comprehensive Streetscape Manual shall be prepared, by the landowners to the satisfaction of the City, for the overall Rymal Road Secondary Plan area. The Streetscape Manual shall reflect the policy goals of the Rymal Road Secondary Plan and shall address the following matters:

i) the function, design and treatment of road types (i.e. sidewalks and crosswalks, landscaping/boulevard plantings, intersection treatments, on-street parking, signage, street lighting and utility wires, etc.);

ii) a continuous bicycle trail system and appropriate means to accommodate the system on arterial and collector roads;

iii) a continuous pedestrian trail system, including public sidewalks;

iv) requirements for the mobility impaired, such as safety features, treatments at bus stops, standards for the placement of street furniture, sidewalk maintenance and design, including curb cuts so as to provide a continuous barrier free path to transit services;

v) requirements for boulevard tree planting including spacing and canopy density;

vi) the design of special entry points or gateway features where collector roads intersect with perimeter arterial roads; and,

vii) the design of traffic calming features along the collector roads.

b) The design of all streetscape elements must be consistent with the Streetscape Manual so that the roads are cohesive and attractive places for pedestrians and persons travelling along them. Where the City agrees to initiate alternative development standards at draft plan of subdivision approval, the Streetscape Manual shall be updated to reflect this standard.

c) Major intersections should be pedestrian oriented providing connection to public walkways. Boulevard tree planting should be closely spaced.

d) Minor intersections should continue to feature landscape treatment through road street tree selection with an increased density of boulevard tree planting.

e) The streetscape appearance of arterial and collector roads shall be enhanced by encouraging buildings to present their main building facades to these roads and to enhance their treatment to avoid the appearance of blank building walls and service entrances.

5.2.10 Urban Design

Notwithstanding Section B.3.3 – Urban Design Policies of Volume 1, the following policies apply:
a) The Secondary Plan area shall be developed within the context of a set of urban design principles and objectives.

b) The following urban design criteria apply to the development of both the public realm and private lands to create an attractive, safe and pedestrian friendly environment:

i) Support the other development principles and objectives for a community designed on the basis of compact urban form.

ii) Develop an interconnected system of public and private streets including the development of an east-west central spine through the community and integration with the existing surrounding land use and development pattern.

iii) Design the internal network of streets within the community to facilitate pedestrian movement and linkage to the broader pedestrian system. Where appropriate, internal collector streets will incorporate design measures to accommodate public transit service while discouraging the infiltration of regional traffic into the community.

iv) Promote attractive streetscapes, social interaction, transit usage and safety through the relationship of buildings to the streets.

v) Develop a pedestrian-friendly and pedestrian-oriented community through the layout of streets, configuration of lots and the siting and configuration of buildings that will address the following streetscape design principles and objectives:

1. Provide ease of pedestrian access and enjoyment of public streets and other outdoor spaces through a consistent level of streetscape design, incorporating such elements as appropriate planting, lighting and signage.

2. Encourage pedestrian connectivity throughout the community, building on the central spine as the main east-west connecting element of the community through the appropriate placement of public walkways and bike paths.

3. Provide community focal points through the location of gathering places along the central spine including schools and parks.

4. Reinforce the importance of public and institutional buildings in the community and enhance their role through design, location and orientation.

5. Promote the safety and security for all persons in public places including streets, parks and amenity areas through the design and siting of building, entrances, walkways, amenity and parking areas to provide visibility and opportunities for informal surveillance.
6. Design service and parking facilities to minimize disruption to the safety of pedestrian movement and the attractiveness of development adjacent to the public realm.

7. Reinforce the relationship of buildings to the street by avoiding reverse lotting adjacent to public streets where possible.

8. Promote the relationship of buildings to streets through the arrangement of buildings on lots, setbacks to the street, the placement of parking and garages, and the use of specific architectural treatment where the side façade of a building abuts a street, with a view to creating a street presence.

9. Incorporate elements into the design of the community and the design of key gateway locations along Highway 56, Fletcher Road, Trinity Church Road and Rymal Road to reinforce the area as a gateway to the City.

10. Design commercial developments in terms of scale, bulk, design and siting to be compatible with the adjacent residential areas and to minimize impacts on adjacent uses.

5.2.10.1 Comprehensive urban design guidelines shall be prepared for the entire Rymal Road Secondary Plan area on the following basis:

a) The principles and objectives in Section B.5.2.9.1 along with other policies of this Plan provide an overall guiding framework for the preparation of urban design guidelines.

b) The Urban Design Guidelines shall be consistent with this framework and shall be prepared by the landowners to the satisfaction of the City.

c) These guidelines may be prepared either on a single comprehensive basis for the entire Secondary Plan area or on a sub-area basis prior to the approval of any development applications for Draft Plan Approval or amendments to the Zoning By-law to implement this Plan within the respective area or sub-area. Sub-areas are those blocks of lands separated by the north-south collector roads.

5.2.11 Adjacent Utility Uses

5.2.11.1 A hydro corridor abuts the southern boundary of the Rymal Road Secondary Plan area. The City shall work in consultation with Hydro One or its successor company in order to establish multi-use trail linkages along this corridor and a continuous east-west pedestrian linkage for the Secondary Plan area in accordance with the City’s Trails Master Plan.

5.2.11.2 Improvements within this corridor shall be subject to the approval of Hydro One or its successor company.

5.2.11.3 Grading and drainage of lands within and/or adjacent to this corridor shall be designed to ensure there are no adverse impacts on these lands and shall have regard for comments from the appropriate agencies.
5.2.12 Phasing of Development

Development within Rymal Road Secondary Plan area shall be phased according to the capacity of the infrastructure serving the Rymal Road Secondary Plan area and relied on by the future residents of the area. Development may also be phased to avoid potential land use conflicts.

5.2.12.1 Transportation Phasing

a) The full development of the Rymal Road Secondary Plan area will rely on the transportation capacity provided by the following road improvements:

i) widening of Rymal Road to four lanes plus turn lanes;

ii) the extension of Trinity Church Road to the Lincoln Alexander Parkway; and,

iii) the construction of a new signalized collector road intersection with Regional Road 56 and the widening of Regional Road 56 to four lanes from Rymal Road to the new collector road intersection.

b) Until such time as the following matters have been addressed for each of these road improvements, full development of the Rymal Road Secondary Plan shall not be permitted:

i) Environmental Assessment studies have been completed and approved;

ii) the method of financing to undertake the required road improvements have been identified including provisions for changes to the applicable Development Charges By-law; and

iii) the required road improvements have been included in the Capital Budget and/or Forecast where applicable, or financed through other mechanisms such as those identified in Policy B.5.2.8.4.

c) Prior to the completion of any of the matters outlined in Policy B.5.2.12.1 b), the construction of 500 dwelling units, 19,000 square metres of Mixed Use – Medium Density space and the other commercially designated sites shall be permitted within the Rymal Road Secondary Plan subject to localized studies as necessary to address access and egress from Rymal Road.

d) The construction of additional dwellings units beyond that permitted in B.5.2.12.1 c) shall require either:

i) the matters outlined in Policy B.5.2.13.1 b) have been addressed for one or more of the required road improvements in Policy B.5.2.13.1 a), or,

ii) the submission and approval of a traffic impact study to address the need for and timing of any other required road improvements to improve transportation capacity south of and/or crossing the escarpment to accommodate such additional dwelling units, and compliance with the matters set out in Policy B.5.2.12.1 b) in respect of such improvements.
e) The construction of additional Mixed Use - Medium Density designated space beyond that permitted in Policy B.5.2.12.1 (c) shall require either:

i) that the matters outlined in Policy B.5.7.12.1 (b) have been addressed for one or more of the required road improvements in Policy B.5.2.12.1 (a); or,

ii) that the submission and approval of a traffic impact study to address the need for and timing of any other required road improvements to improve transportation capacity south of the escarpment to accommodate such additional Mixed Use - Medium Density designated space, and compliance with the matters set out in Policy B.5.2.12.1 (b) in respect of such improvements.

iii) Once the matters outlined in Policy B.5.2.12.1 (b) have been addressed for any one of the required road improvements in Policy B.5.2.12.1 (a), the City may identify the amount of development permitted in subsequent phases without the necessity of further transportation studies.

5.2.13 Development Cost Sharing

5.2.13.1 Costs of local infrastructure and/or local service improvements within the Rymal Road Secondary Plan area, which benefit more than one individual development, but which are not provided for under Section B.5.2.8.4, shall be equitably apportioned among landowners within the Rymal Road Secondary Plan area. Such costs may include, but are not limited to, the costs of community use lands and facilities, front-ended Secondary Plan component studies, other area-wide studies, schools and parks, and local infrastructure, facilities or works including roads, sanitary, water and storm water facilities. To implement this policy, the City may employ:

a) Conditions of subdivision approval;

b) Creation of one-foot reserves;

c) Cost sharing agreements or best effort agreements to recover costs from benefiting landowners;

d) Any of the above singly or in combination with any others; or

e) Any other mechanism Council considers appropriate in the circumstances.

5.2.14 Site Specific Policies

Site Specific Policy - Area A

5.2.15.1 Notwithstanding Policies B.5.2.3.4 (b) and (c), the lands designated Local Commercial located at the south west corner of Rymal Road and Second Road, and identified on Map B.5.2 - Rymal Road - Land Use Plan, as Site Specific Policy - Area A, the following provisions shall apply:

a) the site shall have a maximum site area of 1.6 hectares with no maximum floor area; and,

b) the following additional uses shall permitted:
i) Farm equipment sales, rental and service,

ii) Farm supply establishments,

iii) Garden centres;

iv) Farm produce markets;

v) Antique and gift shops;

vi) Restaurant with a maximum seating capacity of 30 persons;

vii) Refreshment stand;

viii) Wholly enclosed veterinary service establishment;

ix) Pet store;

x) Pet food store;

xi) Seasonal theme establishment; and,

xii) Buildings, structures and uses accessory to the above-noted permitted uses.
5.3 North-West Glanbrook Secondary Plan

The North-West Glanbrook Secondary Plan establishes land uses and development standards to guide the development and/or redevelopment of lands located in the North-West Glanbrook Secondary Plan area. Section B.5.3 and Map B.5.3 -1 - North-West Glanbrook - Land Use Plan constitute the North-West Glanbrook Secondary Plan.

The North-West Glanbrook Secondary Plan area is bounded by the utility corridor to the north, Twenty Road West to the south, and Glancaster Road to the west.

5.3.1 General Policies

5.3.1.1 Uses permitted in the North-West Glanbrook Secondary Plan area shall not be polluting, hazardous or obnoxious due to such matters as noise, flammability, heat, glare, vibration, air pollution, smoke, dust, or odour. In this regard, all requirements of the Province and City shall be satisfied.

5.3.1.2 Development shall be encouraged to take advantage of the natural features of sites by integrating existing wooded areas into development in a manner which will enhance the aesthetic qualities and enable the natural features to retain their environmental functions.

5.3.1.3 The preservation of existing significant vegetation shall be encouraged by designing the development in a manner which incorporates this vegetation as a natural and aesthetic component of the development.

5.3.2 Residential Designations

5.3.2.1 The residential areas are designated Low Density Residential 2 and Low Density Residential 2c on Map B.5.3-1 North-West Glanbrook - Land Use Plan. The following policies shall apply to each of these land use designations.

5.3.2.2 General Residential Policies

In addition to Section E.3.0 - Neighbourhoods Designation of Volume 1, the following policies shall apply to the lands designated Residential on Map B.5.3-1 - North-West Glanbrook - Land Use Plan:

a) The majority of the North-West Glanbrook Secondary Plan area shall be developed for residential purposes.

b) A variety and mix of dwelling types shall be permitted, including but not limited to, single detached dwellings, semi-detached dwellings, townhouses, apartments, and housing with supports.

c) The predominant dwelling types shall be grade-oriented dwelling types such as single-detached, semi-detached, duplexes, triplexes and street townhouses.

d) Future residents shall be advised that the John C. Munro International Airport is located approximately 1.6 kilometres south of Twenty Road West, which is the southern boundary of the North-West Glanbrook Secondary Plan area and, as a result, there is the potential for noise nuisance at times related to airport activity. Appropriate warning clauses to advise of this potential noise...
nuisance related to airport operations shall be included in lease or rental agreements, agreements of purchase and sale, and within required development agreements.

5.3.2.3 Low Density Residential Designations

In addition to Section E.3.4 - Low Density Residential of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2 and 2c on Map B.5.3-1 – North-West Glanbrook – Land Use Plan:

a) Notwithstanding Policy E.3.4.4 of Volume 1, the maximum net residential density on lands designated Low Density Residential 2 shall be 25 units per hectare.

b) Notwithstanding Policy E.3.4.4 of Volume 1, the maximum net residential density on lands designated Low Density Residential 2c shall be 40 units per hectare.

c) The Low Density Residential development in the south-west portion of Lot 3 adjacent to Twenty Road West shall proceed on the basis of reverse frontage with direct access to the residential lots being provided by the new internal street and not from Twenty Road West, and these residential lots shall possess additional lot depth. The intent of this policy is to not permit direct access to Twenty Road West and to maximize the preservation of the existing trees in this area.

d) Low Density Residential dwellings located between the Villages of Glancaster and Garth Street (the west side of Garth Street) shall have no direct frontage on Garth Street. These dwellings shall be adequately screened and buffered from Garth Street to appropriately address noise, to the satisfaction of the City.

e) The rear portion of existing large lot residential development fronting Glancaster Road and Twenty Road West shall be encouraged to be redeveloped.

f) To minimize conflicts, new residential development proposed to be developed contiguous to the existing large lot residential development shall be restricted to low density residential development.

5.3.3 Local Commercial Designation

5.3.3.1 In addition to Section E.3.8 – Local Commercial of Volume 1, the following policies shall apply to the lands designated Local Commercial on Map B.5.3-1 – North-West Glanbrook – Land Use Plan:

a) The development of the Local Commercial designation shall be designed to mitigate any negative impact on the residential areas.

b) Adequate off-street parking and loading facilities shall be provided on-site for all permitted uses. Loading and unloading areas shall be located at the rear of all buildings and screened from view, where possible.

c) All outdoor lighting shall be oriented away from residential areas and adjacent public roads.
5.3.4 Parks and Open Space Designations

In addition to Sections B.3.5.3 – Parkland Policies and C.3.3 – Open Space Designation of Volume 1, the following policies shall apply to lands designated Neighbourhood Park and Natural Open Space on Map B.5.3-1 – North-West Gianbrook – Land Use Plan:

a) The open space system planned for the North-West Gianbrook Secondary Plan area includes the following designations:

i) Neighbourhood Park; and,

ii) Natural Open Space.

b) Existing wooded areas that are not designated Natural Open Space should be integrated into development in a manner which will enhance the aesthetic qualities and enable the natural features to retain their environmental functions to take advantage of the natural features of sites.

c) The lands designated Natural Open Space located at the northeast corner of Twenty Road and Garth Street with an area of approximately 2.4 hectares are largely comprised of an existing woodland which shall be preserved and protected.

5.3.5 Utility Designation and Adjacent Utility Uses

5.3.5.1 In addition to Section C.3.4 – Utility Designation of Volume 1, the following policies shall apply to the lands designated Utility on Map B.5.3-1 – North-West Gianbrook – Land Use Plan:

a) Development, grading and/or drainage of lands adjacent to, within or crossings of the lands designated Utility, identified as Hydro Corridor, which are a significant Ontario Hydro Corridor and also contain three natural gas transmission pipelines, shall be subject to the approval of Ontario Hydro and the appropriate natural gas pipeline company(s).

b) In addition to the existing Ontario Hydro Facilities and pipeline company facilities, the lands designated Utility on Map B.5.3-1 – North-West Gianbrook – Land Use Plan, may be used for additional uses, subject to the approval of Ontario Hydro, the appropriate pipeline company(s), and the City. These additional uses may include but not be limited to, recreational uses, parking areas, public and private rights of way, agricultural uses and allotment gardens.

5.3.6 Transportation

5.3.6.1 In addition to Section C.4.0 – Integrated Transportation Network of Volume 1, the following policies shall apply to the North-West Gianbrook Secondary Plan area:

a) The costs related to the design and construction of all new public roads and the upgrading of the adjacent existing public roads required as a result of the development of the North-West Gianbrook Secondary Plan area shall be at the expense of the developer(s). The details regarding these works and costs shall be established in the subdivision agreement(s) and/or the development, maintenance and use (site plan) agreement(s) to be approved by the City and executed by the City and the developer(s).
b) The City shall encourage the provision of public transportation facilities to service the North-West Glanbrook Secondary Plan area at such time as the need and economic level of demand is demonstrated.

5.3.7 Infrastructure

5.3.7.1 In addition to Section C.5.0 - Infrastructure of Volume 1, the following policies shall apply to the North-West Glanbrook Secondary Plan area:

a) Infrastructure services within the North-West Glanbrook Secondary Plan area shall be provided in accordance with Policies C.5.3 - Lake-Based Municipal Water and Wastewater Systems and C.5.4 - Storm Water Management Facilities of Volume 1. Additionally, storm drainage facilities shall comply with the requirements of the Master Storm Drainage Plan for the North-West Glanbrook Planning Area and all other applicable standards.

b) A storm water detention pond and associated channel shall be established in the North-West Glanbrook Planning Area on the lands designated Utility - Storm Water Management on Map B.5.3-1 - North-West Glanbrook - Land Use Plan.

c) Lands required for the storm water detention pond and the associated channel facilities shall be dedicated free of charge to the City by the developer(s).

d) Costs attributable to the design and construction of the storm water management facilities shall be at the expense of the developer(s). The design, construction and costs related to the stormwater management facilities shall be established in the subdivision agreement(s) and/or development, maintenance and use (site plan) agreement(s) to be approved by the City and executed by the City and developer(s).

5.3.8 Area Specific Policies

5.3.8.1 In addition to Section B.5.3.2 - Residential Designations, the following policies shall apply to the following three private communities, designated Low Density Residential 2 on Map B.5.3-1 - North-West Glanbrook - Land Use Plan:

Area Specific Policy - Area A

a) Lands consisting of an area of approximately 23 hectares to the north of Twenty Road West, generally north of the existing residential development fronting on the north side of Twenty Road West, being Part Lot 2, Concession 1, known as the Villages of Glancaster.

Area Specific Policy - Area B

b) Lands consisting of an area of approximately 33 hectares on the north side of Twenty Road West, being Part of Lot 4, Concession 1, known as Twenty Place; and,

Area Specific Policy - Area C

c) Lands consisting of an area of approximately 33 hectares on the north side of Twenty Road West, being Part of Lot 3, Concession 1, known as Garth Trails.
Permitted Uses

5.3.8.2 In addition to the uses permitted in Policies B.5.3.2.2 b) and c), the following policies shall apply:

a) The predominant use of the subject lands shall be for residential dwellings.

b) The following uses shall be permitted in each of the private communities identified as Area A, B and C, provided the uses serve the needs of the residents of the private community and are compatible with the residential uses:

i) a private and permanent residential retirement community;

ii) local commercial uses;

iii) recreational uses;

iv) storage facilities; and,

v) an accessory administration and sales/rental office.

c) A retirement home with a maximum of 74 suites may be permitted only within the Villages of Glancaster identified as Area Specific Area - Area A on Map B.5.3-1 – North-West Gianbrook – Land Use Plan. The retirement home shall be on a separate lot and final approval shall be conditional upon the severance of the lands from the Villages of Glancaster property.

d) One private park to be used for passive recreational purposes shall be located immediately east of and adjacent to the lands known municipally as 9396 Twenty Road, within the Garth Trails community, identified as Area C on Map B.5.3-1 – North-West Gianbrook – Land Use Plan. No buildings or structures, with the exception of a gazebo or small memorial structures, etc., and a parking area, shall be permitted on these lands.

5.3.8.4 Residential Density

a) Notwithstanding Policy B.5.3.2.3 a), the residential density of the Villages of Glancaster, identified as Area Specific Policy – Area A on Map B.5.3-1 – North-West Gianbrook – Land Use Plan, shall not exceed 22 units per gross hectare, to permit a maximum total of 466 dwelling units on the subject lands, excluding the suites permitted within the retirement home.

b) Notwithstanding Policy B.5.3.2.3 a), the residential density of Twenty Place, identified as Area Specific Policy – Area B on Map B.5.3-1 – North West Gianbrook – Land Use Plan, shall not exceed 20 units per gross hectare.

c) Notwithstanding Policy B.5.3.2.3 a), the residential density of Garth Trails, identified as Area Specific Policy – Area C on Map B.5.3-1 – North West Gianbrook – Land Use Plan, shall not exceed 22 units per gross hectare.

d) The provision of open space areas within the subject community through the clustering of the residential units shall be encouraged, as well as other innovative site planning designs, which satisfy the policies of this Plan and the regulations of the implementing Zoning By-law.
e) The subject lands shall be zoned on a site specific basis in the implementing Zoning By-law.

f) Prior to the development of the subject lands, the owner shall submit a detailed site plan to the City that identifies the following:

i) location and width of the proposed internal road pattern;

ii) general location of the residential units;

iii) location and number of the private and common/visitor parking areas and spaces;

iv) location, size, and nature of the recreational, open space, commercial, maintenance, and storage facilities; and,

v) location and nature of the landscaping and fencing.

g) Direct access to the adult lifestyle community from Garth Street shall be restricted to one access. A second access from Twenty Road shall also be permitted. The dwellings within this development shall be adequately screened and buffered to appropriately address noise from Garth Street, to the satisfaction of the City.

h) Prior to the development of the subject lands, the owner shall submit to the City for approval a detailed storm drainage and grading plan(s) in accordance with all City standards.

i) The owner of the subject lands shall be responsible for the provision, cost and continued maintenance of all buildings, structures and facilities within the retirement community.
5.4 Mount Hope Secondary Plan

The Mount Hope Secondary Plan establishes land uses and development standards to guide the development and/or redevelopment of lands located in the Mount Hope Secondary Plan area. Section B.5.4 and Map B.5.4-1 - Mount Hope - Land Use Plan constitute the Mount Hope Secondary Plan.

The Mount Hope Secondary Plan area is located north of White Church Road West, west of Upper James Street, south of Airport Road West and east of the John C. Munro International Airport lands.

5.4.1 General Policies

5.4.1.1 In addition to Section B.1 - General Policies, the following general policies shall apply to the Mount Hope Secondary Plan area:

a) Uses permitted in the Mount Hope Urban Settlement area shall not be polluting, hazardous or obnoxious due to matters such as noise, flammability, heat, glare, vibration, air pollution, water pollution, sedimentation, smoke, dust and/or odour. In this regard the requirements of the Province and any other pertinent agencies shall be satisfied.

b) Development shall be encouraged to be designed in such a manner as to incorporate existing significant vegetation as a natural and aesthetic component of the development.

Residential Designations

5.4.2 The residential areas are designated Low Density Residential 2, Low Density Residential 2c and Low Density Residential 3f on Map B.5.4-1 Mount Hope - Land Use Plan. The following policies shall apply to each of these land use designations.

5.4.2.1 General Residential Policies

In addition to Section E.3.0 - Neighbourhoods Designation of Volume 1, the following policies shall apply to the lands designated for residential uses on Map B.5.4-1 - Mount Hope - Land Use Plan:

a) Development of the residential area within the Mount Hope Urban Settlement Area shall proceed in a generally north to south pattern and in an orderly, efficient, economical, and well-planned manner.

b) Residential development shall be sensitive to existing residential uses, and redevelopment of the vacant portions of existing large lot residential development shall be encouraged.

c) Residential areas should be integrated with parkland in order to provide a convenient, safe and visually pleasing living environment.

d) Permitted residential uses shall include single detached dwellings, semi-detached dwellings, townhouses, apartments and housing with supports.
5.4.2.2 Low Density Residential

a) Notwithstanding Sections E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2 on Map B.5.4-1 – Mount Hope – Land Use Plan:

   i) The permitted uses shall primarily consist of single detached dwellings, duplex, semi-detached and triplex dwellings.

   ii) The maximum density shall be 25 units per net hectare.

b) Notwithstanding Sections E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2c on Map B.5.4-1 – Mount Hope – Land Use Plan:

   i) The permitted uses shall be a variety of multiple dwelling unit types including townhouse dwellings and all other forms of horizontal multiple dwellings.

   ii) The density range shall be from 26 to 40 units per net hectare.

c) Notwithstanding Sections E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 3f on Map B.5.4-1 – Mount Hope – Land Use Plan:

   i) The permitted uses shall primarily consist of low rise apartments.

   ii) The density range shall be from 40 to 60 units per net hectare.

5.4.4 District Commercial Designation

5.4.4.1 In addition to Section E.4.7 – District Commercial of Volume 1, the following policies shall apply to the lands designated District Commercial on Map B.5.4-1 – Mount Hope – Land Use Plan:

a) Existing and future commercial uses within the District Commercial designation are intended to serve the existing and future residents of the Mount Hope Secondary Plan area as well as the surrounding rural area, the Hamilton Airport and the Airport Industrial-Business Park.

b) In addition to the uses permitted in Policy E.4.7.2 of Volume 1, permitted uses in the District Commercial designation shall include retail and service commercial, personal and business services, recreational and entertainment facilities, restaurants, taverns, hotels, and motels. Cultural facilities, community facilities/services, and institutional uses may also be permitted provided they do not interfere or conflict with the satisfactory development and operation of the District Commercial designation for the predominant general commercial uses.

c) Lands with District Commercial designation shall be encouraged to be redeveloped for District Commercial uses. It is recognized that the redevelopment of the existing residential lots for commercial uses will occur over a relatively lengthy period of time.

d) Development of commercial uses shall be planned and coordinated to limit the establishment of a continuous strip of individual developments.
e) Redevelopment shall consider and be sensitive to existing residential development and ensure that the bulk, scale, height and design of commercial developments and other permitted uses are compatible with adjacent residential uses.

f) The District Commercial designation adjacent to Airport Road West and Homestead Drive enjoys a high degree of visibility and provides a gateway to the John C. Munro International Airport. To ensure this area develops in a coordinated, well-designed and aesthetically-pleasing manner with adequate infrastructure and amenities, and to provide funding eligibility, the City shall investigate the designation of these lands as a Community Improvement Project Area.

g) All outdoor lighting shall be oriented away from residential areas and adjacent public roads, and shall not interfere with airport operations.

5.4.5 Institutional Designation

5.4.5.1 In addition to Sections B.3.5 – Community Facilities/Services Policies, E.3.10 – Community Facilities and Services and E.6.0 – Institutional Designation of Volume 1, the following policies shall apply to the lands designated Institutional on Map B.5.4-1 – Mount Hope – Land Use Plan:

a) The Institutional designation recognizes existing institutional uses in the general area of the District Commercial designation, including the Mount Hope Elementary School, Mount Hope Post Office, Mount Hope Branch of the Wentworth Libraries, Glanford Community Hall, Glanbrook Fire Station No. 2 and the Mount Hope United Church. This Plan encourages the retention of these existing institutional uses in recognition of the importance of their importance in establishing and maintaining the Mount Hope Urban Settlement Area as a community and as a development focal point.

b) Vehicular access to the Institutional lands adjacent to White Church Road shall be encouraged to be from the internal road network.

5.4.6 Parks and Open Space Designations

5.4.6.1 In addition to Sections B.3.5.3 – Parkland Policies and C.3.3 – Open Space Designation Network of Volume 1, the following policies shall apply to lands designated Community Park, Neighbourhood Park, Natural Open Space and General Open Space on Map B.5.4-1 – Mount Hope – Land Use Plan:

a) The open space system planned for the Mount Hope Secondary Plan area includes the following:

   i) Community Park;

   ii) Neighbourhood Park;

   iii) Natural Open Space; and,

   iv) General Open Space.
b) The wooded area of approximately 1.0 hectare at the western end of Aberdeen Avenue is designated Natural Open Space. This woodlot shall be preserved.

c) Gord Oakes Park located behind the Glanford Community Hall, approximately 2.9 hectares, shall be retained.

5.4.7 Utility Designation

5.4.7.1 In addition to Section C.3.4 - Utility Designation of Volume 1, the following policies shall apply to the lands designated Utility on Map B.5.4-1 - Mount Hope - Land Use Plan:

a) Development, grading and/or drainage of lands adjacent to, within or crossing of the lands designated Utility which are a transmission corridor for the Inter-provincial Pipeline Inc. oil pipeline as well as lands reserved for the construction of sanitary sewerage pumping stations, shall be subject to the approval of Inter-provincial Pipeline Inc. and/or the City.

b) The lands, may be used for recreational uses, subject to the approval of the City and Inter-provincial Pipeline Inc.

5.4.8 Transportation Policies

5.4.8.1 In addition to Section C.4.0 - Integrated Transportation Network of Volume 1, the following policies shall apply to the Mount Hope Secondary Plan area:

a) The internal public road system shall provide an efficient, practical and safe transportation network to accommodate the movement of people and goods within the Mount Hope Secondary Plan area and accommodate a limited number of intersections with the existing public roads adjacent to Mount Hope.

b) All lands required for new internal public roads, road widenings for existing public roads and daylighting triangles, shall be dedicated free of charge and free of all encumbrances to the City.

c) The costs related to the design and construction of all new public roads and the upgrading of the adjacent existing public roads required as a result of the development of the Mount Hope Secondary Plan area shall be at the expense of the developer(s). The details regarding these works and costs shall be established in the subdivision agreement(s) and/or the development, maintenance and use (site plan) agreement(s) to be approved by the City and executed by the City and the developer(s).

d) An overall preliminary traffic study to assess the impact of development on adjacent provincial highways and roads, shall be required to the satisfaction of the Province and the City, prior to the formal submission of any draft plan of subdivision.

5.4.9 Noise and Other Airport Impacts

5.4.9.1 Mount Hope Secondary Plan area is in the vicinity of John C. Munro International Airport, Highway 6, and the Airport Business Park. All of these uses have the potential to cause negative impacts on nearby sensitive land uses. To ensure that negative impacts on sensitive land uses are minimised and the
operations of John C. Munro International Airport, Highway 6, and the Airport Business Park are not compromised:

a) Sections B.3.6.3 – Noise, Vibration and Other Emissions and C.4.8 – Airport of Volume 1, shall apply to the Mount Hope Secondary Plan area;

b) all new development and redevelopment shall conform to all relevant legislation, policies, standards and guidelines; and,

c) future residents of residential development shall be advised of the potential for noise nuisance through appropriate warning clauses included in lease or rental agreements, agreements of purchase and sale, and within required development agreements.

5.4.10 Infrastructure

5.4.10.1 In addition to Section C.5.0 – Infrastructure of Volume 1, the following policies shall apply to the Mount Hope Secondary Plan area:

a) Any new development south of the oil pipeline must be connected by new local roads to the existing development north of the pipeline, as well as to White Church Road.

b) The replacement of private septic systems servicing existing residential dwellings with municipal sanitary sewers shall be encouraged.

c) Storm drainage facilities shall comply with all requirements of the City, including the Master Stormwater Management Plan for the Mount Hope Secondary Plan Area.

d) Lands required for the storm water drainage channels shall be dedicated free of charge and free of all encumbrances to the City by the developer(s).

e) Costs attributable to the design and construction of the storm water drainage channels shall be paid for by the developer(s) and shall be identified in the subdivision agreement(s) and/or development, maintenance and use (site plan) agreement(s) to be approved by the City and executed by the City and the developer(s).

f) The Province shall bear the costs of the storm water conduit under Highway No. 6 (new) based upon development in the Mount Hope Secondary Plan area at the time of the construction of the Highway. Costs attributable to the land acquisition, design and construction of the major storm water retention facility, including additional costs for oversizing the storm water conduit under Highway No. 6 (new) to accommodate full-development upstream flows, above those provided for by the Ministry of Transportation, shall be paid for by the developer(s) through the special Mount Hope Urban Settlement Area Storm Drainage Services Development Charge pursuant to the Development Charges By-Law.
5.4.11 Area and Site Specific Policies

Site Special Policy - Area A

5.4.11.1 Notwithstanding the uses permitted in Policy B.5.4.4.1 - District Commercial Designation, the two existing industrial uses located at 9045 and 9061 Airport Road and 3234A Homestead Drive, on lands designated District Commercial and identified as Site Specific Policy - Area A on Map B.5.4-4 - Mount Hope - Land Use Plan, shall be permitted and recognized in the implementing Zoning By-law.

Site Special Policy - Area B

5.4.11.2 Notwithstanding Section E.6.0 - Institutional Designation of Volume 1, for the lands known municipally as 33020 Homestead Drive designated Institutional on Map B.5.4-1 - Mount Hope - Land Use Plan, the existing parkland function of Gord Oaks Park shall be permitted to assist in satisfying the recreational needs of the residents of the Mount Hope Secondary Plan area and surrounding community.
## RYMAL SECONDARY PLAN

<table>
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B.6.0 HAMILTON SECONDARY PLANS

6.1 Downtown Hamilton Secondary Plan

The Downtown Hamilton Secondary Plan is the first formal plan for the Downtown core and shall form part of the Official Plan for the City of Hamilton. The Plan takes an innovative approach, focusing on the overall roles and physical form of the Downtown rather than dwelling on regulatory details. The intent of the Plan is to foster a dynamic mix of urban residential, commercial and institutional activities across the Downtown. It is only on the periphery where a single use, residential, is predominant in order to ease the transition into the neighbourhoods surrounding the Downtown.

Downtown Hamilton has been exposed to the same series of stresses that have threatened the well being of city centres across North America since the Second World War. Disruptive urban renewal schemes, the dominance of vehicular over pedestrian needs, changes in retailing and a population shift toward suburban areas undermined the traditional roles of the Downtown. Longstanding community concern about Downtown Hamilton has peaked since the economic slowdown of the early 1990s.

During the past decade a series of community workshops, special events and planning processes generated exciting and innovative ideas and recommendations for the Downtown. A Market Place for Ideas, Strong Medicine, the Ferguson Avenue Revitalization Project, the Gore Heritage Design Study and Smart Moves are just examples of the community’s visions generated from the outcomes of these efforts. Many of the ideas generated related to the physical aspects of the Downtown including the design of buildings, streets and spaces and the use of public land.

In 1998, Hamilton City Council decided that the time was right to draw these recommendations together in a new plan for the Downtown. The Downtown planning process began with the preparation of a new overall strategy or vision for the entire area called the Downtown Secondary Plan Design Strategy. This Plan translates the Vision contained in the Design Strategy into policies to regulate the design and physical development of the Core. An Economic and Development Financing Review was also undertaken to provide background information and guidance for the secondary planning process.

6.1.1 Purpose of the Secondary Plan

6.1.1.1 The Secondary Plan has two important functions. First, it presents the community’s vision for the future of the Downtown to guide public and private decision-making. Second, the Plan indicates what the City’s priorities shall be for publicly funded initiatives in the Downtown. In effect, the Plan serves as a reinvestment strategy that shall assist Council and the Administration in preparing annual budgets and public improvement programs.

6.1.1.2 The Downtown Hamilton Secondary Plan establishes principles, land uses, development standards, as well as provisions regarding urban design, heritage and transportation, to guide the development and/or redevelopment of lands located in the Downtown Hamilton Secondary Plan area. The Downtown Secondary Plan area is bounded by Cannon Street East to the north, Wellington Street North to the East, Hunter Street East to the south and Queen Street North to the west. Section 6.1 and Maps B.6.1-1 – Downtown Hamilton - Land Use Plan, B.6.1-2 – Downtown Hamilton - Downtown Commercial Areas, B.6.1-3 Downtown Commercial Areas.
6.1.2 A Vision for Downtown Hamilton

The Downtown Hamilton of the future shall be a vibrant focus of attraction where all our diverse people can live, work and play. The future Downtown must be built on a human scale, with streetscapes offering comfort, access and safety for pedestrians. The future Downtown shall combine the best of our heritage with new commercial and domestic architecture and use. The future Downtown shall redirect our gaze from the urban core to the surrounding neighbourhoods, the waterfront, and the escarpment, seamlessly linking commerce, housing and recreation.

6.1.3 Secondary Plan Principles

The Downtown Secondary Plan Design Strategy identified six principles to guide the preparation of this Secondary Plan. Initiatives and proposals for the Downtown are to be evaluated against these principles to ensure that the City is taking a consistent approach to Downtown revitalization.

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

b) Strengthen the connection to neighbourhoods, the Waterfront, the Escarpment and other surrounding features or attractions: At present Downtown Hamilton is surrounded by a ring of vacant properties used primarily as parking lots. These vacant lands tend to isolate the core area from the surrounding neighbourhoods. Downtown is also cut off from important places like the West Harbourfront and the Niagara Escarpment. The Ferguson Avenue Revitalization Program and other recent initiatives are helping to reconnect the Downtown to these important places and people nearby. The Secondary Plan supports a number of projects to foster linkages.

c) Make downtown living attractive: Creating a residential neighbourhood in the Downtown core has long been recognized as key to its revitalization. Downtown residents are a convenient market for Downtown retailers and service providers. The ability to walk or bike to work, stores and entertainment facilities shall reduce both vehicle trips and the growing demand for parking in the core. Increased densities along major routes into the Downtown shall support the public transit system. The Secondary Plan identifies opportunities for a range of housing types catering to a variety of income levels and household characteristics. The Plan also commits the City to providing the public services and amenities required by future Downtown residents.

d) Build on existing strengths: A tendency to focus on problems diverts community attention and energy away from the special features that give Downtown Hamilton a unique "niche" within the larger City. The presence of three levels of government ensures a degree of stability in the office sector.
Hamilton Place, the Art Gallery of Hamilton and the Dofasco Centre for the Arts are cultural centres found nowhere else in the community. Public facilities such as the Central Library, the Farmer's Market and Copps Coliseum are key attractions. While the Downtown's retail prominence has declined it is still a destination for those seeking specialized experiences, products and services. All these activities are set within an architecturally rich area. Hamilton's legacy of historic buildings and streetscapes are its greatest distinction and worthy of enhanced restoration effort. The Secondary Plan builds on these strengths.

e) Recognize the value of modest improvements and changes: A desire for quick and simple solutions often nurtures "big project" responses to Downtown decline. In fact, experience across North America suggests that Downtown revitalization most often results from a collection of seemingly modest actions by individuals, small businesses and community organizations. Downtown decline did not happen overnight. Recovery is also a gradual process in response to a series of actions that work together to achieve community goals. This Plan identifies opportunities for a range of large and small actions.

f) Pursue a limited number of carefully designed and executed major projects: In spite of the previous principle, there is still a place for large projects provided they contribute to achieving the goals. Quite often large initiatives require significant public investment and the promised benefits may not be realized. Careful evaluation against the principles and policies should assist in determining which major projects should be pursued.

6.1.4 The Overall Secondary Plan Framework

The overall revitalization principles for the Downtown Secondary Plan are discussed in the previous section and in the Downtown Secondary Plan Design Strategy. The policies contained in the following sections outline how these principles are to be applied in public and private decisions for the Downtown.

6.1.4.1 The Secondary Plan policies are grouped into five themes:

a) Respecting Design and Heritage

Downtown Hamilton is blessed with a rich architectural legacy. The heritage structures and spaces provide a physical history of the community. Conservation and reuse 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 Secondary Plan policies call for a greater emphasis on urban design and heritage conservation as critical elements of downtown revitalization.

b) Carving Out a Distinct Economic Role

Policies for commercial land use recognize that the economic role of the Downtown has changed dramatically in recent decades. For many years Downtown Hamilton was the retailing heart of the entire community. This is no longer the case and this Plan acknowledges evolving retail patterns. Market research also indicates that there is limited potential for major office development in the Downtown core. At the same time there is increasing
demand for entertainment related commercial activities as well as specialty retailing. Continued residential development within the Downtown shall create a new market for a variety of resident oriented goods and services.

c) Creating Quality Residential Neighbourhoods
While the Secondary Plan supports the creation of new housing throughout the Downtown, the Residential policy section is chiefly intended to foster the creation of quality residential precincts on areas surrounding the heart of the Downtown. The vacant commercial properties that isolate the Downtown from adjacent neighbourhoods are of particular interest in this regard. The policies aim to ensure that new residential areas in the Downtown complement the scale and character of nearby established neighbourhoods.

d) Enhancing Streets and Public Spaces
The Secondary Plan emphasizes the importance of the continued enhancement of the "public realm" in the Downtown. These are the streets and public places of the core area that knit together the individual buildings and structures. Better quality streets, the creation of new parks and the establishment of new landmarks shall enhance the overall image of the City and demonstrate civic pride.

e) Establishing A New System for Planning Approvals
The Province of Ontario has selected Hamilton as a pilot location for testing a new system for development approvals. The Secondary Plan contains policies for the implementation of this new approach. Under the Development Permit System the review and approval process for projects in the Downtown shall be streamlined. A single permit shall replace the standard zoning, committee of adjustment and site plan approvals required for most projects. Initially, this system shall apply to the area bounded by Jackson, Catharine, James and Wilson Streets. In the long term it is expected that the entire Downtown Planning Area shall be included in the development permit system.

6.1.4.2 Secondary Plans affect decisions and actions by both the public and private sectors. The policies shall be translated into new zoning regulations for the Downtown. The review and approval processes for development proposals shall ensure that projects conform to the objectives and specific directions for land use contained in the Plan.

Each policy section includes a set of specific land use or design objectives to guide development approvals. If the policies contained in the section do not provide adequate guidance, reference should be made to these objectives to clarify the intent of the Plan.

This Plan also recommends a number of proposed public improvement initiatives as well as detailed guidance for the creation and enhancement of public assets in the Downtown.

6.1.5 General Land Use Policies
6.1.5.1 The Downtown Secondary Plan area includes the lands bounded by Queen Street North, Hunter Street East, Wellington Street North and Cannon Street East,
as depicted on Maps B.6.1-1 through B.6.1-6 inclusive of this Plan and are referred to as the Downtown in this Secondary Plan.

6.1.5.2 All public initiatives and private development approvals in the Downtown Secondary Plan area shall be subject to architectural and design peer review, in accordance with the policies, to assist the City in ensuring that the design objectives and policies are reflected in all projects.

6.1.5.3 In addition to the land uses described in Section B.6.1.5 - General Land Use Policies, the following uses shall be permitted throughout the Downtown:

a) public uses including schools;

b) social service facilities; and,

c) places of worship.

6.1.5.4 The following policies shall apply to lands designated Institutional on Map B.6.1-1 - Downtown Hamilton - Land Use Plan:

a) Whitehern - The current museum use and its accessory functions are recognized as of the date of adoption of this Plan. Any change in use shall require an amendment to this Plan.

b) Sir John A. MacDonald High School and Dr. J. Edgar Davy School - Should the school cease to exist, the permitted uses shall be Low Density Residential in accordance with this Plan.

6.1.5.5 Surface parking lots existing on the date of adoption shall be legal non-complying uses to this Plan. New surface parking lots shall not be permitted. 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 of surface parking spaces on the site.

6.1.5.6 It is the intention 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 shall be a minimum of two storeys in height and subject to height limitations as shown on Map B.6.1-4 - Downtown Hamilton - Building Heights and in the specific policies.

6.1.5.7 Building height limitations fall into three ranges:

a) Low rise - 2 to 4 storeys;

b) Mid rise - 6 to 8 storeys; and,

c) High rise - 12 to 15 storeys.

6.1.5.8 Where there is a discrepancy between building heights specified in policy B.6.1.5.7 and Map B.6.1-4 - Downtown Hamilton - Building Heights, the heights shown on Map B.6.1-4 - Downtown Building Heights shall prevail.
6.1.5.9 Building heights may be increased above that shown on Map B.6.1-4 – Downtown Hamilton - Building Heights, provided the upper storeys are massed, stepped back, or terraced in order to ensure that the additional height, above that permitted shall not result in: increased sun shadow impacts on public sidewalks or public spaces, and shall address the following:

a) coverage of the site, in accordance with this Plan, is achieved;

b) sun shadow impacts on public side-walks or public spaces;

c) wind impacts on public sidewalks; and,

d) impacts on streetscapes and views of streetscapes, landmark structures or heritage buildings from the public sidewalks.

6.1.5.10 Proponents may be required to submit a sun/shadow analysis, wind impact analysis or a visual impact analysis as part of the approval documentation for proposals that exceed height limitations.

6.1.5.11 The City may permit an increase in height above the permitted height to accommodate decorative building elements such as towers or cupolas subject to the consideration for sun shadow, wind, and views listed above.

6.1.5.12 Proposed increases in height must demonstrate design consideration for the surrounding urban form.

6.1.5.13 On the basis of the design principles and policies stated in this section; within the lands bounded by Main Street, Hess Street South, George Street and Caroline Street South, the massing and building heights of future development projects shall be permitted generally in accordance with the “Sun/Shade Study” prepared by RWDI Consultants, dated February 1, 2002. Sun shadow impacts are measured on March 21st and September 21st for the target area of the pedestrian realm on Hess Street, north of George Street.

6.1.5.14 Design and location of all signage and outdoor fixtures including sidewalk café enclosures, shall respect the architectural integrity of the host building or site. Awning signs shall be encouraged in pedestrian oriented areas.

6.1.5.15 Transfers of density or development rights shall be accommodated within the Downtown Secondary Planning Area, except the Development Permit System Area, subject to land use regulations through the Zoning By-law. Transfers of density or development rights shall be undertaken to achieve the following policy objectives:

a) retention of heritage buildings and groups of heritage buildings/heritage streetscapes;

b) provision of at grade open space conforming to Sections 6.1.7 and 6.1.10.3 this Plan; and,

c) retention of existing open space areas adjacent to private development.

6.1.5.16 The following policies shall apply to industrial and manufacturing land uses in the Downtown Secondary Plan area:
a) New industrial and manufacturing facilities, which are developed as stand-alone single use entities, shall not be permitted; however, live/work arrangements that involve manufacturing and/or processing shall be permitted, provided they are compatible with neighbouring areas, in terms of noise, vibration, air quality, and other environmental factors.

b) Existing industrial and manufacturing facilities shall only be permitted to expand on the existing property, provided the following objectives are achieved:

i) The design objectives are achieved;

ii) The expansion does not compromise the City's ability to implement the long-term land use strategy;

iii) There shall be no adverse impacts from the expansion on existing or planned residential or mixed uses; and,

iv) The proposal shall address the remediation of environmental issues including noise, vibration, indoor and outdoor air quality, odour, dust, fumes and refuse, and soil and groundwater contamination.

6.1.5.17 The following policies apply to land uses that do not comply with the designations and policies of this Secondary Plan:

a) The existing use is recognized as non-complying;

b) Expansion shall only be permitted when it can be demonstrated that the existing use is operated in a manner that does not create dust, noise, odour, vibration, fumes, soil and groundwater contamination, and/or noxious spillover effects on existing uses and planned uses;

c) The expansion shall comply with Sections B.6.1.7 – Respecting Design and Heritage and B.6.1.10 – Enhancing Streets and Public Spaces;

d) There shall be no adverse impacts from expansion on existing or planned residential or mixed uses;

e) The proposal shall address the remediation of environmental issues including noise, vibration, indoor and outdoor air quality, odour, dust, fumes and refuse, and soil and groundwater contamination; and,

f) Upon the ceasing of operation of the non-complying use, or abandonment of the use, development and/or redevelopment of the property shall comply with this Plan.

6.1.5.18 Signage shall be used for way-finding and identifying buildings and public places in downtown. The City shall undertake a pedestrian oriented signage study to establish comprehensive sign policies for the Downtown. New signage geared to fast-moving vehicular traffic such as billboards or permanent portable signs shall not be permitted.
6.1.5.19 New building construction shall include sustainable building design and construction practices to address energy efficiency, water conservation, waste reduction, and air quality technology.

6.1.5.20 Temporary use by-laws in the Downtown Planning Area shall comply with this Secondary Plan.

6.1.6 Transportation Policies

6.1.6.1 Changes to the transportation systems within the Downtown Secondary Plan area, including timing of implementation, shall conform to the Downtown Transportation Master Plan.

6.1.6.2 Redevelopment in the Downtown shall be undertaken in conjunction with the implementation of an approved parking strategy providing for the consolidation of parking opportunities in strategic locations. The parking strategy is contained within the Downtown Transportation Master Plan.

6.1.6.3 New development and redevelopment shall be on a scale and density that supports public transit in the Downtown. It is a priority to provide public transit in the planning area and pedestrian access to public transit through:

a) providing transit routes into and within Downtown Hamilton;

b) ensuring transit accessibility is incorporated into street redesign;

c) providing direct access between buildings and the public streets to transit stops; and,

d) providing pedestrian scaled distances to transit stops within the Downtown.

6.1.6.4 Redevelopment in the Downtown shall be undertaken in conjunction with the implementation of an approved transit terminal site that promotes the efficiency and effectiveness of the public transit system and the adoption of a roadway operations plan that includes appropriate transit priority measures at strategic locations so that public transit can successfully complement and support the various initiatives contained within this Plan.

6.1.7 Respecting Design and Heritage

Every project or development in the Downtown must be viewed in relationship to all the buildings, streets and public spaces around it. The appearance of the Downtown is as important to its future vitality as the activities and services that go on inside the buildings. This focus on the physical form and inter-relationships of all matters of design of the Downtown is the practice of urban design.

Good urban design means that the architecture and landscape features in an area reflect the unique features of the community. Local history, climate, environmental features and architectural tradition influence urban design. This Secondary Plan shall support a high standard of urban design through an enhanced emphasis on heritage buildings and streetscapes and the adoption of defined standards for the design of new buildings and structures.

Heritage buildings and streetscapes define Downtown Hamilton as a unique place. The concentration of heritage features in the Downtown is unrivalled anywhere else in the City and is one of its key assets. Conservation and
adaptive re-use of heritage buildings is challenging but has many benefits for the entire community. The existing built form is one of the key strengths and opportunities in downtown Hamilton. In recent years, there has been a trend to removing heritage buildings for use as surface parking lots. This Plan seeks to provide new importance and opportunities for the heritage elements of downtown. Equally as important, this Plan recognizes the value of heritage buildings, streetscapes, and the cultural landscape and places a priority on their retention and enhancement.

This Secondary Plan outlines design requirements for commercial and residential areas as well as streets and public places. In order to implement these policies the City shall place more emphasis on design matters in the development approval process and shall establish a new planning mechanism for a portion of the Downtown (The Development Permit System).

6.1.7.1 Secondary Plan Objectives

a) Retain and enhance the historic fabric of Downtown Hamilton.

b) Ensure that new development respects and reflects the design of surrounding heritage buildings.

c) Conserve and enhance the Gore as the primary landscaped open space and concentration of heritage buildings in Downtown Hamilton.

d) Create new programs and planning mechanisms for ensuring 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.

Heritage Policies

6.1.7.2 This Secondary Plan shall promote the conservation of significant built heritage resources and cultural heritage landscapes in accordance with Section B.3.4 – Cultural Heritage Resources Policies of Volume 1.

6.1.7.3 Land use regulations and municipal incentive programs shall be used in the retention, conservation, rehabilitation, restoration or adaptive reuse of properties that have been:

a) designated under the Ontario Heritage Act; and/or,

b) listed in the Municipal Inventory of Buildings of Architectural and/or Historical Interest.

6.1.7.4 A long-term management strategy shall be developed for all designated or listed heritage resources in the Downtown. The strategy shall identify appropriate mechanisms for the retention, conservation, rehabilitation, restoration or adaptive reuse. This strategy shall not only assist in the review of development or redevelopment proposals that impact on heritage resources but shall also include priorities for public investment in special heritage conservation programs. The strategy shall also identify candidate areas for designation as heritage conservation districts.
6.1.7.5 Development in appropriate locations that incorporates buildings or groups of buildings with historic character or architectural value, and proposals that utilize buildings or lands that are underutilized or vacant is a priority in the downtown. Programs such as permit fee rebates, transfer of development rights, and density increases shall be considered in light of the proposal's contribution to maintaining and enhancing the historic character, the architectural value and the historic elements of the building or buildings.

6.1.7.6 The City/Council may require that as part of the development or redevelopment of land in the downtown that heritage properties are retained on-site and incorporated, used or adaptively re-used as appropriate to the proposed development and land use. Retention of a heritage feature 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 Heritage Act, may be required and negotiated, as well as development agreements, respecting the care and conservation of the affected heritage property.

6.1.7.7 The City shall demonstrate leadership by pursuing opportunities to conserve municipally owned heritage resources in the Downtown.

6.1.7.8 Where alterations are proposed to heritage buildings, the following principles shall be followed:

a) Maintain the basic relations of the horizontal divisions of the building.

b) Maintain original façade components and materials wherever possible.

c) Replicate the original parts and materials where possible or substitute with similar materials and colours.

d) Remove elements that are not part of the original design and/or hide the original design, for example signage, siding or roof treatments.

General Urban Design Policies

6.1.7.9 New development in the Downtown, and redevelopment, shall address the urban design principles in this plan, and particularly, the following:

a) Achieving a comfortable and intimate pedestrian environment;

b) Ensuring that new development is compatible with existing adjacent structures and streetscapes in terms of design, scale, massing, setbacks, height, integration with the built form, and use;

c) Eliminating street level parking lots and vacant properties along major streets;

d) Creating a sense of place through the incorporation of public art and interpretive media;

e) Providing “eyes on the street” and an interesting pedestrian experience by ensuring that the ground floors of all buildings have windows and doors opening onto the street or public laneways where appropriate. Entrances are to be provided at grade;
f) Ensuring barrier-free access from grade level;

g) Eliminating expanses of blank walls along street frontages; and,


6.1.7.10 The City shall develop a resource text illustrating the urban design principles with supporting text and illustrations for use by the public and private sector for initiatives in the Downtown.

6.1.7.11 The City shall establish a design committee to provide a peer review of all public and private projects in the Downtown in order to ensure that projects reflect appropriate architectural design of a high quality. The design committee shall advise staff on the architectural and design issues related to land use changes and development.

6.1.7.12 The City shall demonstrate community leadership by designing high quality public buildings and spaces in Downtown Hamilton. This shall be achieved by:

a) Ensuring that all City projects are developed to a high standard of design and in accordance with the policies;

b) Maintaining and upgrading Civic structures and properties to the standards described in this Plan through an ongoing program of new investment; and,

c) Upgrading public streets and public spaces to promote a high quality of design, public safety and ease of access.

6.1.7.13 Significant views and vistas in the Downtown shall be protected as development occurs. Protection of views and vistas shall be achieved through:

a) the size and placement of new buildings to protect the views identified in this Plan;

b) development of building facades that create visual connections to the streets and public spaces; and,

c) orientation of windows, entrances, balconies and other building elements to surrounding points of interest and activity, including but not limited to the following:

i) views of Gore Park from King Street, James Street, Hughson Street, and Catharine Street;

ii) views of Hamilton Harbour and the Niagara Escarpment from James Street;

iii) views of the Niagara Escarpment from Bay Street, Catharine Street, and Wellington Street;

iv) the continuous linear path of Ferguson Avenue;
v) views on Hughson Street, from Gore Park, terminating at the TH&B Station; and,

vi) the Main Street Corridor between Bay Street and MacNab Street.

6.1.7.14 New development and redevelopment shall integrate roof design and function with the surrounding buildings and public spaces. This shall be achieved through:

a) Integrating the roof function, shape, surface materials, and colours with the building's overall design concept.

b) Encouraging the size and placement of roof top mechanical equipment in discrete and unobtrusive locations to protect or enhance views of the Downtown from other buildings and the public street.

c) Developing rooftop terraces, gardens, and associated landscape areas for climate enhancement and for storm water management.

d) Incorporating best practices and appropriate technology to reduce energy consumption and improve air quality.

Urban Design in Public Spaces

6.1.7.15 An overall program of public improvements shall be developed for the public spaces in the Downtown that are listed in Policy B.6.1.7.17 - Urban Design in Public Spaces. Public improvement projects undertaken prior to the completion of the urban design principles document shall be assessed against the goals and policies of this Secondary Plan and any pre-existing design study.

6.1.7.16 All designs for public improvements shall be subject to community consultation processes and shall be subject to review by the design committee specified in Policy B.6.1.7.11 - General Urban Design Policies.

6.1.7.17 Within the overall framework described in Policy B.6.1.7.15 - Urban Design in Public Spaces, the following specific areas shall be given particular attention:

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

   i) widened sidewalks to a width of four metres, where feasible;

   ii) creation of a continuous canopy over the sidewalks through street tree plantings or the use of lighting, banners and awnings;

   iii) installation of sheltered public seating areas;

   iv) landscaping improvements;

   v) installation of works of public art;

   vi) provision of additional on-street parking;
vii) improved pedestrian areas along the streets;
viii) increased pedestrian access from the street to buildings and stores in the Jackson Square Complex;
ix) opportunities for complementary enhancements of adjacent private structures or lands; and,
x) opportunities for improved design to the open space and plaza area, including:

1. introducing pedestrian paths/ sidewalks that replicate the historic grid street pattern through the Jackson Square Complex;
2. street level access with defined entry to the open space and plaza area;
3. improving connections between the street level areas and the open space and plaza area; and,
4. examining the feasibility of reintroducing streets in accordance with the historic grid street pattern and orienting new buildings to these streets.

b) A design plan and program of private and public improvements shall be developed for the civic space formed by Common-wealth Square at the Art Gallery of Hamilton and the City Hall Forecourt. The design study shall address the following:

i) clear identification of the area as the prime civic gathering space for citizens of the City of Hamilton;

ii) an integrated design for the area extending from the rear of the Art Gallery to the front of Hamilton City Hall;

iii) east-west landscape and pedestrian linkages to the Board of Education Building and the Convention Centre/ Hamilton Place;

iv) recognition of landmark buildings in the vicinity including Hamilton City Hall and Whitehern Historic House and Garden;

v) provision of commercial opportunities accessory to the Art Gallery and the Convention Centre fronting on Summer’s Lane and King Street East;

vi) an improved pedestrian environment and pedestrian access for Summer’s Lane;

vii) integration with the redevelopment of the Art Gallery of Hamilton;

viii) street level pedestrian linkages to the adjoining residential neighbourhoods, Jackson Square and the Main Street Corridor; and,
ix) visual linkages through streetscape elements, paving patterns, lighting, and banners are to be provided to encourage pedestrian traffic in the Civic and Cultural Area and to portray a vibrant downtown.

c) A long-term design/management plan shall be developed for the public spaces within and adjacent to Gore Park. This plan shall support a long-term program of improvements and initiatives for the Gore and shall respect the guidelines contained in the 1996 Gore Heritage Design Study.

d) A design plan and program of public improvements shall be developed for Downtown streets prior to the initiation of multi-phase street capital improvement plans. Refer to Section B.6.1.10 - Enhancing Streets and Public Spaces for details.

e) Design plans and public improvement programs shall be developed in partnership with adjacent landowners for a series of smaller feature areas in the Downtown including, but not limited to:

   i) the Open Space Area adjacent to Main Street at the former County Courthouse;

   ii) the Tivoli Theatre precinct including the Theatre, and adjacent properties;

   iii) small open spaces on the north side of Hunter Street across from the GO Station;

   iv) major entrance points to the Downtown at James/Hunter, Bay/Hunter, Queen/Hunter, King/Hess, Queen/York/Cannon, Bay/Mulberry, Ferguson/Wilson; and,

   v) the streetscaping of any local street Downtown converted from one-way to two-way operation.

6.1.8 Carving Out a Distinct Economic Role

The Secondary Plan recognizes that the traditional economic role of Downtown Hamilton has changed. It is no longer the major shopping destination for the wider community and shall not experience significant high-rise office tower development in the future. The commercial policies are intended to move the Downtown toward a new role, including small offices; live/work arrangements; warehouse conversion; and new technology enterprises such as call centers and e-commerce.

In the coming years the Downtown shall maintain its key role as the centre of all levels of government for the entire municipality, as well as other institutions. The City's major cultural facilities are also found in Downtown Hamilton.

The Commercial policies of this Secondary Plan are intended to support intensive, urban-scale commercial development. Over time, ground level commercial façades shall be re-oriented toward the pedestrian by ensuring that doors and windows open onto the streets.
6.1.8.1 Secondary Plan Objectives

a) Confirm Downtown Hamilton's role as the government, institutional and cultural centre of the City.

b) Establish a defined and more compact Central Business District 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.

6.1.8.2 Commercial Policies

a) The policies in this section apply to the lands designated for commercial uses as depicted on Map B.6.1-1 - Downtown Hamilton - Land Use Plan. Refer to Section B.6.1.11 - Establishing a New System for Development Approvals, for policies applying to lands within the Downtown Development Permit Area.

b) Except where noted in specific policies, all new development shall be oriented toward the surrounding streets with at grade pedestrian entrances onto the sidewalks.

c) Vehicle-oriented land uses such as gas stations and other drive-through services or other uses normally classified as highway commercial shall not be accommodated.

d) Buildings shall endeavour to provide pedestrian access on the ground floor at the street level and shall locate loading and service entrances at the rear.

6.1.8.3 The Central Business District

The Central Business District shall accommodate the highest densities of commercial development within the Downtown. It is the office, cultural and government centre for the entire City and an important retail area for the Downtown and adjacent residential areas. The Central Business District incorporates three distinct commercial areas: the Jackson Square Complex, the Civic Cultural Area and the Main Street Corridor as shown on Map B.6.1-2 - Downtown Hamilton - Downtown Commercial Areas.

a) The Central Business District shall be the primary location for new office development in Downtown Hamilton. The construction of buildings whose primary use is commercial offices shall be discouraged elsewhere in the Downtown. Alternatively, mixed use buildings comprising residential and offices and commercial uses shall be encouraged and promoted.

b) The Hamilton Farmer's Market is a key civic and economic priority in downtown Hamilton. The current location and operations of the Hamilton Farmer's Market shall be reviewed, with the market operators and stallholders, to ensure that the needs of the entire Downtown community are being properly addressed and to ensure the long-term viability of the Farmer's Market.
c) Development in the Central Business District shall be built at an urban form of development and shall include:

i) a relationship between the building and the street so that the development contributes to the overall built form in the downtown;

ii) creation of positive public space between the building and the street(s) on which the building is located;

iii) direct connection to the street from the retail use in the building, where retail uses are proposed; and,

iv) a clearly defined entrance to the building from the street.

6.1.8.4 Jackson Square Complex

The Jackson Square Complex is the grouping of enclosed retail malls, Copps Coliseum and office structures within the area bounded by York Boulevard, Bay, James and King Streets. This complex also houses key public facilities. A mix of office, retail and entertainment uses shall be accommodated in this area. Over time development and redevelopment proposals within the Complex shall be required to redesign the blank building façades and reorient the complex toward the surrounding streets.

a) New development or redevelopment in this area shall ensure that the frontage along York Boulevard and Bay, James and King Streets shall be dominated by street-related retail and entertainment use.

b) High rise development shall be accommodated in the Jackson Square Complex subject to the height limitations contained on Map B.6.1-4 - Downtown Hamilton - Building Heights.

6.1.8.5 Civic Cultural Area

The Civic Cultural Area shown on Map B.6.1-2 - Downtown Hamilton - Downtown Commercial Areas shall continue to be the prime government, institutional and cultural centre of the entire City. Key buildings and institutions such as Hamilton City Hall, the Art Gallery of Hamilton, Hamilton Place, the Hamilton Convention Centre and the Board of Education Building, are the primary uses and buildings in this area.

a) All development in the Civic Cultural Area shall focus on the street and establish a direct relationship with either King or Main Streets. Buildings fronting onto King or Bay Streets may have additional setback to accommodate public open spaces, cafés and other amenities.

b) Development in the Civic Cultural Area shall be subject to height limitations as shown on Map B.6.1-4 - Downtown Hamilton - Building Heights.

6.1.8.6 Main Street Corridor

The Main Street Corridor describes the north and south sides of Main Street, east of Catharine Street and the area west of Bay Street, as shown on Map B.6.1-2 - Downtown Hamilton - Downtown Commercial Areas. It shall continue to be a mixed-use area containing office, institutional, residential and retail uses.
a) New development shall contribute to the creation of public open space along the Main Street through appropriately located amenity areas that contribute to the pedestrian environment on Main Street.

b) Vacant parcels in this area should be developed as mixed use, mid-rise buildings to strengthen Main Street’s image as a primary residential and commercial avenue within the Downtown. Office, institutional, residential and retail uses shall be accommodated in this area.

c) The height of new buildings and additions should be mid-rise in height in order to maintain a pedestrian scale along Main Street as indicated on Map B.6.1-4 - Downtown Hamilton - Building Heights.

d) The permitted building height may be increased above the normally permitted height, provided the building is massed so as to achieve the following:

   i) The additional height above the normally permitted height shall not result in any adverse shadow or wind impacts on the Main Street public sidewalks.

   ii) In addition to the foregoing, the City may permit an increase in height above the normally permitted height for decorative building elements such as towers or cupolas, provided that there are no adverse shadow or wind impacts on the Main Street public sidewalks.

   iii) Signage shall be designed and located to respect the architectural integrity of the host building.

6.1.8.7 Prime Retail Streets

James Street and King Street, east of Catharine Street, and west of Bay Street, have been designated as Prime Retail Streets as shown on Map B.6.1-1 - Downtown Land Use Plan. Gore Park, the most significant public open space in Downtown Hamilton is located between these areas.

King Street and James Street, North and South are the historical core of the Downtown shopping district and future retail development shall be encouraged to locate along these streets. The following policies shall apply to lands designated Prime Retail Streets on Map B.6.1-1 - Downtown Hamilton - Land Use Plan:

a) Ground floors shall predominantly be occupied by street oriented commercial uses. Upper floors of buildings along King and James are designated for mixed uses such as office commercial, residential and live/work arrangements.

b) Buildings shall generally be built close to the street line and shall maintain the traditional building line and height at the street to provide an uninterrupted building line at the street level.

c) A design plan and program of public improvements shall be developed for the Prime Retail Streets area as described in Section B.6.1.10 - Enhancing Streets and Public Spaces.
d) The following are to be provided for development proposals within the Prime Retail Streets area:

i) Access to buildings shall be at the street level. Ground floor façades shall have doors and windows open to the street.

ii) Buildings shall be built at the streetline with no setback from the property line.

iii) Accessory surface parking shall not be accommodated along the street frontage.

iv) New driveway access shall be at the rear of the property, and not on the public street. Alleyway access at the rear shall be utilized.

6.1.8.8 Specialty Commercial

Downtown's Specialty Commercial Areas, Hess Village and King William Street are designated on Map B.6.1-1 - Downtown Land Use Plan. The Specialty Commercial Areas are the key dining and entertainment areas in the Downtown.

Hess Village shall continue to be primarily a dining and entertainment area with active public spaces and a pedestrian scale. Other uses such as office, limited retail and residential shall be accommodated provided the primary role of the area is maintained.

With theatres and restaurants in close proximity King William Street has the potential to be a major destination area in the Downtown. Mixed use and residential development is also encouraged, particularly loft conversions. The Lister Block, one of the Downtown's Landmark Buildings is located nearby. The following policies shall apply to the lands designated Specialty Commercial on Map B.6.1-1 - Downtown Hamilton - Land Use Plan:

Hess Village

a) Hess Village shall continue to accommodate a mix of at grade dining and entertainment establishments combined with residential and other commercial uses.

b) The existing heritage character of Hess Village, as evidenced by the buildings around the intersection of Hess and George Streets, is to be enhanced and maintained. Conservation of the existing heritage character is a priority in all development. New development must be consistent with the existing built form in Hess Village. Adaptive reuse is to be the primary redevelopment initiative for existing buildings.

c) At present Hess Village incorporates a variety of building types. Consequently a range of height limitations is proposed to ensure that new development respects the character of the area. These height limitations are shown on Map B.6.1-4 - Downtown Hamilton - Building Heights.

d) George Street, Hess and Bay Streets shall be redeveloped as landscaped streets supporting a mix of grade oriented restaurant and commercial uses. George Street shall provide a pedestrian route to the Central Business District.
e) New developments along King Street and at the King/Bay intersection shall accommodate street oriented retail and entertainment uses. Building frontages shall be dominated by these uses.

f) Public open spaces shall define the entrances to Hess Village, as shown on Map B.6.1-2 - Downtown Hamilton - Downtown Commercial Areas.

King William Street

g) Streetscape improvements shall be undertaken along King William Street as outlined in Section B.6.1.10 - Enhancing Street and Public Spaces. The street design shall incorporate generous sidewalks, special paving and extensive planting.

h) New mixed-use development shall be achieved through the redevelopment of parking lots and the conversion of industrial and warehouse buildings for residential and commercial use. Conservation of the existing heritage character is a priority in all development. Adaptive reuse is to be the primary redevelopment initiative for existing buildings.

i) New buildings shall be located along the street line. The height of new buildings and additions shall be consistent with the traditional street wall established by existing buildings and, therefore, shall maintain a height of three to four storeys at the street line, with the potential for decorative building elements stepped back from the street line when higher than four storeys. Increases above this height shall conform to Policies B.6.1.5.9 through B.6.1.5.12 - General Land Use Policies.

j) Buildings shall incorporate ground level pedestrian access to include the following: uses open to the public/accessible from ground level including doorways and windows; and, where possible, servicing from the rear of the property.

k) Signage shall be designed and located to respect the architectural integrity of the host building. Awnings shall be encouraged.

6.1.8.9 Local Commercial Designation

Local Commercial areas are designated on Map B.6.1-2 - Downtown Hamilton - Downtown Commercial Areas. This designation shall accommodate sidewalk oriented service and retail activities geared to the daily needs of area residents. The impacts of commercial activities shall not detract from the residential character of these areas. The following policies apply to lands designated Local Commercial on Map B.6.1-2 - Downtown Hamilton - Downtown Commercial Areas.

a) Retail uses shall occupy ground floor spaces in the Local Commercial areas. Other service commercial uses may also be situated at ground level provided retail activities dominate. Office commercial and residential uses shall be permitted on the upper floors.
b) The following design elements are applicable to areas designated Local Commercial:

   i) Accessory surface parking shall not be accommodated along the street frontage.

   ii) Street redesign in Local Commercial areas shall maximize on-street parking.

   iii) Buildings must be a minimum of two storeys in height.

6.1.9 Creating Quality Residential Neighbourhoods

Downtown Hamilton is surrounded by four residential neighbourhoods – Durand, Central, Beasley and Corktown. All have active residents associations, schools and parks, a mix of historic and new housing and key streets linking to the Downtown.

Within the Downtown Secondary Plan area there are tracts of vacant land in the commercial core and the adjacent neighbourhoods. Many of these properties are parking lots. The policies of this Secondary Plan seek to encourage the redevelopment of these sites through appropriate residential infill projects and limited commercial development geared to the needs of residents.

This Secondary Plan supports the improved connection of 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. New housing adjacent to the business core is an important theme.

6.1.9.1 Secondary Plan Objectives

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 with increased opportunities for home ownership.

c) Preserve and enhance the existing residential communities within the Secondary Plan Area.

d) Provide and maintain neighbourhood services such as local shopping areas, community centres, parks and open spaces and educational facilities in and adjacent to Downtown residential areas.

e) Establish new residential areas that reflect urban design features consistent with a Downtown location and the heritage character of the area. Over the long term, seek to repair and complete the open grid of streets and blocks in the neighbourhood.

f) Over the long term, seek to repair and complete the open grid of streets and blocks in the neighbourhood.
g) Over the long term, return the residential street system to a residential scale with opportunities for two-way traffic.

6.1.9.2 General Residential Designation Policies

a) The policies in this Section apply to the lands designated for residential uses as identified on Map B.6.1-1 - Downtown Hamilton - Land Use Plan and detailed in Section 6.1.11 - Establishing a New System for Development Approvals, for policies applying to lands within the Downtown Development Permit Area.

b) It is intended that the highest residential densities in the City shall be in Downtown Hamilton. Notwithstanding Sections E.3.4 - Low Density Residential and E.3.5 - Medium Density Residential of Volume 1, the following gross density guidelines and permitted uses shall be accommodated within areas designated Low Density and Medium Density on Map B.6.1-1 - Downtown Hamilton - Land Use Plan:

i) Low Density Residential

<table>
<thead>
<tr>
<th>Type</th>
<th>Density (units/hectare)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single detached</td>
<td>25</td>
</tr>
<tr>
<td>Semi-detached</td>
<td>38</td>
</tr>
<tr>
<td>Row Houses</td>
<td>60</td>
</tr>
</tbody>
</table>

ii) Medium Density Residential

<table>
<thead>
<tr>
<th>Type</th>
<th>Density (units/hectare)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stacked Townhouses</td>
<td>125</td>
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<tr>
<td>Low Rise Apartments</td>
<td>150</td>
</tr>
<tr>
<td>Mid Rise Apartments</td>
<td>300</td>
</tr>
</tbody>
</table>

c) The existing residential areas within and adjacent to the Downtown shall be maintained by ensuring:

i) community services, facilities and parks shall be provided; and,

ii) retention of existing residential structures be supported unless a redevelopment application has been approved for the site; and,

iii) Retention and adaptive reuse of existing heritage and industrial buildings for residential use is a priority within the Downtown. Land use regulations and special programs shall support conversion of existing structures subject to the following:

1. Significant structures or structural elements shall be maintained;

2. Additions shall be compatible with the existing structure in terms of relationship to the street, front setbacks, architectural form and massing; and,

3. Parking standards shall be reviewed to ensure that reuse of existing structures is not compromised.

d) Intensification and infill projects shall be consistent in design with the grid street pattern and architectural character of existing residential areas in the Downtown and adjacent neighbourhoods.
e) In order to encourage consistency of neighbourhood character and design, specific policies have been developed for residential precincts adjacent to the Beasley (Area A), Central (Area B) and Corktown (Area C) neighbourhoods as shown on Map B.6.1-3 - Downtown Hamilton - Special Downtown Residential Policy Areas.

f) The Zoning By-Law shall recognize residential buildings which existed on the effective date of the Zoning By-Law where height and density exceed the policies, as shown on Map B.6.1-2 - Downtown Hamilton - Downtown Commercial Areas.

6.1.9.3 Low Density Residential Designation

The following policies apply to lands designated Low Density Residential on Map B.6.1-1 - Downtown Hamilton - Land Use Plan:

a) The Low Density Residential designation permits single detached, semi-detached and row house built forms.

b) Low Density Residential development shall achieve a traditional downtown urban residential neighbourhood character by:

i) front yard setbacks consistent with the building line of other adjacent properties on both sides of the street;

ii) lot width, depth and area generally consistent with adjacent properties in existing neighbourhoods in and near the Downtown;

iii) building lines for redevelopment of large properties that are consistent with the design standard in adjacent neighbourhoods;

iv) individual garages or parking areas at the rear of the building accessed by alleys or side drives where available; and,

v) street, lane and lot patterns based on the traditional grid pattern found in the Downtown and adjacent neighbourhoods.

6.1.9.4 Medium Density Residential Designation

The following policies apply to lands designated Medium Density Residential on Map B.6.1-1 - Downtown Hamilton - Land Use Plan:

a) The Medium Density Residential designation permits stacked townhouses, low rise apartment and mid rise apartment built forms.

b) Medium Density Residential development shall achieve an urban character by:

i) street oriented buildings restoring traditional downtown character;

ii) an absence of direct driveway accesses to individual units; and,

iii) open space in new development provided in the form of parkettes and internalized semi-private open spaces within courtyards formed by buildings.
c) Surface parking areas in the Medium Density Residential areas shall be located at the rear of the property or in an underground structure. There shall be no surface parking in the front yard adjacent to the street.

d) The relationship between buildings and the street shall be reinforced by:
   i) minimizing the shadowing of adjacent sidewalks and generation of wind impacts; and,
   ii) ensuring that the ground levels of buildings have windows and doors that face the street.

e) The design of new developments shall have consideration for light, view and privacy of adjacent buildings and areas. Existing patterns of streets, lanes, blocks and private or public open space shall be respected.

6.1.9.5 Policies for Mixed Use Areas
   a) Mixed Use Areas are intended to serve as a buffer between intensive commercial activities and the residential areas within and around the Downtown.

   b) Mixed Use Areas shall accommodate commercial uses that are compatible with and shall not detract from residential development.

   c) Residential development in Mixed Use Areas shall conform to the Medium Density Residential designation policies.

   d) Signage shall be designed and located in a manner that respects the architectural integrity of the host building and is compatible with the residential environment. Signage in these areas shall be non-flashing, shall be restricted to the building face, and shall exclude stand-alone structures for signs.

6.1.9.6 Specific Residential Designation Precincts

   The following policies apply to three residential precincts within the Downtown that contain significant tracts of vacant land.

   The three precincts are depicted on Map B.6.1-3 – Downtown Hamilton - Special Downtown Residential Policy Areas and the following policies must be read in conjunction with the other residential policies in this Section.

   a) Area A Northeast Residential Precinct

   This area is adjacent to the Beasley Neighbourhood and is currently dominated by surface parking lots. Over time, these parking lots shall be removed and replaced with low-to-mid-rise residential development, with commercial and retail on the ground floor. New development should have an urban form featuring street oriented buildings that restore the traditional character of the Downtown area. The following policies apply to Area A Northeast Residential Precinct:
i) Surface parking shall be located at the rear of buildings, with access through a common mid-block driveway/alley system. Direct driveway access from the street to individual units shall be strongly discouraged.

ii) Required open space within new private development may be provided in the form of new parkettes and internalized semi-private open spaces within courtyard areas created by new buildings.

iii) In order to create an appropriate living environment, certain higher-intensity commercial and entertainment uses for lands adjacent to the King William Street Specialty Commercial Area may be permitted. These uses shall be evaluated to ensure that any negative spillover effects on existing or planned residential uses are eliminated or minimized.

iv) The following policies shall apply to building alterations or the redevelopment of a site:

1. The height of new buildings and additions shall be low-to-mid rise, in accordance with Map B.6.1-4 – Downtown Hamilton - Building Heights, in order to maintain and enhance pedestrian comfort at street level.

2. Building height may be increased above the normally permitted height, provided the project is massed as to achieve a compatible relationship with adjoining buildings and public spaces.

3. Signage shall be designed and located to respect the architectural integrity of the host building and to be compatible with a residential environment.

b) Area B Northwest Residential Precinct

This area is adjacent to the Central Neighbourhood. The following policies apply to the Area B Northwest Residential Precinct:

i) All new housing in the interior of Area B and fronting onto local streets shall be limited to Low-Density uses.

ii) The following policies shall apply to Mixed Use development on the north side of York Boulevard, the west side of Bay Street and the Jackson Square Complex (for any mixed use redevelopment):

1. All new buildings shall be built to the street line. Additional setbacks may be permitted to accommodate amenities such as enhanced landscaping, additional open space or provision of outdoor cafés.

2. The street frontage of new or redeveloped buildings shall be dominated by street oriented retail, restaurant or entertainment uses.

3. Commercial or residential uses shall be permitted in the upper storeys.
4. Surface parking lots shall not abut the York Boulevard frontage.

5. High-rise buildings shall be allowed in accordance with the maximums contained on Map B.6.1-4 – Downtown Hamilton - Building Heights.

iii) Mixed Use development along the south side of York Boulevard, west of Bay Street, shall be mid-rise in accordance with Map B.6.1-4 - Downtown Hamilton - Building Heights. A mix of commercial and residential uses with at grade retail geared to needs of area residents shall be accommodated.

c) Area C Southeast Residential Precinct

This Area is adjacent to the Corktown Neighbourhood. The following policies shall apply to Area C Southeast Residential Precinct:

i) Mid-rise development shall be accommodated in the western portion of this Area in accordance with Map B.6.1-4 - Downtown Hamilton - Building Heights.

ii) All new development shall be built to the streetline. Additional setbacks shall only be permitted to accommodate added street planting, wider sidewalks or other pedestrian amenities.

6.1.10 Enhancing Streets and Public Spaces

Streets, parks and plazas provide the structure or urban areas – they are the foundation of the City. Downtown Hamilton retains important public spaces with many opportunities for new amenities. The historic grid street pattern is largely intact and there are significant and important streetscapes like Ferguson Avenue and King Street through the Gore. The creation of better pedestrian spaces in balance with the needs of vehicles is a key element. Well designed streetscapes, with buildings that frame the street environment, contribute to an overall improved sense of place in Downtown.

Great cities provide gathering points for their residents. These are places that help define the community and provide stimulating and unique experiences for Downtown residents, workers and visitors. The state of parks, open spaces and plazas sends an important message about community values and pride. Vibrant parks and public spaces enhance the value of properties in their vicinity. Investment in this public realm is a key priority in the Downtown and benefits the many underutilized or undeveloped properties.

Streets are critical public spaces. They also accommodate the transportation system for Downtown Hamilton. This Plan seeks to provide a network of attractive streets that balances the movement and safety of all types of vehicles with the comfort and safety of pedestrians. The street network provides important linkages between the Downtown and adjacent neighbourhoods, the Waterfront, the Niagara Escarpment and the other areas of the City.

Private development in the Downtown shall be designed to complement the public realm by providing direct connections between private and public spaces and locating buildings and structures so that they frame the boundaries of public areas.
6.1.10.1 Secondary Plan Objectives

a) Establish an overall plan to increase the pedestrian amenity and overall civic image of the streets and open spaces in the Downtown.

b) Identify priority streets for specialized treatment.

c) Establish linkages to the Waterfront, the Escarpment and other parts of the City.

d) Establish new locations and policies for parks and open space in the Downtown.

e) Identify the key civic spaces.

f) Establish a high standard of design in public spaces as a model for private sector initiatives.

6.1.10.2 Policies for Streets

a) The Downtown Transportation Master Plan is the primary policy document for vehicular traffic (including cars, public transit and cyclists), parking, and pedestrian systems in the Downtown. All plans and improvement programs for Downtown streets including street reconstruction and public improvements must conform to this Secondary Plan and the Downtown Transportation Master Plan.

b) Development and redevelopment of the Downtown shall support the use of public transit.

c) The historic grid street pattern in Downtown Hamilton is to be retained or restored through the following measures:

i) re-opening streets, lanes and alleyways that have been closed, where feasible;

ii) ensuring that all new development supports or incorporates a grid street pattern;

iii) acquiring land for public lane and street purposes through the development and redevelopment of sites in the Downtown; and,

iv) designing new streets with block faces extending from 90 to 120 metres.

d) 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, provision of urban braille, landscaping, seating areas, transit shelters and other amenities. The extent to which these amenities can be incorporated may vary from street to street.

e) 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.
f) Where residential uses abut a street, enhanced landscaped boulevards shall be provided where possible.

g) Alleys provide important access to many properties in the Downtown. Properties with alleyway access may use such access for property access, in lieu of street access. Alleys shall be utilized where direct street access would compromise other objectives. In addition, the following policies shall apply to alleys in the Downtown:

i) Existing public alleys shall be maintained as public rights-of-way.

ii) The City shall not support closure of a public alley unless private development adjacent to the alley can be serviced from the public street without compromising the design objectives, relative to streets, heritage buildings, and urban design.

h) Streets in Downtown Hamilton have been classified for urban design purposes as a guide to the planning and construction of public improvements to streets and sidewalks. The three classifications are Mobility Streets, Traditional Streets and Local Streets as shown on Map B.6.1-5 - Downtown Hamilton - Streets, Gateways and Public Spaces.

i) Approximately half of all motor vehicle trips in the Downtown are through-trips with the origin and destination of the trip outside the Downtown. The streets that primarily accommodate this type of traffic, in addition to local trips and trips starting or ending in the Downtown have been identified as Mobility Streets in Table B.6.1.14.1 – Mobility Streets. The key traffic and transit roles of these streets shall be reflected in designs for public improvements. Mobility Streets shall accommodate either one-way or two-way traffic movements and shall provide safe movement for pedestrians and cyclists. The following streets are Mobility Streets:

1. Bay Street;
2. James Street;
3. Main Street;
4. King Street;
5. York Boulevard/Wilson Street;
6. Cannon Street;
7. Queen Street;
8. Wellington Street; and,
9. Hunter Street.

j) A second group of streets, called Traditional Streets found in Table B.6.14.2 – Traditional Streets, provide key linkages to the buildings and activities of the Downtown and connections to the Mobility Streets. Traditional Streets shall primarily accommodate traffic destined to, or out of, the Downtown and
local trips as well as providing enhanced pedestrian comfort at street level. The following streets are Traditional Streets:

1. Hess Street;
2. Caroline Street;
3. Jackson Street;
4. King William Street;
5. Hughson Street;
6. Catharine Street;
7. Ferguson Avenue; and,
8. George Street.

k) Remaining Downtown streets not designated as either Mobility Streets or Traditional streets are considered Local Streets. Access to businesses or residences, on-street parking and pedestrian movement take priority over traffic movement on these streets. Traffic calming shall be utilized where it shall enhance the quality of the residential street.

l) Street master plans shall be completed for the entire length of all Mobility and Traditional Streets within the context of an overall urban design and public realm enhancement perspective for Downtown Streets, as identified in Policy B.6.1.7.17 – Urban Design in Public Spaces. Landscaping elements to be addressed include transit shelters, public signage, seating areas, vegetation and lighting. A description of the design function and objectives for Mobility and Traditional Streets is provided in Tables B.6.1.14.1 – Mobility Streets and B.6.1.14.2 – Traditional Streets of Section B.6.1.14 - Tables.

m) Reclaiming space for enhanced sidewalk width 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, and the sidewalk, on Downtown streets. Any land utilized for public realm enhancements shall be included in the density calculations for the private development. The landscaping plan for the private development shall include improvements in the boulevard that shall be constructed by the private developer.

n) Implementation of the Ferguson Avenue Master Plan for streets and public spaces shall continue along the corridor within the Ferguson Avenue Revitalization Area. Land Use within this Revitalization Area shall be as designated in this Secondary Plan.

o) A series of gateway features shall be located at key entrance points to the Downtown. Proposed Gateway locations are shown on Map B.6.1-5 – Downtown Hamilton - Streets, Gateways and Public Spaces. Gateway features shall be incorporated into site plans for new private developments or public improvement projects and shall conform to the requirements of site-specific traffic operations and planned changes in the Downtown Transportation Plan. Gateway features established on public land or
incorporating public art shall be subject to the Municipal Public Art Policy. Gateway features shall include one or more of the following:

i) Landscaped features;

ii) Landmark buildings; and/or,

iii) Decorative structure(s).

p) Construction of new elevated walkways over public streets to link second storey users shall not be permitted in the Downtown.

q) Road widenings shall not be taken from streets within the Downtown Hamilton Secondary Plan area except for each street segment identified in Table B.6.1.14.3 – Future Downtown Road Widenings of Section B.6.1.14. – Tables - Future Road Widenings shall be taken in accordance with Policy C.4.5.6 - Road Widening of Volume 1.

r) Road widening should not compromise the streetscape or individual buildings.

s) Any proposal to establish a transit terminal facility or consolidate Downtown transit transfer points shall be subjected to a comprehensive impact assessment and design process in accordance with the Downtown Transportation Plan. Downtown stakeholders and residents shall be invited to participate in this planning process.

6.1.10.3 Policies for Public Open Spaces
The following policies shall apply to lands designated Community Park or General Open Space on Map B.6.1-1 – Downtown Hamilton - Land Use Plan:

a) The General Open Space and Community Park designations include parks, other open spaces and civic squares. These spaces are intended for passive recreational use and special public activities and events. No new development or expansion of existing development into these areas shall be permitted.

b) A high standard of design of all General Open Spaces and Community Parks shall be achieved to promote comfort, safety, enjoyment, accessibility, a sense of nature and usability. New parks and open spaces shall be sited and designed to provide these qualities.

c) Public open spaces are to be located close to public streets, bicycle paths, and pedestrian routes in order that they may be easily viewed and entered by the public. Public open spaces shall be designed in a manner that readily identifies them as part of the public realm and which provides ready physical access to facilities for all members of the public.

d) Development and redevelopment for residential, commercial, and industrial uses shall contribute to the creation of parks and open spaces in Downtown Hamilton. The City shall, through a separate study and municipal by-law, specify the method of contribution, in accordance with the following:
i) allocation of property or a cash-in-lieu payment for a percentage of land area for residential, commercial, and industrial development; or,

ii) allocation of property on a units per hectare basis for residential development.

e) Parks and General Open Spaces shall be designed to meet the needs of area residents, daytime use by downtown workers, and evening use by visitors to the Downtown.

f) Parks and General Open Spaces shall be designed to urban standards characterized by:

i) direct at grade access to the streets on which they front with identified pedestrian access points;

ii) continuity of design between the public spaces, the streets that surround them, and the buildings that face them.

iii) the identification of clearly defined pedestrian access routes from surrounding areas using streets; and,

iv) adjacent on street parking where feasible with on-site parking discouraged, particularly at street level.

g) The City shall undertake a study of the planning area, west of Bay Street, to identify opportunities for the development of an urban plaza.

6.1.10.4 Public Art

Every year public dollars are invested in improvements to the streets and spaces of the Downtown. New lighting, seating, special signage and landscaping or decorative features have been used to enhance the places where people gather.

Public and private improvement projects can also create features that tell us something about our City's culture and history or indicate that a particular location in the Downtown has special meaning. Special features of this kind are regarded as public art and provide an opportunity to involve the City's artistic community in their design. Public art projects can become major attractions in a Downtown. Many cities have decided to encourage artistic endeavour and the creation of special spaces by requiring that a portion of all funds used for public improvements be committed to public art.

a) 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.

b) The provision of publicly accessible art in private development shall be supported through measures such as density increases. Such increases shall conform to the overall policies and design objectives and shall be detailed in the Zoning By-law.

c) Public Art shall be included in the overall design and context of development to ensure it has an appropriate siting and location.
6.11 Establishing a New System for Development Approvals

In 1995, changes to the Planning Act created a new planning tool called a Development Permit. Development Permits combine three existing approval processes, zoning, site planning and minor variance into one process. Development permits are intended to streamline approval and allow greater flexibility in the design of new projects. Portions of Downtown Hamilton have been selected as a pilot location for testing of the Development Permit system. This Secondary Plan provides policy direction for lands lying outside and within the Development Permit Area (DPA).

If monitoring and evaluation of this pilot indicates that the Development Permit system achieves its objectives the Development Permit Area may be expanded to include a wider area.

6.11.1 Secondary Plan Objectives

a) Implement the Development Permit System within Downtown Hamilton to streamline approval processes and foster innovative design.

b) Establish ongoing initiatives to inform the community about the new System and assist proponents in understanding and using it.

c) Monitor and evaluate the Development Permit System to determine whether it can be applied elsewhere in the Downtown.

6.11.2 General Policies for the Downtown Development Permit Area

a) Lands within the boundaries of the Downtown Development Permit Area shown on Map B.6.1-1 - Downtown Hamilton - Land Use Plan, may be designated as a Development Permit Area subject to the provisions for Development Permit Areas contained in Volume 1. The policies applicable to lands within this area shall be implemented through development permits. Changes to the boundaries of the Downtown Development Permit Area shall be achieved by amendment to the Plan.

b) The City may enact a Development Permit By-law for this area. Conventional zoning, minor variance and site plan control mechanisms shall not apply within the Development Permit Area. All development within this area requires a Development Permit except for classes of development, which are exempted from this requirement by the Development Permit By-law.

c) The policies for the Development Permit Area specified in this Secondary Plan form part and are applicable to the lands identified in this Secondary Plan upon the adoption.

d) Lands within the boundaries of the Downtown Development Permit Area are shown on Map B.6.1-1 - Downtown Hamilton - Land Use Plan. The Downtown Development Permit Area (DPA) is further subdivided into four sub-areas as shown on Map B.6.1-6 - Downtown Hamilton - Development Permit Sub-Areas. Specific policies have been developed for each of the following sub-areas:

   i) The Courts DPA;

   ii) The Gore DPA;
iii) The Lister DPA; and,

iv) Rebecca/Wilson DPA.

e) The City may consider amendments to the Development Permit By-law to increase permitted heights in order to encourage the retention of heritage buildings, facilitate the clean-up of contaminated sites or promote the creation of additional housing opportunities in the Rebecca/Wilson Area.

f) In order to assess a proposed increase in height applicants may be required to submit a sun/shadow analysis, a wind impact analysis, and/or a visual impact analysis as part of the Development Permit approval process.

g) Should the Downtown Development Permit System not be implemented, the land use designations shown on Map B.6.1-1 - Downtown Hamilton - Land Use Plan shall apply.

Policies for Development Permit Sub-Areas

6.11.3 Courts Development Permit Sub-Area

The Courts Development Permit Area describes the north and south sides of Main Streets from the east side of James Street to the west side of Catharine Street as shown on Map B.6.1-6 - Downtown Hamilton - Development Permit Sub-Area. There are several important public buildings in this area including the John Sopinka Courthouse and the former Wentworth County Courthouse. The plaza in front of the former Wentworth County Courthouse is the most important public space in this DPA.

a) Main Street contains a number of prominent buildings and public spaces, including the former Wentworth County Courthouse, which shall be maintained and enhanced. Corner sites adjacent to the Courthouse Square are to be built out to the street line to frame and define this important public space. Development of the corner sites shall address impacts on existing or proposed public transit stops.

b) Vacant parcels in this area shall be developed as mixed use, mid-rise buildings to strengthen Main Street's image as a primary residential and commercial avenue within the Downtown. Office, institutional, residential and retail uses shall be accommodated in this area. The following policies shall apply to building alterations or the redevelopment of a site:

i) The height of new buildings and additions shall be mid-rise, for that portion of the property directly adjacent to or facing the Courthouse Square, in order to minimize any sun, shadow, or wind impacts on the Courthouse Square and to avoid any adverse sun shadow, wind, or visual impacts on the adjoining Gore area.

ii) New buildings and additions shall reinforce the traditional building line fronting on the Courthouse Square.

iii) The height of these buildings or additions shall not exceed the height of the existing John Sopinka Courthouse at the street level.
c) The permitted height may be increased above the normally permitted height, provided the height is massed so as to achieve the following:

i) The additional height above the normally permitted height shall not exceed the preferred sun access as prescribed in the Downtown Hamilton Sun/Shadow Study and shall not introduce wind impacts on the public sidewalks on the north side of Main Street, the Courthouse Square, Gore Park or the intersections of Main Street and Hughson Street and Main Street and John Street.

ii) The additional height shall be stepped back or terraced above the normally permitted height for buildings directly adjacent to or facing the Courthouse Square and shall not exceed the preferred sun access as prescribed in the Downtown Hamilton Sun/Shadow Study on the public sidewalks on the north side of Main Street, the Courthouse Square, Gore Park or the and the intersections of Main Street and Hughson Street and Main Street and John Street.

iii) The additional height above the normally permitted height shall not result in any adverse wind impacts on the Main Street public sidewalks, the Courthouse Square, Gore Park or the King Street public sidewalks.

iv) In addition to the foregoing, the City may permit an increase in height above the normally permitted height for decorative building elements such as towers or cupolas, provided the additional height does not exceed the preferred sun access as prescribed in the Downtown Hamilton Sun/Shadow Study and shall not introduce wind impacts on the public sidewalks, the Courthouse Square or Gore Park and that the proposed building element shall maintain a harmonious relationship to adjoining buildings and to the building itself.

v) Sun shadow impacts are measured on March 21st for the target areas of the public open space in front of the Wentworth County Courthouse and the north sidewalk on Main Street East.

d) All redevelopment of the former Wentworth County Courthouse shall comply with the policies of this Plan including the following:

i) The open space area shall be maintained, including the pedestrian pathways;

ii) The massing of the building shall be consistent with the massing of the former Wentworth County Courthouse; and,

iii) Redevelopment proposals shall be subject to architectural peer review.

e) Signage shall be designed and located to respect the architectural integrity of the host building.

6.11.4 Gore Development Permit Sub-Area

a) The Gore DPA describes the area immediately surrounding Gore Park as shown on Map B.6.1-6 - Downtown Hamilton - Development Permit Sub-Areas. For over 150 years 'The Gore' has been the most important open space and public gathering place in Downtown Hamilton. The park, the
adjacent sidewalks and streets define the open space. The surrounding buildings form the “walls” of The Gore. New development and redevelopment shall maintain the historic role and character of this space.

b) The City shall retain and enhance the public open space attributes of Gore Park and the streetscape. The historic components of the Park shall be retained, enhanced and restored. Streetscape improvements on the public rights-of-way and adjacent to privately owned lands shall be undertaken in a manner contributing to the open space attributes of the Gore area.

c) The following policies apply to building alterations, development and redevelopment projects for the Gore area:

i) Buildings shall be located along the front property line in order to provide a consistent frame for Gore Park and to retain the traditional building line. To that end, encroachments into the road allowance for outdoor dining areas may be permitted subject to applicable agreements.

ii) Limited articulation of the front facades may be permitted in order to create sheltered areas at ground level or to allow for incorporation of architectural design element provided that the sense of enclosure is maintained and that the articulation does not detract from the retention of the traditional building line.

iii) Buildings shall be constructed to the side lot line in order to maintain the sense of enclosure and avoid gaps in the streetscape. The City may permit upper storeys of the building to be stepped back or terraced from side lot lines providing that the sense of enclosure is maintained, that resulting building design harmonises with adjacent structures and that no adverse wind conditions are created.

iv) The height of new buildings and additions shall be consistent with the traditional street wall defined by existing buildings as a height of three to six storeys at the street line.

v) Permitted heights may be increased provided that the upper storeys are stepped back or terraced so as to achieve the following:

1. Additional height shall not result in adverse shadow or wind impacts on the King Street sidewalks as compared with the impact of a six-storey building.

2. Permitted heights may be increased for decorative building elements such as towers of cupolas provided the increase does not result in any of the adverse effects noted above.

3. Sun shadow impacts shall be measured on December 21st for the target areas of the north sidewalk on King Street East.

d) Buildings shall incorporate ground level pedestrian access to uses open to the public, windows and doorways that allow views into the building from the street and loading and services facilities at the rear of the structure.
e) To maintain the architectural and heritage character of The Gore, the facades of new buildings and additions facing Gore Park shall:

i) Utilize traditional materials of stone, wood or brick. Other materials may be used provided that the resulting building design maintains a harmonious relationship with adjacent buildings; and,

ii) Reflect or complement the traditional patterns of fenestration, masonry units and decorative features of the upper storeys.

f) Design and location of signage shall respect the architectural integrity of the host building. Awning signage shall be encouraged.

g) The Gore area is part of the larger Downtown Community Improvement Area. The approved Community Improvement Plan shall be implemented to support enhancements to public spaces and the facades of historic structures.

6.1.11.5 Lister Development Permit Sub-Area

The Lister DPA is a specialty retailing and urban entertainment area shown on Map B.6.1-6 - Downtown Hamilton - Development Permit Sub-Areas. Redevelopment in this area should contribute to the existing street façade and uses. All proposals for development or redevelopment within the Lister DPA shall be subject to the policies in this section.

a) The Lister Block, at the northeast corner of King William Street and James Street North should be adapted for a variety of new at grade uses, with residential uses, live-work lofts or offices in the upper storeys. All development or redevelopment of the Lister Block shall incorporate the original façade and its component materials and the historic entrance of the building at the corner of King William and James Streets.

b) Future development at the Southeast corner of King William Street and James Street North should maintain and enhance pedestrian comfort at the street level.

c) The revitalization of existing vacant stores is encouraged along the east side of James Street North to create an active, pedestrian oriented area. The Prime Retail Streets policies shall apply to these properties.

d) New mixed-use development is encouraged through loft conversions of existing industrial and warehouse buildings and through new buildings on existing vacant lots/surface parking lots.

e) The height of new buildings and additions shall be consistent with the traditional street wall established by existing buildings and, therefore, should maintain a height of three to four storeys at the street line, with the potential for decorative higher building elements stepped back from the street line.

f) The following policies shall apply to building alterations or the redevelopment of a site:

i) The building shall be situated along the front property line in order to provide an uninterrupted building line.
ii) The height of new buildings and additions at the street line should be low-to-mid rise in order to maintain and enhance pedestrian comfort at street level.

iii) The permitted height may be increased above the normally permitted height, provided the upper storeys are stepped back or terraced so as to achieve the following:

1. The additional height above the normally permitted height shall not exceed the preferred sun access as prescribed in the Downtown Hamilton Sun/Shadow Study.

2. The additional height above the normally permitted height shall not result in increased wind impacts on the public sidewalks.

3. The additional height should not result in a height and scale that dominates the landscape and skyline, including views from the Gore Park area.

4. The additional height shall incorporate the use of reflective materials to minimize the scale and massing of the building.

5. Sun shadow impacts are measured on March 21st for the target areas of the north sidewalk on King William Street and the west sidewalk on James Street North.

iv) In addition to the foregoing, the City may permit an increase in height above the normally permitted height for decorative building elements such as towers or cupolas, provided that there are no adverse shadow or wind impacts on the public sidewalks and that the proposed building element shall maintain a harmonious relationship to adjoining buildings and to the building itself.

g) The building shall incorporate ground level pedestrian access that shall include the following: uses open to the public/ accessibility from ground level including doorways and windows. Where possible, residential service areas should be designed to integrate with commercial retail/service space.

h) Despite the foregoing, residential uses may be permitted on the ground floor of a building where required to accommodate residential lobbies and service areas. Where possible, residential service areas should be oriented away from the front building façade.

i) Signage shall be designed and located to respect the architectural integrity of the host building. Awning signs shall be encouraged.

6.1.11.6 Rebecca/Wilson Development Permit Sub-Area

The Rebecca/Wilson DPA is currently dominated by surface parking lots. Over time, these parking lots shall become more viable for low-to mid-rise residential development, with mixed uses on the ground floor, particularly those properties fronting onto Wilson Street.
a) New development should have an urban form featuring street oriented buildings that restore the traditional character of the Downtown area.

b) Accessory surface parking shall be located at the rear of buildings, with access through a common mid-block driveway/alley system. Direct driveway access to individual units shall be strongly discouraged.

c) Open space within new development may be provided in the form of new Parkettes and internalized semi-private open spaces within courtyard areas created by new buildings.

d) A new Neighbourhood Park shall be developed in the Rebecca/Wilson Area. The amount of amenity space provided within adjacent residential development may be reduced in recognition of the proximity of this park. A parking strategy review shall be undertaken for this area to balance the open space and parking needs for the Rebecca/Wilson area.

e) In order to create an appropriate living environment, certain higher-intensity commercial and entertainment uses may be permitted only if the City is satisfied that such uses have been designed and located in such a way as to minimize any negative impacts on existing or planned residential uses.

f) The following policies shall apply to building alterations or the redevelopment of a site:

i) The height of new buildings and additions should be low-to-mid rise in order to maintain a pedestrian scale along the public streets.

ii) The permitted height may be increased above the normally permitted height provided the height is massed as to achieve a harmonious relationship with adjoining buildings, public spaces, and any planned development.

iii) The development must comply with the Medium Density Residential designation policies.

iv) Signage shall be designed and located to respect the architectural integrity of the host building and to be compatible with a residential environment.

6.1.12 Implementation

6.1.12.1 Signage Regulations

a) The City of Hamilton shall create new regulation for signage in Downtown Hamilton in conformity with this Plan.

6.1.12.2 Municipal Budget

a) The City shall prepare a capital budget outlining the following:

i) Short, medium, and long term capital projects arising from this Plan;

ii) Cost estimates for the capital projects identified above; and,
iii) Special studies and projects arising from this Plan, including timing for completion and their estimated cost.

6.1.12.3 Catalyst Projects

In the world of chemistry, a catalyst is a substance that speeds up a process of change. The term can be applied to certain initiatives in Downtown Hamilton. This Secondary Plan identified a number of design or public improvement initiatives. Within this group are a number of ideas that warrant immediate consideration because of their potential to demonstrate positive change in a short time period. The catalyst projects are projects to be undertaken by the City of Hamilton, to demonstrate two key strategies from this Plan: Leadership in Downtown and Excellence in Public Spaces.

Leadership in the Downtown

a) The City of Hamilton commits to being a leader in Downtown Hamilton's issues. The City shall promote Downtown through the following actions:

i) Establish a Design Committee for Architectural Peer Review - This shall contribute to an overall improved design in both private and public development in Downtown Hamilton.

ii) Establish the Annual Downtown Community Builder Awards - These awards are for individuals, groups, and organizations that contribute to the positive growth and development of Downtown Hamilton through building the Downtown community and through Downtown design.

iii) Be a catalyst for development - The City shall develop a Downtown property database that includes an office inventory, land available for development and redevelopment.

Excellence in Public Spaces

b) The City of Hamilton is a major landowner in downtown Hamilton. The City's responsibility as a landowner is the public realm - the look of the City, the design of its public spaces, and the image of the City. The City's commitment to excellence in public spaces is a key component. So too is the City's commitment to development that is built within the policies, the Downtown Transportation Plan, and the Design Strategy for Downtown Hamilton. The following projects are important steps to establishing the City's commitment, and achieving its goals:

i) City Hall Forecourt/Art Gallery - Hamilton City Hall is the seat of local government in the City. The City Hall forecourt and the Art Gallery's court on Commonwealth Square are the major opportunity for a redesigned public space in downtown Hamilton. An integrated study, and development, is the key statement of the importance of public spaces in Downtown Hamilton, and the City's commitment to excellence in design.

ii) Conversion of James Street and John Street - City Council has approved the conversion of portions of James and John Streets to two-way traffic. This project is a key opportunity to redesigning the public realm of major streets in Downtown Hamilton - to meet the needs of vehicles, pedestrians, businesses, and the private realm.
iii) City Places - Phase II - Construction of this project at King and Walnut is an excellent showcase for the Prime Retail Streets policies. Equally as important, this project demonstrates how new housing can be successfully built in Downtown Hamilton and how the public and private realms are integrated.

iv) Farmer's Market Study - The Hamilton Farmer's Market is one of the key features of Downtown's uniqueness. An integrated study on the market's location, design, access, need, and a commitment to implementation shall establish the importance of the Farmer's Market as an economic and public use in Downtown Hamilton.

v) Gore Park Management Strategy - Gore Park is the prime public open space in Downtown Hamilton. It is essential to the long-term health of the downtown that there is a strategy for Gore Park that includes broad-based community consultation and support.

vi) Downtown Parking - Several studies have identified the need for the City to address the parking issues in downtown Hamilton. Implementing the parking strategy from the Downtown Transportation Plan shall be the first major step towards addressing the Downtown parking issues and working to take underutilized land to its highest and best use.

vii) Harbour Linkages - Hamilton's waterfront is one of the prime areas of the City. Linking Hamilton Harbour to Downtown Hamilton has begun with the Ferguson Avenue Master Plan. Continuing this work so that there are continuous pedestrian and vehicular linkages is key to achieving the public realm goals, bringing of the community to the Downtown, and Downtown's relationship to the broader City.

viii) Downtown Transit Terminal - A well located, easily accessible main transfer and layover point for the City's public transit system shall make public transit an attractive mode of travel for downtown residents, workers, and visitors. The needs of HSR must be addressed at an early stage in the redevelopment of the Downtown if public transit is to play a meaningful role in reducing the volume of auto traffic using the Downtown street network.

6.1.13 Site Specific Policies

Site Specific Policy - Area A

6.1.13.1 Notwithstanding Policy 6.1.5.4 b) - General Land Use Policies, on the lands located west of Bay Street North and north of York Boulevard, municipally known as 130 York Boulevard and shown on Map B.6.1-1 - Downtown Hamilton - Land Use Plan, as Site Specific Policy - Area A, a utility plant for the generation and transmission of heat, steam and electricity shall be permitted provided the following criteria are met:

a) The proposed noise levels and emissions from the utility operation comply with provincial requirements.

b) 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.
Table 6.1.14: Mobility Streets

<table>
<thead>
<tr>
<th>Mobility Street</th>
<th>Design Functions</th>
<th>Design Objectives</th>
</tr>
</thead>
</table>
| Bay Street      | • Key linkage from Escarpment to Waterfront | • Widen public sidewalk where feasible  
• Strengthen east-west streets, key |
| Cannon Street   | • Primary east-west link on north side of Downtown  
• Serves a mix of residential and commercial areas within the Downtown | • Recognize through traffic needs  
• Establish safe pedestrian environment with appropriate separation from vehicles |
| Hunter Street   | • Provides alternative east-west route on south side of Downtown  
• Provides important pedestrian linkages from major north-south streets to Hamilton GO Centre | • Improve pedestrian environment on east-west route  
• Improve north-south pedestrian connection to Gore Park |
| James Street    | • Primary north-south street within the Central Business District  
• One of two Prime Retail Streets in the Downtown  
• Provides key pedestrian and traffic linkage to the Harbour and Escarpment | • Widen public sidewalks where feasible  
• Strengthen pedestrian linkages to east-west streets, transit hubs  
• Provision of additional on street parking where feasible  
• Protection of views southward along James Street toward the Escarpment |
| John Street     | • Important link between Downtown, the waterfront and adjacent residential areas  
• Support James and King Street Prime Retail Area;  
• Escarpment Access | • Establish safe pedestrian environment with appropriate separation from vehicles  
• Better balance pedestrian, cycle & transit needs with vehicular needs  
• Provide connections to east-west streets into neighbourhood areas |
<table>
<thead>
<tr>
<th>Traditional Street</th>
<th>Design Functions</th>
<th>Design Objectives</th>
</tr>
</thead>
</table>
| Caroline Street    | • Important pedestrian linkage between Downtown, the waterfront and adjacent residential areas | • Provide pedestrian amenities along length of street  
• Partner with Board of Education to extend pedestrian residential route through Sir John A. Macdonald site |
| Catharine Street  | • Neighbourhood linkage | • Improve vehicular/pedestrian separation  
• Provide improved pedestrian amenities |
| Ferguson Street    | • See Ferguson Avenue Master Plan | • See Ferguson Avenue Master Plan |
| George Street      | • Supports commercial activities along George  
• Key pedestrian linkage Hess Village and the Central Business District | • New development should address the street directly and provide at grade access  
• Public improvements should be consistent with recent Hess Village improvements |
| Hess Street        | • Hess Street supports the Hess Village Specialty Commercial Area  
• Provides a linkage to the Waterfront area and adjacent neighbourhoods | • Within Hess Village the street shall receive specialty treatment to recognize its commercial role  
• Pedestrian amenities as feasible should be provided on remaining portions |
| Hunter Street      | • Major east-west route in south side of Downtown  
• Links Durand and Corktown neighbourhoods  
• Provides pedestrian and vehicle access to GO Centre | • Landscaped area on north side of Hunter between James and Catharine Street shall be maintained and retained in redevelopment proposals  
• Street improvements should provide greater separation between pedestrians and vehicles, particularly west of James Street |
Table B.6.1.14.2: Traditional Streets (continued)

<table>
<thead>
<tr>
<th>Traditional Street</th>
<th>Design Functions</th>
<th>Design Objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hughson Street</td>
<td>• Key north-south pedestrian route GO Centre and commercial areas to the south</td>
<td>• Protect view from GO Centre to Gore Park</td>
</tr>
<tr>
<td></td>
<td>• Links Go Centre to Gore Park</td>
<td>• Create specials pedestrian crossing at Hunter Street</td>
</tr>
<tr>
<td></td>
<td>• Links Gore Park to new public spaces at Wilson</td>
<td>• Introduce pedestrian amenities along entire route</td>
</tr>
<tr>
<td></td>
<td>• Linkage between Gore Park and Hamilton GO Station</td>
<td>• New development to provide direct, at grade access to street</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• No blank facades along street</td>
</tr>
<tr>
<td>Jackson Street</td>
<td>• Key pedestrian and vehicle route on south side of Downtown</td>
<td>• Recreate public street Bay and MacNab</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Integrate Jackson Street design with City Hall Forecourt on the east side of</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bay Street</td>
</tr>
<tr>
<td>King William Street</td>
<td>• Focus of the King William Specialty Commercial Area</td>
<td>• Surface parking along street shall not be accommodated</td>
</tr>
<tr>
<td></td>
<td>• Supports King Street Prime Retail Area</td>
<td>• Pedestrian amenities should be introduced along entire length of street</td>
</tr>
<tr>
<td></td>
<td>• Shall link new Neighbourhood Park at John and Rebecca with adjacent residential</td>
<td></td>
</tr>
<tr>
<td></td>
<td>and commercial uses adjacent residential areas</td>
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</tbody>
</table>


Table B.6.1.14.3: Future Downtown Road Widening

<table>
<thead>
<tr>
<th>Street</th>
<th>From</th>
<th>To</th>
<th>Future Right-of-Way Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cannon Street</td>
<td>Queen Street</td>
<td>Wellington Street</td>
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</tr>
<tr>
<td>Caroline Street</td>
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<tr>
<td>Ferguson Avenue</td>
<td>Jackson Street</td>
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</tr>
<tr>
<td>George Street</td>
<td>Hess Street</td>
<td>Bay Street</td>
<td>15.24 m</td>
</tr>
<tr>
<td>Hughson Street</td>
<td>Rebecca Street</td>
<td>Cannon Street</td>
<td>20.12 m</td>
</tr>
<tr>
<td>Hunter Street</td>
<td>Queen Street</td>
<td>Wellington Street</td>
<td>20.12 m</td>
</tr>
<tr>
<td>Jackson Street</td>
<td>James Street</td>
<td>Wellington Street</td>
<td>15.24 m</td>
</tr>
<tr>
<td>John Street</td>
<td>King William Street</td>
<td>Cannon Street</td>
<td>26.22 m</td>
</tr>
<tr>
<td>King William Street</td>
<td>James Street</td>
<td>John Street</td>
<td>Widen 3 m from south side only</td>
</tr>
<tr>
<td></td>
<td>John Street</td>
<td>Wellington Street</td>
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</tr>
<tr>
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<td>Queen Street</td>
<td>Wellington Street</td>
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6.2 Ainslie Wood Westdale Secondary Plan

6.2.1 Purpose of Secondary Plan

The Ainslie Wood Westdale Secondary Plan area is bounded by the former boundaries between the former City of Hamilton and former Town of Dundas on the west, Cootes Paradise on the northwest, and Highway 403 on the east and the southeast. The Ainslie Wood Westdale Secondary Plan establishes land uses, development standards and provisions regarding cultural heritage, urban design and transportation, to guide the development and/or redevelopment of lands located in the Ainslie Wood Westdale Secondary Plan area. Section B.6.2 and Maps B.6.2-1 - Ainslie Wood Westdale - Land Use Plan and B.6.2-2 - Ainslie Wood Westdale - Cultural Heritage Landscapes constitute the Ainslie Wood Westdale Secondary Plan.

Other non-land matters are addressed in the Community Strategy, which is outlined in a separate report. The Community Strategy is a guide plan for recommended actions by the City and other stakeholders, on matters such as student housing, by-laws and their enforcement, parking and communications.

6.2.2 Vision

The desired future state of the Ainslie Wood Westdale area, within the 20 year time frame, is a balanced stable community in which the diverse needs of all stakeholders are met. McMaster University and the surrounding community support each other by the provision of services and amenities. Residents are housed in high-quality neighbourhoods providing amenities suitable for various types of households. Tenants, including students and others, are offered a wide range of suitable housing choices and services. Development is well-designed and sustainable, considers future generations and respects the natural environment.

6.2.3 Goals

The Ainslie Wood Westdale community shall provide a variety of residential densities, commercial, mixed use, open space and other areas to meet the diverse needs of its many citizens which include homeowners, students, business people, shoppers and others. The predominantly low density residential appearance of the Ainslie Wood Westdale neighbourhoods shall be preserved and restored, with higher densities directed away from the single-detached residential areas, and towards appropriate locations such as along major roads.

6.2.4 Objectives

The objectives of the Ainslie Wood Westdale Secondary Plan are to:

a) Provide a diversity of suitable housing choice for families, students, seniors and others.

b) Maintain low density, single detached residential areas, in terms of both appearance and use.

c) Ensure new infill housing and renovations are compatible with existing development.
d) Encourage development forms which are compact, to help provide opportunities to relieve pressures for urban expansion, such as higher densities and mixed use along major roads.

e) Provide employment choices within the area which are compatible with residential uses, allowing residents the option to live and work in close proximity.

f) Reduce conflicts between adjacent land uses by buffering and distance separation.

g) Retain all existing open space areas and natural areas, including significant features such as Cootes Paradise.

h) Provide commercial areas, especially along the King Street historic community core and along portions of other major roads.

i) Eliminate industrial uses, over the long term, except for light industrial uses and other types which are compatible with the area's predominantly residential character.

j) Conserve cultural heritage resources, including buildings and areas of historical and architectural significance.

k) Enhance the design and identity of the Ainslie Wood Westdale area by the addition of design features to accentuate streetscapes and gateways.

l) Recognize McMaster University and the McMaster University Medical Centre as major community stakeholders, which help to define community identity, and contribute educational and employment opportunities.

m) Ensure that the transportation system provides for the needs of all citizens, encourages a compact urban form and enables the use of alternative travel modes.

n) Ensure that municipal infrastructure, such as water, sewers, storm water management facilities and public/private utilities are provided to adequately service the residents, businesses and institutions of this area.

6.2.5 Residential Designations

The Ainslie Wood Westdale community shall remain primarily a residential area, which shall include a wide range of housing types. The community includes the Westdale historic residential neighbourhood around the Westdale oval, and various residential areas with housing of different forms and densities. The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential types are provided to meet the needs of all area residents.

6.2.5.1 The residential areas are designated Low Density Residential 2, Low Density Residential 2c, and High Density Residential 1 as indicated on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan. The following policies shall apply to each of these land use designations.
6.2.5.2 The residential policies are intended to help achieve the following objectives:

a) Provide a wide variety of housing forms for many types of households, including households of various sizes and age groups.

b) Encourage the maintenance of the appearance of low density housing, especially single detached homes, where possible.

c) Encourage new infill housing and renovations to be compatible with surrounding residential development.

d) Create opportunities for and direct higher densities, and mixed use commercial/residential development, to locate along major roads.

e) Ensure the protection of areas identified on the basis of cultural heritage characteristics.

6.2.5.3 General Residential Policies
In addition to Section E.3.0 - Neighbourhood Designation of Volume 1, the following general policies apply to all residential land use designations identified on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan:

a) A range of residential designations is provided to encourage a variety of housing types, forms and sizes. Rental housing is important in providing a range of housing types.

b) Higher residential densities are directed to major roads, namely arterial and collector roads, to new or redeveloped residential or mixed commercial/residential developments. Population densities should be reflective of average densities for similar higher density residential uses across the City.

c) Changes to the existing housing stock, such as new infill construction and renovations, shall be comparable to existing housing styles on the same block and street. New construction shall be encouraged to reflect similar housing styles, massing, height, setbacks, and other elements of style as the adjacent homes on the same block and street. The City shall discourage the building-out of rooflines to convert dormers into a full storey. The City shall limit overbuilding on properties, to maintain compatibility within the neighbourhood.

d) Where there is no consistent style of homes on a street or block to determine the style for infill housing, such infill or renovations shall be encouraged to be compatible with the various housing styles on that street or block, reflecting one style or a suitable combination, rather than being of a height or style not found in the area.

e) Additional locations suitable for new higher density housing units, including units suitable for student housing, are identified at various locations and densities, to reduce the over-intensification of such housing in some residential areas. Housing forms which shall be encouraged for new rental housing and student units include mixed use commercial/residential on major roads, low rise apartments, medium rise apartments, and rental rooms in owner-occupied houses.
f) Property standards measures are recognized as important in the preservation of residential character.

g) The heritage character associated with the Ainslie Wood Westdale residential areas shall be preserved and enhanced by a number of means, as outlined in Section B.6.2.12 – Urban Design Policies and B.6.2.13 – Cultural Heritage Policies of this Secondary Plan, including:

i) retention of buildings and areas which have been designated or listed as having historical or architectural significance; and,

ii) recognition of cultural heritage landscapes. The three Cultural Heritage Landscapes identified on Map B.6.2-2 - Ainslie Wood Westdale Cultural Heritage Landscapes are:

1. The planned suburb of Westdale, commercial core and residential;
2. The Veteran's Housing Area, a post-war housing area south of Main; and,
3. The Burke Survey, an early 20th century survey.

h) Other complementary uses to be permitted in the Residential designations, in addition to those specified for each density type, shall include home businesses, accessory uses, home day care, small residential care facilities, and small scale local commercial and small community-based places of worship.

6.2.5.4 Low Density Residential Designation

a) The following policies shall apply to the lands designated Low Density Residential 2 on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan:

i) Low Density Residential 2 areas permit single detached dwellings, semi-detached dwellings, duplexes, and street townhouses. These uses shall include dwellings with accessory apartments/second dwelling units. Single detached housing shall be the primary form of housing in most of these areas, especially in the interior of neighbourhoods. Existing, legal 3, 4, and 5-plexes shall be recognized as permitted uses.

ii) Notwithstanding Policy E.3.4.4 of Volume 1, the Low Density Residential 2 densities shall generally be from 10 - 29 units per gross hectare. The area of large lots noted in Policy B.6.2.5.3 d) – General Residential Policies of Volume 2 shall have a lower density.

iii) Where single detached housing presently exists in the interior of the neighbourhood, the maintenance of such low density housing shall be preferable to new higher density housing forms.

iv) An area of large lots is recognized within the Low Density Residential 2 designation, located immediately east of McMaster University. Any future housing created through redevelopment in this area shall retain this density, to help preserve this area's character. The boundaries of this area are:
1. For lands north of Sterling Street, this area is bounded by Mayfair Crescent, Sterling Street, Dalewood Crescent, and Oak Knoll Drive, also Mayfair Place and Oakwood Place; and,

2. For lands south of Sterling Street, this area is bounded by Forsyth Street, King Street, Whitton Road, and Sterling Street, also including Forsyth Place.

b) The following policies shall apply to the lands designated Low Density Residential 3c on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan:

i) Notwithstanding Policy E.3.4.3 of Volume 1, within the Low Density Residential 3c areas triplexes and multiple dwellings with four units or more, and townhouse developments up to five storeys in height shall be permitted. Additional height over five storeys may be considered, but shall not produce any adverse shadow or wind impacts on adjacent low density residential areas. New low density uses shall not be permitted in these areas.

ii) Notwithstanding Policy E.3.4.4 of Volume 1, the residential densities of the Low Density Residential 3c designation shall generally be 30 - 49 units per gross hectare.

iii) The Low Density Residential 3c designated areas are located along major roads, specifically sections of Main Street West and King Street West. Low Density Residential 3c uses may also be considered on other redevelopment sites where compatibility with adjacent uses can be ensured, in terms of such matters as building height and massing. Such sites shall require an amendment to Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan.

6.2.5.5 High Density Residential Designation

The following policies shall apply to the lands designated High Density Residential 1 on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan:

a) Within High Density Residential 1 designated areas multiple dwellings shall be permitted to a maximum height of 10 storeys, except in the case of existing buildings which may be higher. Additional height shall be permitted for new buildings, provided the height shall not produce any adverse wind impact, or adverse shadow impacts on public space and/or private outdoor amenity spaces.

b) Notwithstanding Policy E.3.6.6 of Volume 1, the residential densities of High Density Residential 1 uses shall generally be 50 - 125 units per gross hectare.

c) High Density Residential 1 designated areas are located along major roads, specifically sections of Main Street West. High Density Residential 1 uses may also be considered on other redevelopment sites where compatibility with adjacent uses can be ensured, in terms of such matters as building height, massing, and preservation of views. Such sites shall require an amendment to Map B.6.2-1 - Ainslie Wood Westdale Land Use Plan.
6.2.6 Local Commercial Designation

Local Commercial areas designated on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan are to provide for the shopping needs of local residents, as well as provide specialty shopping areas for visitors. The primary use within Local Commercial areas shall be commercial uses. Policies for Mixed Use areas, which permit commercial and other uses, are detailed in Section B.6.2.7 - Mixed Use – Medium Density.

6.2.6.1 The objectives for the Local Commercial designated areas are to:

a) provide commercial areas to serve the needs of local residents and visitors;

b) require the provision of appropriate amenities for commercial areas, including parking, signage, and streetscaping on public lands; and,

c) enhance appearance and encourage good maintenance of commercial buildings and areas.

6.2.6.2 Local Commercial Designation

In addition to Section E.3.8 - Local Commercial of Volume 1, the following policies shall apply to the lands designated Local Commercial on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan:

a) Areas designated Local Commercial shall be located primarily along major roads, namely along portions of Main Street West as indicated on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan.

b) Building heights of up to three storeys shall be permitted for the Local Commercial areas.

c) Commercial areas shall front only onto the major streets, and shall have access only onto these major streets.

d) Limited residential uses and institutional uses shall be permitted in conjunction with commercial uses in the Local Commercial areas, in the form of mixed use buildings. The retention of commercial uses on the ground floor is required.

e) Local Commercial uses shall be enhanced by the provision of appropriate amenities, including parking, access, streetscaping measures, emphasis on design for infill and renovations, and others, as appropriate.

f) The appearance and maintenance of commercial areas shall be considered important. Site plan control, design guidelines, and other tools shall be used to ensure appropriate design of all new and redeveloped commercial properties.

g) Financial incentive programs to enhance the appearance of commercial areas shall be provided within the framework of existing planning legislation for areas designated as Business Improvement Areas (BIAs). The establishment of new BIA areas, or new funding programs, may be considered where these would be appropriate, and in keeping with relevant legislation.
6.2.7 Mixed Use - Medium Density Designation

Mixed Use – Medium Density areas and Mixed Use – Medium Density – Pedestrian Predominant areas are designated on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan to provide vibrant shopping areas for local residents and visitors.

6.2.7.1 The objectives for Mixed Use - Medium Density designated areas and Mixed Use – Medium Density – Pedestrian Predominant designated areas are as follows:

a) Encourage mixed uses, with residential apartments on upper floors of commercial buildings located along major roads, namely arterial and collector roads, with higher densities to support use of infrastructure.

b) Provide commercial areas in combination with other uses to serve the needs of local residents and visitors.

c) Support the destination shopping role of the Westdale core area along King Street, which serves the local community as well as a wider regional market.

d) Require the retention of commercial uses on the main floor in the Westdale commercial area.

e) Require the provision of appropriate amenities for commercial areas, including parking, signage, and streetscaping on public lands.

f) Enhance the appearance and encourage good maintenance of commercial buildings and areas.

6.2.7.2 Mixed Use - Medium Density and Mixed Use – Medium Density – Pedestrian Predominant Designation Policies

In addition to Section E.4.0 –Commercial and Mixed Use Designations of Volume 1, the following policies shall apply to the lands designated Mixed Use - Medium Density and Mixed Use – Medium Density – Pedestrian Predominant on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan:

a) Residential, commercial, or institutional uses, shall be permitted either as stand alone developments or in a mixed use building.

b) Mixed Use - Medium Density and Mixed Use – Medium Density – Pedestrian Predominant designated areas shall be located, as identified on Map B.6.2-1 – Ainslie Wood Westdale - Land Use Plan, along portions of arterial and collector roads, namely Main Street West, King Street West, and in other areas.

c) Notwithstanding Policies E.4.6.7 and E.4.6.8 of Volume 1, permitted building heights shall not exceed three storeys. Building heights of four to six storeys may be considered in specific areas, such as opposite McMaster, as noted in Policy B.6.2.7.2 i) – Mixed Use – Medium Density Designation.

d) Other permitted building forms may include low rise apartment buildings which are entirely residential, other residential uses subject to the Medium Density Residential designation policies, and low rise commercial buildings, subject to Policy B.6.2.7.2 c) – Mixed Use – Medium Density Designation.
e) Building forms shall be in keeping with the predominant character of the surrounding area with respect to materials, roofline and setbacks.

f) The residential densities shall generally be about 30 – 49 units per gross hectare.

g) Mixed Use - Medium Density and Mixed Use - Medium Density - Pedestrian Predominant designated lands shall only front onto the major streets, and shall generally have access only onto these major streets.

h) Provision of sufficient parking to accommodate all uses shall be required. Shared use parking should be considered where appropriate.

i) Development or redevelopment of lands designated Mixed Use - Medium Density on the south side of Main Street West, opposite McMaster, for mixed uses shall be in accordance with the following criteria:

   i) Uses such as mixed use commercial/residential, including rental residential units, and educational facilities including classrooms, offices, and amenities shall be encouraged.

   ii) Building heights shall not exceed three storeys. Increased building heights of four to six storeys may be permitted if it can be demonstrated that the height shall not produce any adverse shadow impacts on public spaces and/or private outdoor amenity spaces. Consideration of increased heights may include consideration of comprehensive development of the entire block, including Main Street frontage and the existing residential lands to the rear, and terracing of buildings.

   iii) Provision of satisfactory access and parking shall be required.

   iv) Measures to ensure the safety of pedestrian traffic crossing Main Street West in this area shall be required.

   v) Street beautification by the City of Hamilton shall be encouraged.

j) The Westdale commercial area located on King Street West between approximately the eastern leg of Cline Avenue North and Newton Avenue is designated Mixed Use - Medium Density - Pedestrian Predominant. This area shall be reinforced as the traditional heart and community focus for Ainslie Wood Westdale. A mixture of commercial and residential uses shall be encouraged. The needs of the Westdale commercial area may be addressed by means such as:

   i) Commercial designations and zoning which supports mixed use buildings, namely ground-floor retail such as shops, office, local commercial, with apartments on upper floors.

   ii) Prohibited uses shall include gas bars, other automotive and large scale retail uses.

   iii) Enhancements to streetscapes and other urban design measures shall be strongly encouraged.
iv) Mixed use developments within the BIA area between Newton and Cline, which are adjacent to low density residential areas, shall not exceed two storeys in height.

v) Strategies to provide additional parking for this area, including implementation of changes through the zoning by-law, shall be considered by the City.

k) Financial incentive programs shall continue to be provided for the Westdale commercial core area along King Street West. The addition of any new financial incentive programs shall be undertaken only with the proper approval of such programs under the Planning Act or other applicable legislation. Funding programs shall be investigated to enhance and upgrade the appearance of the commercial areas along arterial roads in Ainslie Wood Westdale and also for residential intensification projects. These may include programs similar to the façade restoration program, or other programs, to encourage property owners to upgrade or restore storefronts.

a) City investment in the infrastructure of commercial areas, such as improvements to lighting and amenities in various areas including the Westdale commercial core area on King Street West, may be proposed through various studies. These improvements shall be used to help promote additional private investment and upkeep. Such improvements and associated costs shall require approval by Council, through the budget processes, once studies are prepared.

b) Outdoor patios generate community concerns, with different concerns related to residential areas and the business community. The following policies shall apply to outdoor patios:

i) Outdoor patios shall be encouraged to locate at an acceptable distance from low density residential areas to address impacts such as music and other noise.

ii) Outdoor patios should be encouraged to locate within the Westdale commercial core area along King Street West provided that they are located directly in front of the establishment and along the King Street frontage.

iii) Other preferred locations for outdoor patios shall be in transitional areas, such as former industrial sites, or along other arterial roads where they do not back directly on residential areas.

iv) Visual buffering and distance separation to adjacent uses shall be required through the site plan approval process.

6.2.8 Employment Area – Industrial Land Designation

Employment Area designation (industrial) uses are recognized as a past important land use in the Ainslie Wood Westdale area, and to a lesser extent are still important. Employment and prestige employment uses shall continue to exist in the area for the foreseeable future, including research type uses with potential to accommodate uses related to the University’s activities. Employment Area - Industrial Lands are designated on Map B.6.2-1 – Ainslie Wood Westdale - Land Use Plan.
The planning objectives associated with this Employment Area designation are to:

a) Ensure the compatibility of existing employment uses with the overall community.

b) Facilitate the transition of heavy industrial sites to lighter industrial uses when these sites redevelop.

c) Recognize the potential of Employment Areas to serve McMaster's needs, such as for research functions, with the land uses characteristic of light industrial uses.

6.2.8.1 Employment Area Designation Policies

In addition to Section E.0 - Employment Area Designations of Volume 1, the following policies shall apply to the lands designated Employment Area on Map B.6.2-1 - Ainslie Wood Westdale Land Use Plan:

a) Building heights shall not exceed five storeys.

b) Any review of the Zoning By-law provisions for employment sites in the Glen Road/Tope Road area shall restrict the permitted uses, to permit only light industrial uses, and exclude heavy industrial and other uses which are incompatible with adjacent residential areas.

c) Notwithstanding Policy E.5.3.2 - Permitted Uses of Volume 1, small scale institutional uses shall be considered a permitted use in the Employment Area designation.

d) In locations where existing light employment uses do not generate extensive adverse impacts, such as noise, air pollution and traffic, and where they are located adjacent to compatible land uses such as industry, utility corridors, or major highways, the existing light employment uses shall be encouraged.

e) In instances where existing employment uses are located directly adjacent to residential uses, the voluntary introduction of buffering measures shall be encouraged, such as landscaping and / or noise and visual barriers. For any new light employment uses, buffering measures shall be required through the site plan approval process.

f) Where employment use owners wish to remain on their existing sites in the Ainslie Wood Westdale area, communication between the owners and local residents is encouraged, so that any adverse impacts and other concerns can be resolved.

g) The establishment and extension of programs and funding for the rehabilitation and reuse of employment lands shall be encouraged to include lands in the Ainslie Wood Westdale area. An example would include any possible expansion of the brownfields funding program, to facilitate the rehabilitation of these lands.

h) McMaster University shall be encouraged to consider the use of vacant or transitional employment lands in the Ainslie Wood Westdale area for educational uses, research facilities and other uses. Such redevelopment
would be subject to any requirements for rezoning and / or submission of a site plan indicating landscaping, adequate parking and access to help ensure compatibility with surrounding uses.

6.2.9 Parks and Open Space Designations

Parks and Open Space areas are designated in many locations throughout the Ainslie Wood Westdale community.

Parks provide green space areas, which are generally landscaped, for the enjoyment of local residents and other citizens, mainly for active pursuits including sports and recreation. These lands would also allow for passive use such as walking or sitting. This designation shall include parks of a variety of sizes and functions, serving needs of the immediate neighbourhoods and wider portions of the community.

The natural open space areas include natural areas such as Cootes Paradise, the Dundas Valley, and the Niagara Escarpment lands. These shall include natural areas such as lands of environmental significance to be preserved and protected, and lands where passive recreational enjoyment such as walking or hiking can be permitted.

6.2.9.1 The objectives for Parks and Open Space uses are as follows:

a) ensure that Parks and Open Space areas are retained and enhanced;

b) preserve and protect Core Areas;

c) restrict development from occurring on Hazard Lands; and,

d) provide additional accessibility by means of multi-use trails on these lands.

6.2.9.2 Parks and Open Space Designations

In addition to Sections B.3.5.3 - Parkland Policies and C.3.3 - Open Space, the following policies shall apply to the lands designated Community Park, Neighbourhood Park, Parkette, General Open Space, and Natural Open Space on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan:

a) Five designations make up the parks and open space system of the Ainslie Wood Westdale community:

i) Community Park;

ii) Neighbourhood Park;

iii) Parkette;

iv) General Open Space; and,

v) Natural Open Space.

b) All existing Parks and Open Space designated areas in the Ainslie Wood Westdale area shall be retained for use as parks and open space. These lands shall not be redeveloped for other uses, to ensure they are preserved
for active and passive recreational uses, as well as for the enjoyment of views and vistas.

c) Cootes Paradise, which is designated Natural Open Space and identified as a Core Area, is owned by the Royal Botanical Gardens. Cootes Paradise shall be protected from development to ensure that this natural area can be enjoyed by residents of the City of Hamilton and others. The Master Plan prepared by the Royal Botanical Gardens shall provide further details and direction concerning the land use plan for these lands, in a manner which complements this Secondary Plan and is compatible with City policies.

d) Walking trails shall continue to be provided and enhanced throughout Cootes Paradise and the Royal Botanical Gardens lands. These trails shall be designed to promote the enjoyment of these natural areas, and to preserve their integrity.

e) The provision of any additional trails and multi-use pathways through the parks and natural areas shall ensure that the integrity of these areas is maintained, especially the natural areas and Core Areas.

f) Portions of Cootes Paradise contain open water, located at the northern edge of the neighbourhood, where the shoreline cuts into the neighbourhood boundary. These open water areas shall:

i) be considered as part of the Cootes Paradise Core Area;

ii) be used primarily for non-motorized boating purposes;

iii) be preserved for aesthetic, ecological and scientific activities; and,

iv) remain covered by water and shall not be filled, reclaimed or otherwise altered.

g) The existing C.P. (formerly TH&B) Rail corridor, which runs east-west through this area, as part of the Hamilton – Brantford Rail Trail shall continue to be extended along the rail trail corridor to the east, as portions of the former rail line become available. The Transportation policies of this Secondary Plan provide further details. This trail shall be designated as General Open Space, since it is used for passive recreational uses.

h) The provision of additional Parks and Open Space designated areas shall be encouraged, should opportunities arise in future. Such additional parks shall be especially encouraged in the area west of the Hydro corridor, within the western portion of the Ainslie Wood Westdale community. Consideration of such additional park land shall be subject to the availability of City funds, and the overall need for parkland as identified in City policies such as the Official Plan.

6.2.10 Institutional Designation

Institutional areas are identified in the Ainslie Wood Westdale Secondary Plan to provide for the needs of citizens of the community and beyond. Institutional areas permit such uses as governmental, educational, health, religious, residential and other major institutional uses. Specific examples of uses to be permitted shall include schools, universities, colleges, hospitals and places of worship. These uses shall be provided in a manner which ensures that the needs
of local citizens are met, and in a manner which is compatible with adjacent land uses.

6.2.10.1 The objectives for Institutional uses in the area are to:

a) provide facilities for public use such as health, religious and government; and,

b) address the potential reuse of institutional buildings such as schools.

6.2.10.2 Institutional Designation Policies

In addition to Sections E.3.10 – Community Facilities and Services Policies and E.6.0 – Institutional Designation of Volume 1, the following policies shall apply to the lands designated Institutional on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan:

a) Existing Institutional uses within the Ainslie Wood Westdale area include McMaster University, McMaster University Medical Centre (Hamilton Health Sciences Corporation), other schools providing for various age groups, and several places of worship.

b) McMaster University is located immediately adjacent to, and surrounded by, the Secondary Plan area. The University and adjacent hospital shall be recognized for their key role in defining the identity of the Ainslie Wood Westdale community.

c) In the event of school closures in this area, and if public or separate school sites are made available for redevelopment, reuse of these Institutional lands shall be encouraged to proceed on the basis of the following considerations:

i) Retention of the existing buildings and adaptive reuse, where appropriate, shall be preferable to the loss of existing buildings.

ii) Preference shall be given to the retention and provision of parks, open space, and recreational uses on school sites for use of the general public, where possible and where funds are available.

iii) Land use compatibility with residential character shall be a primary consideration, especially when such sites are located in the interior of residential areas.

d) In the event of adaptive reuse, preference shall be given to uses which serve community needs, such as community centres, educational uses, day cares, adult day cares, seniors’ centres, seniors’ apartments, seniors’ care facilities, and places of worship.

e) Conversion of school buildings or sites to residential uses shall also be considered appropriate.

f) Consideration shall be given to impacts on local traffic and access, availability of parking, noise, environmental impacts, and other issues relevant to these sites.
g) The possible redevelopment of other Institutional uses, such as places of worship and health facilities, for other uses, shall be subject to Policy B.6.2.9.2 c), with special attention to the compatibility of uses with residential character, and provision of sufficient parking.

h) Development or redevelopment of Institutional sites for residential uses shall be permitted, without the requirement for an amendment to this Secondary Plan or to the Official Plan.

6.2.11 Utility Designation

The high transmission hydro corridors in the Ainslie Wood Westdale area are designated as Utility on Map B.6.2-1 – Ainslie Wood Westdale - Land Use Plan. Utility areas are reserved for the types of uses which are permitted on and compatible with the hydro towers and the associated open space lands. Compatibility between these Utilities areas and the surrounding land use areas shall be ensured.

6.2.11.1 The objectives for the Utilities lands are to:

a) preserve the integrity of the open space areas associated with these areas; and,

b) ensure compatibility between Utility areas and other areas.

6.2.11.2 Utility Policies

In addition to Sections C.3.4 - Utility Designation of Volume 1, the following policies shall apply to the lands designated Utility on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan:

a) The hydro corridors located in the Utility designation are recognized as long-term uses. The hydro towers and lines within these corridors, which run north-south from the Escarpment to Ancaster Creek, and east-west near the base of the Escarpment, are anticipated to remain as features which dictate the use of these lands.

b) Utility lands may be used for other utility or infrastructure functions, such as storm water management facilities and underground sewer storage/treatment facilities. Such uses shall be designed to minimize any adverse impacts on surrounding uses such as residential areas.

c) The regulations of any affected utility agencies, as well as City policies and regulations regarding these lands, shall be adhered to in the design of all facilities and development on these lands.

d) The City supports where feasible the provision of electronic communication technology involving high capacity fibre optics to enhance telecommunication services within the Secondary Plan area.

e) All interested telecommunications providers and other utilities wishing to be located within a development area should be located within an initial common trench, whenever possible, to avoid unnecessary over digging and disruption on municipal rights-of-way.
6.2.12 Urban Design Policies

Good urban design, both in the public and private realm, is to be encouraged in the Ainslie Wood Westdale community.

6.2.12.1 The objectives for urban design in Ainslie Wood Westdale community are as follows:

a) Built forms and landscaped areas, including residential neighbourhoods, commercial areas, arterial roads, and other areas shall be enhanced through high quality design initiatives.

b) New development, including infill and additions to existing buildings, shall complement and enhance the existing character of the surrounding environment, through the use of appropriate building materials and attention to the scale, massing, colour, and special features of the existing built context.

c) Public urban spaces, including roads, sidewalks, and open spaces, shall also be enhanced to harmonize with the existing built form and to provide community amenities.

6.2.12.2 Urban Design Policies

In addition to Section B.3.3 - Urban Design of Volume 1, the following policies shall apply to lands within the Ainslie Wood Westdale community:

a) Streetscape Master Plans shall be prepared for King Street West and Main Street West in order to improve pedestrian safety and physical attractiveness of public spaces. Streetscape improvement strategies and key locations for entrances and enhanced design features shall be identified in the Streetscape Master Plans. Improvement recommended in the Streetscape Master Plans may include appropriate tree planting, wider sidewalks, improved lighting, and the selection of street furniture in scale and character to the local areas. The Streetscape Master Plans shall also include guidance on general building setbacks and the location and installation of the urban braille system, where opportunities exist.

b) Urban braille, a user friendly way-finding system assisting persons with physical disabilities and other mobility challenges, shall be installed in high pedestrian traffic areas of the Ainslie Wood Westdale community. Specific locations shall be identified and may include:

i) King Street West between Westdale Village and the McMaster University Campus; and,

ii) Entrances to the McMaster University campus.

c) To protect the integrity and residential character of established historical neighbourhoods, new residential development including infill and additions to existing buildings shall reflect the scale, form, and other building features of that specific area and street. New development shall reflect the existing built context by conforming to existing setback, building height, roof types and complementary construction material. These established historical neighbourhoods shall include, but not be limited to the following areas:
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i) Cultural Heritage Landscapes identified on Map B.6.2-2 – Ainslie Wood Westdale – Cultural Heritage Landscapes; and,

ii) The "Working Men's Parcel" in the Westdale North residential area around Longwood Road which is characterized by 1 ½ storey detached bungalows with traditional arts and crafts design.

c) Special design treatments may be considered for various entrance points to the Ainslie Wood Westdale community identified in the Streetscape Master Plans. These design enhancements aim to reflect the identity of the community and to welcome visitors. The types of special treatments considered may include public art, landscape elements, signs, banners, or other suitable design features. Consultations with the community, including input from the local BIA and other stakeholders, shall be part of the design process.

e) Street trees may be planted and replaced along arterial and residential roads in the community. Trees shall be planted to improve the appearance of the streetscapes and to replace trees which are lost due to disease. The replacement of trees shall be carried out in conjunction with the overall street tree planting program for the City, depending on the priorities and budget associated with this program.

f) Views and vistas which are important to the Ainslie Wood Westdale area, including views of the Niagara Escarpment and Cootes Paradise, shall be identified and preserved in development and redevelopment. The review process for development proposals and design briefs shall incorporate the preservation of views and vistas.

g) The City shall work with utilities (public and private) to encourage and determine appropriate design, location, and provision of services within the public realm.

h) The City may prepare design guidelines for the considerations of innovative methods of containing utility services on or within streetscape features, such as gateways, lighting standards and transit shelters.

6.2.13 Cultural Heritage Policies

The heritage and historical significance of the Ainslie Wood Westdale community shall be celebrated and incorporated into aspects of current development. Heritage features within this area include the Westdale subdivision, one of the first planned communities in North America, and the Westdale Oval, with its central shopping hub surrounded by residential streets extending out in a radial pattern.

6.2.13.1 The objectives for cultural heritage in the Ainslie Wood Westdale community are to:

a) recognize the existing heritage and design features of the area, and take advantage of opportunities to further enhance these features;

b) conserve the historic and architecturally significant buildings and areas, and reflect this heritage character in adjacent lands; and,
c) ensure the appropriate management, conservation, mitigation or preservation of archaeological resources.

6.2.13.2 Cultural Heritage Policies

In addition to Section B.3.4 - Cultural Heritage Resources Policies of Volume 1, the following policies shall apply to the Ainslie Wood Westdale Secondary Plan area:

a) Additional properties or heritage conservation districts may be designated or listed under the Ontario Heritage Act without amendment to this Plan. These areas may include areas identified on Map B.6.2-2 - Ainslie Wood Westdale - Cultural Heritage Landscapes as Cultural Heritage Landscapes.

b) Cultural heritage landscapes shall be conserved and protected with the intent of retaining major characteristics through the review of planning applications. The following Cultural Heritage Landscapes are identified on Map B.6.2-2 - Ainslie Wood Westdale - Cultural Heritage Landscapes:

i) The McMaster University Historic Core;

ii) The Westdale Original Subdivision;

iii) The Burke Survey bounded by Main Street, Broadway Avenue, Emerson Street and the Escarpment; and,

iv) The Veteran’s Housing Area, on portions of Haddon Street, Gary Avenue, Dalewood Street and Stroud Road, which is characterized by single 1½ to 2 storey detached bungalows with side driveways and 3 – 4 metre setbacks from the sidewalk.

6.2.14 Transportation Policies

The Ainslie Wood/Westdale Neighbourhoods Transportation Master Plan (TMP) forms the basis for the transportation policies and actions for this area. These Secondary Plan policies are intended to support the recommendations of the Transportation Master Plan, to which reference should be made for complete details.

The transportation system in the Ainslie Wood Westdale community provides for various forms of travel including roads, transit, cycling and walking for people who live, work and attend school in this area. This transportation system shall continue to be maintained and enhanced for the benefit of local citizens, as well as for residents of nearby areas. The community shall also continue to provide important through links for City-wide transportation networks, such as roads, bicycle paths and transit, for people travelling to and from destinations such as the University and nearby Downtown Hamilton.

6.2.14.1 The objectives for the transportation system in this area include:

a) provision of safe and efficient means of travel for all residents and citizens;

b) encouragement of energy-efficient transportation, such as walking, cycling and transit, to reduce the dependency on the single-occupancy automobile; and,
c) provision of transportation to support existing and future land uses in the community, and its vicinity.

6.2.14.2 Transportation Policies

In addition to Section C.4.0 – Integrated Transportation Network of Volume 1, the following policies shall apply to the Ainslie Wood Westdale community:

a) Through traffic shall be directed to appropriate streets, particularly arterial and collector roads, and shall be minimized on local streets. Some of these actions shall include traffic calming measures where appropriate on several streets located east of McMaster University, including Forsyth Avenue, Arnold Street and Traymore Avenue.

b) The bicycle network shall continue to be recognized as a vital component of the City’s overall transportation system. The continuity and integrity of the bicycle network shall continue to be improved, by means such as the addition of network sections, the incorporation of bicycle facilities at major activity areas, and the promotion of public awareness.

c) Existing multi-use paths serving pedestrians and bicycles throughout the community shall be retained, and new sections shall be developed. Additional multi-use paths may be created to suit the needs of local users. The paths which were originally proposed for Churchill Park shall not be created.

d) Extension of the Hamilton – Brantford Rail Trail from Ewen Road East to Highway 403 and towards Downtown shall be considered a priority, and shall be facilitated by coordinated City actions. Development and fragmentation of the ownership of this right-of-way shall be discouraged, and the potential City purchase of the trail lands shall be pursued to extend the trail.

e) The redevelopment opportunities of lands adjacent to the rail trail shall also be considered, and the potential for the trail to Avenue and Royal Avenue (Henkel site), which is addressed by Site Specific Policy – Area B contained in Policy B.6.2.16.3. The use of the rail trail for an access to this site when it is redeveloped in future, rather than Ward and Royal, shall be considered.

f) The pedestrian system shall ensure the safety of pedestrians, shall provide user-friendly facilities and amenities to encourage pedestrian use, and shall address operational issues identified at specific intersections. Improvements shall be undertaken at the intersection of Sanders Boulevard, and Cootes Drive, to facilitate the crossing of pedestrians in this location. Improvements shall include traffic calming, mainly in the form of pavement treatments, and management studies along Cootes Drive, north of Sanders Blvd.

g) A comprehensive transit review shall be undertaken for the Ainslie Wood Westdale community, to address:

i) transit routing;

ii) opportunities for improving system efficiency; and,

iii) integration of transit services with other modes of transportation.
h) Any implications for the Westdale Village commercial area shall be identified for these areas of study. Within the Ainslie Wood Westdale area, the Hamilton Street Railway shall be encouraged to establish a transit terminal, which would be the subject of a separate study with input from all stakeholders.

i) Attention shall be given to the location and design of parking areas as follows:
   i) Any parking spaces required on-site shall be appropriately landscaped and screened to any adjacent residential areas, including mixed use.
   ii) Required parking shall be located to the rear of buildings wherever possible.

j) Existing parking regulations shall be maintained in Ainslie Wood Westdale in the short term, including regulations for time limit parking, permit parking, and front yard parking. An individual parking study shall be undertaken for the Westdale Village commercial area.

k) Pedestrian safety for children at elementary schools in the area, and where possible, other schools, shall be addressed by means of a mitigation process for the identification of traffic issues at schools, the undertaking of school safety audits, and other measures.

l) The transportation objectives contained in the McMaster Campus Master Plan are acknowledged and supported, including but not limited to:
   i) provision of the main campus entrance at Main Street West;
   ii) consideration of potential off-campus parking facilities to be serviced with shuttle buses, contingent on compatibility with residential and other community uses;
   iii) expansion of on-campus parking while maintaining environmental integrity; and,
   iv) promotion of transportation demand management, including encouraging alternative modes of transportation, provision of improved facilities, and encouraging carpooling.

m) Unopened road allowances within the Ainslie Wood Westdale area may be either sold to adjacent property owners, or converted to a pedestrian path, as specifically defined in the Transportation Master Plan.

6.2.15 Infrastructure Policies

Municipal services, such as sewers, water, storm water systems and public/private utilities, shall be provided, maintained and upgraded as necessary to accommodate the needs of existing and future development in Ainslie Wood Westdale.

6.2.15.1 Infrastructure Policies

In addition to Section C.5.0 - Infrastructure of Volume 1, the following policies shall apply to the Ainslie Wood Westdale community:
a) Storm water management shall be utilized in the Ainslie Wood Westdale community to address existing problems, future land use changes and road reconstruction works and opportunities for major storm sewer/storm water management facility works. Storm water management shall include a combination of methods suitable for each type of situation, as outlined in the Stormwater Management Master Plan for Ainslie Wood Westdale, approved by City Council in October 2003. Examples may include new storm water management facilities and the diversion of existing flows to improve the system, on-site controls for new development, enhancement of storm sewer outfalls, review of current policies (e.g. roof-leader disconnection), and collection of cash-in-lieu funds.

b) Recommendations and actions arising from the Ward One Combined Sewer Overflow Master Plan / Class Environmental Assessment are supported by the policies of the Ainslie Wood Westdale Secondary Plan. The locations for the two proposed combined sewer overflow tanks, near Ewen Road, and at Royal / Stroud, are implicit in the land use designations for these areas, and considered compatible with surrounding land use.

6.2.16 Site Specific Policies

Site Specific Policies are designated to address specific sites for which the identification of future land designations and policies involves a greater degree of complexity. The policies in this section provide more detailed guidance than contained in the other sections of this Secondary Plan. These sites include large parcels with options for future use, and for which performance standards are especially important.

6.2.16.1 The sites within the Ainslie Wood Westdale community which are defined as Site Specific Policies and identified on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan are:

a) Site Specific Policy - Area A - McMaster University;

b) Site Specific Policy - Area B - Lands at the West End of Ward and Royal Avenues (Henkel site); and,

c) Site Specific Policy - Area C - Lands located 11, 17, 28, 45, 58 and 60 Ewen Road and 5 Ofield Road.

Site Specific Policy - Area A

6.2.16.2 The lands owned by McMaster University, located north of Main Street West, west of Forsyth, south of Cootes Paradise, east of Cootes Drive, as well as the West Campus (west of Cootes Drive) are identified as Site Specific Policy - Area A on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan. The following policies shall apply to Site Specific Policy - Area A:

a) McMaster University is recognized as one of the most significant land uses in the Ainslie Wood Westdale community, due to its size in area, number of students, employees and buildings. The University and its activities are acknowledged as having major impact on the community and the local economy, as well as on the students and other people whom it serves. The University has prepared its own comprehensive master plan document for
land use, which shall be used to guide the direction and specifics of campus development.

b) The objectives for Site Specific Policy – Area A are to:
   i) recognize the comprehensive planning exercise contained in the Campus Master Plan, while acknowledging the flexibility inherent in the Campus Plan;
   ii) ensure that the policies in the Campus Master Plan and the Secondary Plan are compatible, recognizing the inter-relation between the University and the community; and,
   iii) provide for an appropriate transition between the University and the surrounding community, at the campus edges and for the lands directly south of the University.

c) General Policies
   i) The McMaster University Campus Master Plan is the detailed land use plan which provides a planning framework for the University’s lands. This plan, which was prepared for the University, adopted by the McMaster Board of Governors in March 2002, and may be amended from time to time, shall be used in conjunction with City policy documents.
   ii) McMaster is encouraged to retain its primary campus in Ainslie Wood Westdale, and also to develop additional satellite facilities for activities which are independent in nature.
   iii) Compatibility of land uses and design at the edges of the University and in the adjacent portions of the community shall be ensured to help provide a smooth transition. These issues are addressed in McMaster’s Campus Master Plan and shall be implemented accordingly.

Site Specific Policy – Area B

6.2.16.3 The lands at 162 Ward Avenue, at the west end of Ward Avenue and Royal Avenue, owned by Henkel Canada Corporation, are identified as Site Specific Policy – Area B on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan. The following policies shall apply to Site Specific Policy – Area B.

a) The objectives for Site Specific Policy – Area B are to:
   i) act as a land use designation, embodying the policies as defined in this section;
   ii) recognize the significant opportunity and range of development options which exist for this former industrial site, which is fairly large in size, and one of few vacant sites in the area; and,
   iii) identify the type, form, height and other features of development on this site, to ensure best fit with the surrounding community.
b) General Policies

i) Until such time as future uses are determined through a comprehensive development plan, only a parking lot shall be permitted on this site.

ii) A range of future uses are encouraged for the sites which are deemed to be compatible with the neighbourhood. Future uses may include:

1. open space, recreation;

2. residential uses of a form and density recognizing the significant opportunity for infill and intensification, preferably low to medium density in nature;

3. commercial uses to support the surrounding residential area, of a community scale (not large scale retail), especially of a service nature such as offices or retail;

4. light employment (industrial) uses such as storage or warehousing; institutional uses such as schools, neighbourhood-scale places of worship, retirement homes or long term care facilities;

5. institutional uses related to McMaster University or the Medical Centre, such as teaching facilities, or a research and development facility; and,

6. other uses which meet the compatibility and performance standards outlined in these policies.

7. Combinations of one or more of these uses shall only be permitted if they are clearly compatible.

iii) The following design considerations will be addressed to ensure that the site is developed in an appropriate manner which is compatible with adjacent development:

1. Compatibility with the type, scale and form of adjoining development, which currently includes low density residential and an institutional use, namely St. Mary's High School. In this regard:
   - Building heights of up to two and one half storeys are permitted; and,
   - Building heights of up to three to four storeys may be considered, if there is sufficient distance separation from adjacent uses, along with visual barriers and landscaping.

2. Provision of suitable roadway access;

3. Mitigation of any adverse traffic impacts;

4. Provision of suitable landscaping and buffering on site; and,

5. Consideration for integration into the City's open space network, by means such as the connection with the nearby rail trail.
iv) The following types of technical studies may be required to assess the impacts of proposed uses, when major planning approvals are required:

1. Site servicing;
2. Stormwater management;
3. Environmental, including decommissioning of the site to an acceptable level for the proposed use;
4. Shadow studies, if developments are over three storeys in height;
5. Urban Design, namely the preparation of a Design Brief; and,
6. Other studies as may be relevant to specific proposals.

v) Satisfactory access to the new site will be a major consideration for any new developments:

1. Traffic studies will be undertaken to identify the traffic impacts of major developments; and,
2. Use of a portion of the rail trail corridor to provide a new access point to Leland St. will be encouraged, in keeping with policy 6.2.14.2 e) - Transportation of Volume 2, and will be reviewed as part of the traffic studies to be required for the redevelopment of this site.

Site Specific Policy – Area C

6.2.16.4 The lands located 11, 28, 45, 58 and 60 Ewen Road and 5 Ofield Road, designated as Mixed Use – Medium Density, are identified as Site Specific Policy – Area C on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan. The following policies shall apply to Site Specific Policy – Area C.

a) The objectives for Site Specific Policy Area - C are to:

i) recognize the significant opportunity and range of development options which may occur should the industrial land uses cease; and,

ii) Identify the type, form, height and other features of development on this site, to ensure best fit with the surrounding community.

b) Notwithstanding the uses permitted in Policies E.4.6.5 of Volume 1 and Section B.6.2.7, lands within Site Specific Policy – Area C shall be zoned to allow for the continuation of existing employment (industrial) uses that are compatible with surrounding non-employment land uses. At such time as the employment (industrial) use(s) cease(s) and alternative land uses are proposed, the following criteria shall be apply:

i) A range of future uses are encouraged for the sites which are deemed to be compatible with the neighbourhood. Future uses may include:

1. open space, recreation;
2. residential uses of a form and density recognizing the significant opportunity for infill and intensification, preferably low to medium density in nature;

3. commercial uses to support the surrounding residential area, of a community scale, especially of a service nature such as offices or retail. No major retail uses shall be permitted;

4. light employment uses such as storage or warehousing; institutional uses such as schools, neighbourhood-scale places of worship, retirement homes or long term care facilities;

5. institutional uses related to McMaster University or the Medical Centre, such as teaching facilities, or a research and development facility; and,

6. other uses which meet the compatibility and performance standards outlined in these policies.

7. combinations of one or more of these uses shall only be permitted if they are clearly compatible.

ii) The proposed new use shall not create a negative effect on the adjacent land uses.

iii) The use shall have no 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.

iv) The new proposed land use is permitted within the existing land use designation.

v) A Record of Site Condition has been completed and filed with the City and the Province for the proposed use; and,

vi) The use must have regard for provincial guidelines.

Site Specific Policy – Area D

6.2.16.5 Notwithstanding Policy B.6.2.5.5 a) and b), for the lands designated High Density Residential 1, located at 17 Ewen Road, and identified as Site Specific Policy – Area D on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan, the maximum height of any proposed building or structure shall be limited to 10 storeys and the maximum the residential densities associated with the High Density Residential uses shall range from 300 to 375 units per gross hectare.
Legend:

1. McMaster Historic Core
2. Westdale Original Subdivision
3. Butler Survey
4. Veteran's Housing Area

Secondary Plan Boundary

Cultural Heritage Landscapes

Map B 6,2-2

Hamilton

Date: July 9, 2009

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
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6.3 Chedmac Secondary Plan

The Chedmac Secondary Plan area is in the vicinity of Chedoke Hospital and is generally bounded by Mohawk Road West to the south, Sanatorium Road to the east, San Pedro Drive to the North and Magnolia Drive to the west. The Chedoke Secondary Plan establishes land uses and development standards to guide the development and/or redevelopment of lands located in the Chedmac Secondary Plan area. Section B.6.3 and Map B.6.3-1 – Chedmac - Land Use Plan constitute the Chedmac Secondary Plan.

6.3.1 Objectives

The objectives of the Chedmac Secondary Plan are to:

a) Create residential areas consisting of a range of housing types and densities to satisfy a range of housing needs.

b) Provide a variety of housing at a range of prices including affordable residential units.

c) Ensure future residential and institutional development considers and is sensitive to surrounding existing residential uses.

d) Integrate the residential areas with parkland in order to provide a convenient, safe and visually pleasing living environment.

e) Recognize and support Chedoke-McMaster Hospitals as a community and regional health care facility.

f) Establish a focus of recreational and health service facilities within the interior of the Chedmac Planning Area.

ge) Encourage the concentration of existing and future Chedoke-McMaster health service facilities in a comprehensive "campus-like" setting.

h) Provide sufficient lands for the future needs of Chedoke-McMaster Hospitals to satisfy the changing health needs of the community and city.

i) Provide additional parkland for existing and future Mountview Neighbourhood residents.

j) Ensure an open space linkage is provided from the existing residential development to the Chedmac Planning Area interior focus, and from existing residential development to new residential development.

k) Develop an efficient, practical and safe road system to accommodate the movement of people within the Chedmac Planning Area and the surrounding Mountview Neighbourhood.

l) Minimize traffic through existing residential development.

m) Provide for the extension of Chedmac Drive as the principal collector road within the Chedmac Planning Area including the redesign of the pertinent intersections.

n) Minimize through traffic through the Chedoke-McMaster Hospital lands.
a) Ensure that Miller Avenue and Beamis Avenue are not extended into the Chedmac Planning Area.

p) Provide sufficient off-street parking facilities for multiple-dwelling residential development.

6.3.2 Residential Designations

The majority of the vacant lands within the Chedmac Planning Area shall be developed for low and medium density residential purposes. The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential types are provided to meet the needs of all area residents.

6.3.2.1 The residential areas are designated Low Density Residential 1a and Low Density Residential 2c on Map B.6.3-1 - Chedmac - Land Use Plan. The following policies shall apply to each of these land use designations.

6.3.2.2 General Residential Policies

In addition to Section E.3.0 - Neighbourhood Designation of Volume 1, the following general policies apply to all residential land use designations identified on Map B.6.3-1 - Chedmac - Land Use Plan:

a) Within each residential density designation, the Zoning By-law shall restrict the use of any site to the dwelling unit types permitted within that designation. Such restrictions shall be implemented to preserve the character of the neighbourhood and compatibility of dwelling unit types with surrounding existing and proposed land uses.

b) Residential development shall be located to ensure a gradation of residential densities.

c) Residential development adjacent to existing institutional facilities may be subject to a noise study.

6.3.2.3 Low Density Residential Designations

The following policies shall apply to the lands designated Low Density Residential on Map B.6.3-1 - Chedmac - Land Use Plan:

a) Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, land designated Low Density Residential 1a shall consist of single detached units at a maximum gross residential density of 18 units per gross hectare (7.2 units per gross acre).

b) Notwithstanding Policy B.6.3.2.3, for the lands designated Low Density Residential 1a abutting existing residential development at the northern limit of Chedmac Planning Area the following policies apply:

i) The maximum density shall be 14 units per gross hectare (5.5 units per gross acre).

ii) The minimum lot frontage for these lands shall be 15 metres.
iii) No direct vehicular access from these lands to the abutting residential development fronting San Pedro Drive shall be provided.

c) Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, development on lands designated Low Density Residential 2c shall consist of townhouse dwelling units at a gross residential density of 30 units per gross hectare (12 units per gross acre).

d) Development of lands designated Low Density Residential 2c shall be subject to site plan control.

6.3.3 Parks and Open Space Designations

6.3.3.1 In addition to Sections B.3.5.3 – Parkland Policies and C.3.3 – Open Space Designations, the following policies shall apply to the lands designated Neighbourhood Park, Community Park and General Open Space on Map B.6.3-1 – Chedmac - Land Use Plan:

a) Three components make up the parks and open space system of the Chedmac community:

i) Neighbourhood Park;

ii) Community Park; and,

iii) General Open Space.

b) The expanded parkland shall provide an open space linkage from the existing neighbourhood to the recreational facilities located within the Chedmac Planning Area.

6.3.4 Institutional Designation

Chedoke-McMaster Hospitals shall be recognized as a valuable community and regional health facility. In addition, other institutional uses, including the long term care facility located on the south side of Chedmac Drive, provide community services to the neighbourhood and community.

6.3.4.1 In addition to Sections E.3.10 – Community Facilities and Services Policies and E.6.0 – Institutional Designation of Volume 1, the following policies shall apply to the lands designated Institutional on Map B.6.3-1 – Chedmac - Land Use Plan:

a) New Institutional or recreational facilities shall be designed in a comprehensive manner with existing recreations facilities.

b) The development of any new institutional facilities, including those associated with Chedoke-McMaster Hospitals, shall be designed to mitigate any negative impact on adjacent residential development.

6.3.5 Utility Designation

6.3.5.1 Section C.3.4 – Utility Designation of Volume 1 shall apply to lands designated Utility on Map B.6.3-1 – Chedmac - Land Use Plan.
6.3.6 Transportation Policies

A safe and efficient road network shall be established in the Chedmac Secondary Plan area.

6.3.6.1 In addition to Section C.4.0 – Integrated Transportation Network of Volume 1, the following policies shall apply to the Chedmac Secondary Plan area:

   a) No direct vehicular access shall be permitted from block townhouse development to Chedmac Drive. Access shall be provided via a local road.

   b) The intersections of Rice Avenue and Chedmac Drive, and Chedmac Drive and Sanatorium Road shall be redesigned to provide a more efficient and safe access to Chedmac Drive, while discouraging through traffic from Scenic Drive and Sanatorium Road.

   c) No direct road access from Chedmac Drive to Magnolia Drive shall be permitted.

   d) The extension of Miller Avenue and Beamis Avenue through to the Chedmac Planning Area shall not be permitted.
6.4 West Hamilton Innovation District Secondary Plan

6.4.1 Vision

The West Hamilton Innovation District Secondary Plan area shall function as a centre of innovation for corporate, academic and government research in science and technology and shall be recognized as a major entry point into the City. This prestige employment community shall establish an architectural presence along Highway 403 and a street-oriented design along the interior public roads. The development of knowledge-based activities shall allow for the eventual production of goods and materials enabling companies to remain and grow within the West Hamilton Innovation District Secondary Plan (Innovation District).

The establishment of partnerships between education, the City, other levels of government and the business community shall spark the development of a dynamic community and create synergies that shall encourage innovation, economic growth and new business opportunities. The Innovation District shall be enhanced by supportive commercial, educational and residential uses which shall contribute to the transformation of the area into an integrated first rate research community. Pedestrian activity and interaction shall be encouraged through the creation of attractive streetscapes, innovative building design and the provision of publicly accessible spaces. The improvement and development of existing and new linkages shall enhance access to accommodate motorists, pedestrians, cyclists, public transit and goods movement within, through and around the Innovation District.

The West Hamilton Innovation District Secondary Plan area is generally bounded by Aberdeen Avenue to the south, the railway line and Dundurn Street South to the east, Main Street West to the north and Highway 403 to the west. The West Hamilton Innovation District Secondary Plan establishes land uses, development standards and provisions regarding cultural heritage, urban design and transportation, to guide the development and/or redevelopment of lands located in the West Hamilton Innovation District Secondary Plan area. Section B.6.4 and Maps B.6.4-1 - West Hamilton Innovation District - Land Use Plan and B.6.4-2 - West Hamilton Innovation District - Design Elements constitute the West Hamilton Innovation District Secondary Plan.

6.4.2 Objectives

6.4.2.1 The following objectives constitute the fundamental guidelines which shall direct the development of the West Hamilton Innovation District to:

a) Encourage the redevelopment of brownfield lands to a prestige research district comprised mainly of uses related to research, science and technology which are remediated to a high standard to ensure public health and safety.

b) Encourage the development of the McMaster Innovation Park generally identified on Map B.6.4-2 - West Hamilton Innovation District - Design Elements, as an integrated and comprehensive research community and employment area in a campus-like setting.

c) Support and recognize the benefits of partnerships between McMaster University, various levels of government and the business community in the
creation of synergies and economic development opportunities in the development of the Innovation District.

d) Enhance linkages and connections between West Hamilton Innovation District and McMaster University, the adjacent residential neighbourhoods and the Hamilton Trail System.

e) Recognize and encourage the transition of existing uses to research, science and technology uses over time.

f) Promote compatible development adjacent to existing residential uses.

g) Recognize the continued importance of the Canadian Pacific Railway to existing and future uses within the West Hamilton Innovation District as a provider of the regional transportation of goods and materials.

h) Promote supportive commercial, education and residential activities to serve the needs of the Innovation District.

i) Foster the economic growth of biosciences, advanced manufacturing and other research sectors consistent with the City's Economic Development Strategy.

6.4.3 Development Policies

General Development Policies

6.4.3.1 The following general development policies shall apply to the West Hamilton Innovation District:

a) Loading and servicing areas shall be encouraged to locate indoors or at the rear or side of main buildings, and shall be kept clean and screened from view of public streets or highways.

b) Development shall be in accordance with the applicable Urban Design policies of Section 6.4.5 of this Secondary Plan.

c) Development adjacent or proximate to Highway 403 shall be subject to the setback requirements of the Ministry of Transportation.

d) Telecommunication and other utilities shall be located in common trenches, within public road allowances or within appropriate easements, wherever possible, to avoid over-digging and disruption of municipal rights-of-way.

e) Free-standing office buildings shall have less than 10,000 square metres of gross floor area.

f) Supportive commercial uses shall be permitted only on the ground floor of a multi-storey building.

g) New buildings requiring underground parking facilities shall be subject to the requirements of the Province with respect to site remediation.

Arterial Commercial Designation

6.4.3.2 Lands designated Arterial Commercial on Map B.6.4-1 - West Hamilton Innovation District Land Use Plan, shall be subject to Policy E.4.8 - Arterial
Commercial Designation and all other Commercial and Mixed Use designations policies of Volume 1.

Research District Designation
6.4.3.3 In addition to Section E.5.4 - Employment Area - Business Park Designation, lands designated Research District on Map B.6.4-1 - West Hamilton Innovation District - Land Use Plan, shall be oriented to activities associated with the research and development sector. The following uses shall be permitted:

a) research, science and innovation facilities and knowledge intensive uses;
b) computer, electronic, data processing and printing establishments;
c) offices;
d) pharmaceutical and medical industries;
e) hotel and conference facilities;
f) limited manufacturing and warehousing accessory to the uses described in a) through d), above;
g) railway uses requiring direct railway access located immediately adjacent to railway lines; and,
h) limited supportive commercial uses to serve the needs of the employment community.

Utility Designation
6.4.3.4 Section C.3.4 - Utility Designation of Volume 1 shall apply to lands designated Utility on Map B.6.4-1 - West Hamilton Innovation District - Land Use Plan.

Transitional Uses
6.4.3.5 Warehousing, light manufacturing and service and repair uses shall be permitted as principal uses within existing buildings until such time as redevelopment occurs.

6.4.4 Urban Design Policies
The urban design policies for the West Hamilton Innovation District are based on an integrated approach which considers built form, views and vistas and connections and linkages, as identified on Map B.6.4-2 - West Hamilton Innovation District, to create a well designed and attractive employment area providing pedestrian linkages to adjacent residential neighbourhoods.

Objectives
6.4.4.1 The following objectives constitute the fundamental guidelines which shall direct the design of the West Hamilton Innovation District:

a) Create a safe and accessible environment with linkages for pedestrians and cyclists.
b) Encourage a unique sense of place and identity by promoting excellence in building construction and design, attractive streetscaping, public art and the integration of publicly accessible open space areas.

c) Establish architectural presence along Highway 403 complemented by the views and natural amenities of the Escarpment as a backdrop.

d) Encourage innovation in the development of open spaces, storm water management, building design and parking accommodation that shall promote environmental sustainability.

Built Form

6.4.4.2 Development shall have a street orientation that shall allow for the creation of a pedestrian-friendly environment.

6.4.4.3 In addition to Section B.3.3 - Urban Design Policies of Volume 1, the following policies shall apply to development within the Research District designation on Map B.6.4-1 - West Hamilton Innovation District - Land Use Plan:

a) A high standard of architectural and site design shall be encouraged for properties along Longwood Road South through the appropriate use of architectural features, massing and scale.

b) Maximum building height shall be 10 storeys.

c) Buildings shall front onto the street with accessible, at-grade entrances. Multi-storey buildings are encouraged to be stepped back above the ground floor to reduce the scale of the buildings as perceived by pedestrians.

d) Building elements such as lighting, signage, awnings and plantings shall be provided to reinforce a high quality employment environment.

e) Extensive use of clear glazing in windows, exterior wall panels, and entrance openings at the ground floor level of buildings containing retail, restaurant or hotel uses is encouraged to allow for open views at the street level and to promote public activity and interest.

f) New development shall have regard for the light, views and privacy enjoyed by adjacent residential development.

g) Wherever possible, loading and service areas shall be screened from view of Highway 403 and public streets, and shall be located at the side or rear yards of main buildings.

h) Rooftop mechanical equipment shall not be visible from abutting public streets, Highway 403 or public amenity areas.

i) Buildings visible from Highway 403 shall have prominent elevations addressing the highway, and elevations fronting on any other principal street shall be designed to address the public street through appropriate use of architectural features, massing, and scale.

j) Above-ground public utility infrastructure such as transformers shall be located and designed to be compatible with the environment. Innovative
methods of containing the above-ground infrastructure shall be encouraged. The clustering or grouping of above-ground infrastructure shall be considered where possible, to minimize visual impacts.

6.4.4 In addition to Sections B.3.3 - Urban Design and E.4.8 - Arterial Commercial Areas of Volume 1, the following policies shall apply to development of lands within the Arterial Commercial designation on Map B.6.4-1 - West Hamilton Innovation District Land Use Plan:

a) Buildings shall be constructed at the street-line, where possible, to establish a defined street edge.

b) The development of a landmark mid-rise building on the north-west corner of Chatham Street and Dundurn Street South shall be encouraged as an eastern gateway into the District.

c) Parking areas shall be located in the side or rear yards.

d) Buildings shall be well-designed and shall be a maximum of six storeys in height.

Views and Vistas

6.4.5 Existing significant views and vistas contribute to the unique identity and character of the Innovation District. They shall be protected by careful placement of building mass within a well integrated network of open spaces which is sensitive to the context and natural amenities of the surrounding area.

6.4.6 The following significant view corridors, as identified on Map B.6.4-2 - West Hamilton Innovation District - Design Elements, shall be maintained and enhanced, where possible:

a) the view corridor to the Niagara Escarpment south from Longwood Road South;

b) the view corridor south through the Chedoke Creek Valley towards the Escarpment; and,

c) the view corridor southeast from Longwood Road South to the Escarpment.

6.4.7 The design of buildings shall be encouraged to maintain the view toward the Escarpment, and buildings shall be appropriately scaled in relation to the adjacent built form.

6.4.8 A landscaped buffer shall be provided adjacent to the Canadian Pacific Railway to buffer and filter views of development within the Innovation District from local residential streets.

Connections and Linkages

6.4.9 Connections and linkages shall contribute to the development of a pedestrian, bicycle and transit friendly environment within the Innovation District and provide improved access to surrounding neighbourhoods and the Hamilton Nature Trail System.
6.4.4.10 Public street improvements to enhance pedestrian movement shall be in accordance with recommendations provided in the approved Kirkendall Neighbourhood Traffic Management Study and an approved Streetscape Master Plan, and may include the following elements:

a) a continuous public sidewalk network, including urban braille for high pedestrian traffic areas adjacent to roadways;

b) landscaped boulevards and street trees;

c) enhanced pedestrian crossings and control at intersections and abutting publicly accessible space areas;

d) pedestrian-scale lighting and other street furniture;

e) transit shelters and street furniture; and,

f) installation of public art.

6.4.4.11 Entrance features shall be addressed through site plan approval in accordance with an approved Streetscape Master Plan and shall be located at the following key intersections as identified on Map B.6.4-2 - West Hamilton Innovation District - Design Elements:

a) Longwood Road South at Aberdeen Avenue, including any future traffic roundabout;

b) lands adjacent to the south side of the Longwood Road Bridge;

c) Chatham Street at Dundurn Street South; and,

d) Frid Street at Main Street West.

6.4.4.12 Entrance features may consist of publicly accessible open space areas with street furniture, distinctive signage, public art installations such as statues or sculptures, and landscaping or a combination of these elements to develop the area's visual identity and a unique sense of place. The use of public art shall be encouraged and shall be administered by the City's Public Art Coordinator.

6.4.4.13 The provision of landscaped publicly accessible spaces for passive recreation, storm water management purposes, and in conjunction with entrance features shall be encouraged at appropriate locations as generally identified on Map B.6.4-2 - West Hamilton Innovation District - Design Elements, and shall be addressed through the site plan approval process.

6.4.4.14 Landscaped publicly accessible spaces for passive recreation and enjoyment shall be encouraged to locate adjacent to buildings in which there are ground floor supportive commercial uses.

6.4.5 Cultural Heritage Policies

6.4.5.1 In addition to Section B.3.4 - Cultural Heritage Policies of Volume 1, the following policies shall apply to the Innovation District:
a) New development adjacent to the heritage resources identified on Map B.6.4-2 - West Hamilton Innovation District - Design Elements, shall complement the character, scale and materials of these buildings.

6.4.6 Transportation Policies

6.4.6.1 In addition to Section C.4.0 - Integrated Transportation Network of Volume 1, the following policies shall apply to lands within the West Hamilton Innovation District.

6.4.6.2 The Transportation System shall include public and private roads, a bicycle network, the City's public transit system, and sidewalks.

6.4.6.3 Longwood Road South, Chatham Street and Frid Street shall function as the principal transportation routes for the Innovation District. These routes shall be developed with high quality streetscaping in accordance with the Kirkendall Neighbourhood Traffic Management Study and an approved Streetscape Master Plan. In accordance with the Study and Plan mentioned above, the following elements may be included:

a) wide sidewalks with decorative banding; street furniture and lighting;

b) tree planting to create a landscaped canopy along the boulevards;

c) bicycle lanes;

d) pedestrian crossings to access publicly accessible amenity spaces;

e) identifiable entrance features south of the Longwood Road Bridge and at Aberdeen Avenue; and,

f) transit features.

6.4.6.4 The redevelopment of property located at 606 Aberdeen Avenue (Samee/Hamilton Metals) shall require a traffic study to review the adequacy of vehicular access to and from Aberdeen Avenue.

6.4.6.5 The provision of connecting publicly accessible amenity areas east and west of Longwood Avenue South as identified on Map B.6.4-2 - West Hamilton Innovation District - Design Elements, shall be considered prior to the planned improvements of Longwood Road south.

6.4.6.6 All transportation improvements shall be in accordance with the recommendations of the Kirkendall Neighbourhood Traffic Management Study and Environmental Study report for the Frid Street extension, as approved by the City.

Frid Street

6.4.6.7 A required connection to Longwood Road South through the extension of Frid Street to permit access through the Innovation District has been determined by the Kirkendall Neighbourhood Traffic Management Study. The alignment and location of this extension shall be determined through an Environmental Study report. This extension shall require a watermain installation and may require a sanitary sewer installation.
Bicycle Network

6.4.6.8 A bicycle network shall be established by the City as a future capital project to incorporate public streets in accordance with the West Hamilton Bicycle Network Review and the City approved Kirkendall Neighbourhood Traffic Management Study.

Public Transit

6.4.6.9 New local public transit services shall be consistent with the Council-approved Transit Ridership Growth Plan and shall be determined by the Transit Division, in consultation with relevant stakeholders within the District and adjacent neighbourhoods.

6.4.6.10 Street furniture and transit shelters to encourage transit ridership shall be provided at appropriate locations along future transit routes.

6.4.6.11 Connecting walkways and building entrances should be coordinated with the sidewalk network to minimize walking distances to transit stops.

Future Public Streets

6.4.6.12 Notwithstanding Policy C.4.5.2 - Road Network of Volume 1, future public streets shall be developed through the development approval process and shall be designed to accommodate two lanes of traffic, an on-street bicycle network, on-street parking along one or both sides of the street and pedestrian sidewalks on both sides of the street with an ultimate right-of-width of 20-23 metres.

Aberdeen/Longwood Intersection

6.4.6.13 A potential traffic roundabout at the intersection of Aberdeen Avenue and Longwood Road South shall be investigated by the City of Hamilton in consultation with adjacent landowners, applicable agencies and the Ministry of Transportation.

6.4.7 Infrastructure and Servicing

6.4.7.1 In addition to Section C.5.0 - Infrastructure of Volume 1, the following policies shall apply to lands within the Innovation District:

a) The servicing of lands west of Chedoke Creek shall proceed in accordance with an Area Specific Master Servicing Plan, approved by the City.

b) Any sewer construction that is required to service the lands west of Chedoke Creek shall consist of a separate sanitary sewer and storm sewer system for construction within the City-owned road allowance. New combined sewers shall not be permitted. Easements shall be dedicated to the City, if required, to facilitate trunk works to provide adequate services in this area.

c) Innovative servicing technologies to improve storm water management such as green roofs, grey water recycling in accordance with the Waterworks By-law for cross connections and bio-retention facilities shall be encouraged in building design, where practical, and in accordance with an approved Area Specific Master Servicing Plan and Ministry of the Environment guidelines. Any external wastewater to be conveyed through the area shall be reviewed through the Area Specific Master Servicing Plan.
d) Storm water ponds which can be integrated into the design of publicly accessible open space areas shall be encouraged, where appropriate.

6.4.8 Hazard and Conservation Regulated Lands

6.4.8.1 In addition to Section B.3.6.5 - Hazard Lands of Volume 1, the following policies shall apply to the Innovation District:

a) The Hamilton Conservation Authority (HCA) regulates the Chedoke Creek, the adjacent valley slopes and setbacks from the top of bank, as identified on Map B.6.4-1 - West Hamilton Innovation District Land Use. Any development which includes construction, fill placement and removal, and/or re-contouring and re-grading for lands located within the HCA regulated area identified on Map B.6.4-1 - West Hamilton Innovation District - Land Use Plan, shall be subject to the requirements of the Hamilton Conservation Authority.

b) Development on lands adjacent to Chedoke Creek shall be subject to storm water quality and quantity controls in accordance with the Ministry of Environment’s requirements and enhanced landscaping using native species, where required, to the satisfaction of the City and the Hamilton Conservation Authority.

6.4.9 Implementation

6.4.9.1 The location, alignment, elevation and classification of the extension of Frid Street to Longwood Road South shall be determined pursuant to the recommendations of the Environmental Report for Frid Street to be completed by the City.

6.4.9.2 Contaminated sites shall require a Record of Site Condition as a requirement of development approval, prior to building permit issuance in accordance with Ministry of the Environment Guidelines in order to permit sensitive uses as regulated by the Ministry of the Environment.

6.4.9.3 The City shall prepare an enhancement to the ERASE (Environmental Remediation and Site Enhancement) Community Improvement Plan (CIP) and the development of an Implementation Strategy specifically for the West Hamilton Innovation District that shall encourage the redevelopment of this area. Additional financial incentives for initiatives such as LEED (Leadership in Energy and Environmental Design) certification shall complement the existing incentives for brownfield remediation and serve as a catalyst for the transformation of the West Hamilton Innovation District to an economic hub of research and development activity.

6.4.9.4 The City shall prepare a 10 year Capital Budget Improvement Plan to identify, rank and co-ordinate the public improvements required for the West Hamilton Innovation District which may include associated Environmental Assessment works, enhanced pedestrian walkways, gateway features, public art and similar improvements, through the following:

a) Short, medium and long-term capital projects arising from this plan;

b) Cost estimates for the capital projects identified above; and,
c) Special studies and projects arising from this plan, including timing for their completion and their estimated cost.

6.4.9.5 The City shall incorporate capital projects and additional studies arising from this Plan into the municipal budgeting process.

6.4.9.6 The City shall prepare a Streetscape Master Plan for Longwood Road, Frid Street and Chatham Street West of Dundurn Street South and Aberdeen Avenue west of Studholme Drive, in consultation with the public.

6.4.9.7 The City shall undertake a comprehensive traffic study to review the function, capacity, and alignment of the intersections of Main Street West with Frid Street, Highway 403 ramp and Dundurn Street South.

6.4.9.8 The City shall provide new Zoning By-law regulations to implement the aforementioned Official Plan policies for the West Hamilton Innovation District.

6.4.10 Site Specific Policies

Site Specific Policy – Area A – McMaster Innovation Park

6.4.10.1 In addition to Policy B.6.4.3.1 - General Development Policies, the following policies shall apply to the lands shown as Site Specific Policy – Area A - McMaster Innovation Park on Map B.6.4-1 - West Hamilton Innovation District – Land Use Plan:

a) Educational, residential and commercial uses permitted ancillary to McMaster Innovation Park shall be developed in accordance with the long-term vision to create a dynamic, integrated state-of-the-art research community that shall foster innovation, entrepreneurialism and creativity.

b) Limited accommodations for visiting scholars, professors and/or professionals shall be permitted.

c) Heritage resources associated with the original Westinghouse Company Limited Complex, which include the former Office Building and the Boiler/Power House, identified as site specific policy “A-1” and “A-2” on Map B.6.4-1 - West Hamilton Innovation District – Land Use Plan, shall be conserved and incorporated into future development proposals. A museum of industrial and scientific technology shall also be permitted in the Boiler/Power House.

d) Policy B.6.4.5 – Cultural Heritage Policies shall also apply.
Streetscape Master Plan

Landscape Buffer

Area Subject to OMB Hearing

Buildings of Historical Interest

Former Westinghouse Office/Building

Boiler/Power House

Landmark Midrise Building

Legend

Open Space

Streetscape Master Plan

Landscape Buffer

Area Subject to OMB Hearing

Buildings of Historical Interest

Former Westinghouse Office/Building

Boiler/Power House

Landmark Midrise Building

Entrance Feature

Future Roundabout

Connective Opportunity to Chedoke Natural Trail System

Views from Hwy 403 and Main West Bridge

Views from Local Streets

Views to Escarpment

Future Frid Street Extension

(Exact alignment to be determined through Environmental Study Report)

Bicycle Lanes

Railway

Secondary Plan Boundary

Urban Hamilton Official Plan
West Hamilton Innovation District
Secondary Plan
Design Elements
Map B.6.4-2
6.5 West Harbour (Setting Sail) Secondary Plan

The West Harbour Secondary Plan has been referred to the Ontario Municipal Board and is not currently in effect.

Hamilton’s West Harbour area is steeped in history. First Nations peoples occupied the area for thousands of years before the arrival of European immigrants to Canada began in the early 1800s. Burlington Heights, where Dundurn Castle sits, figured prominently in the War of 1812. The early industries established close to port and rail facilities—textiles, glass, tobacco, iron and steel among them—provided the roots for the city’s growth as an industrial centre. The city’s rich cultural diversity and proud workers’ heritage is reflected in the tight-knit neighbourhoods that have long defined the character of West Harbour. Since the 1860s, Hamiltonians have come to the waterfront to play, taking advantage of the beauty and protected waters of the harbour.

Over the past 200 years, Hamilton’s West Harbour has undergone many changes as Hamilton has grown and evolved. In recent decades, much of the industry in the area has departed, leaving behind large parcels of vacant, underused and contaminated land; only a few significant employers remain. The creation of Bayfront Park, Pier 4 Park and the Waterfront Trail has opened vast stretches of the waterfront for public enjoyment. In 2000, the Hamilton Port Authority conveyed the bulk of Piers 1, 2, and 5-8 to the City. With the gradual disappearance of heavy industry and movement of commercial port activity comes the opportunity to expand the program of public improvements and attract new types of development for the betterment of the local community and the city as a whole.

The West Harbour Secondary Plan, also referred to as Setting Sail, responds to that opportunity and establishes a framework for public improvements and private development aimed at enhancing the area as a community and recreational destination. The West Harbour Secondary Plan has two primary purposes: to guide detailed planning, zoning, and development decisions; and, to identify the City’s priorities for publicly-funded initiatives.

Setting Sail is a comprehensive plan for West Harbour, with an emphasis on three areas where major change is appropriate and desirable. These include the Waterfront; the area south of the CN rail yard, called Barton-Tiffany; and the former industrial lands along Ferguson Avenue, referred to as the Ferguson-Wellington Corridor. The plan also focuses on commercial and mixed-use corridors within the area, where strategic redevelopment and streetscape improvements would strengthen the economic vitality of the corridors, provide additional amenities to adjacent neighbourhoods and generally beautify the area. The remaining areas in West Harbour are considered Stable Areas. The intent of the policies for these areas is to preserve their predominant residential character while allowing incremental, small-scale change to occur.

Setting Sail follows in the footsteps of Putting People First: the Downtown Hamilton Secondary Plan and the City’s Vision 2020 Plan. All three plans recognize that the City’s long-term prosperity and sustainability shall rely on a central core and waterfront that are attractive, diverse, vibrant and healthy. The West Harbour Secondary Plan is the culmination of a planning process that began in the summer of 2002. The study followed an integrated Environmental Assessment (EA) Master Plan process, which tied together land use, transportation and infrastructure issues. The EA process required careful
consideration and a balancing of the ecological, social and economic aspects that comprise the West Harbour environment. The City and a team of consultants engaged key stakeholders and the broader community in a series of consultation events aimed at identifying common principles, opportunities and constraints, and a preferred land use strategy for the area, which together became the basis for this Secondary Plan.

One of the central transportation issues addressed during the Setting Sail study was the previously proposed Hamilton Perimeter Road, long viewed as a critical link between Highway 403 and Burlington Street. A Needs Assessment of the Perimeter Road concluded there was no demonstrated need for the road, there were significant environmental liabilities, the cost would be tremendous, and there was a risk of not being able to connect to Highway 403. In July 2003, City Council resolved that the Perimeter Road concept be abandoned, thus removing the shadow of uncertainty it cast on West Harbour and paving the way for other solutions to the issue of goods movement in the area.

This plan marks the end of the Setting Sail process but only one important step in the ongoing planning required to realize the objectives for West Harbour. As significant public and private initiatives in keeping with this Secondary Plan are proposed, particularly along the waterfront and on former industrial lands, detailed plans will need to be developed, reviewed and approved. The success of such initiatives shall rely on the City, the community and project proponents engaging together in future planning.

6.5.1 The West Harbour Secondary Plan area is bounded by Hamilton Harbour to the north, York Boulevard and Cannon Street West to the west and south and Wellington Street North to the east. The West Harbour Secondary Plan establishes land uses, development standards and provisions regarding cultural heritage, urban design and transportation, to guide the development and/or redevelopment of lands located in the West Harbour Secondary Plan area.

Section B.6.5 - West Harbour Secondary Plan, and Map B.6.5-1 - West Harbour - Land Use Plan, Map B.6.5-2 - West Harbour - Planning Area and Sub-Areas, Map B.6.5-3 - West Harbour - Zone of Noise Influence, Map B.6.5-4 - West Harbour - Building Heights, Map B.6.5-5 - West Harbour - Public Realm, and Map B.6.5-6 - West Harbour - Fisheries Policy Areas constitute the West Harbour Secondary Plan.

6.5.2 Planning Principles

The planning process for Setting Sail was guided by eight core principles that emerged from extensive public consultation in the initial phase of the study, and which balance the aspirations of the City and the local community for West Harbour. The principles reflect and build upon many of the City's Vision 2020 goals for creating a healthy and sustainable city. They are the foundation for this Secondary Plan and the West Harbour Transportation Master Plan. As such, they provide important criteria against which future initiatives and proposals for the area shall be evaluated to help ensure the broad public objectives for West Harbour are realized.

6.5.2.1 Promote a healthy harbour.

Since implementation of the Hamilton Harbour Remedial Action Plan (RAP) began in the early 1990s, great strides have been made to restore the health of the harbour. Actions in West Harbour should support and continue the ongoing
effort required to achieve a “swimmable” harbour rich in aquatic and terrestrial habitats. More specifically, development and other changes should:

a) employ “best practice” techniques for storm water management to minimize reliance on the existing combined sewer system;

b) encourage water conservation;

c) maintain or enhance existing aquatic and shoreline habitats;

d) remove, replace or seal potentially harmful sub-surface materials, as per statutory policies and guidelines;

e) identify and protect key views and improve public access to the harbour; and,

f) increase the public’s understanding and appreciation of the harbour and watershed from an ecological perspective.

6.5.2.2 Strengthen existing neighbourhoods.

Together with the waterfront, the North End and portions of Strathcona, Central and Beasley neighbourhoods are the defining elements of West Harbour. There is much diversity within the neighbourhoods, physically and socially, reflecting the area’s rich and varied history. Where once local industries attracted workers and their families, the attractions for residents now are the area’s historic character and waterfront amenities. This character and the neighbourhoods’ physical relationship to the waterfront are assets to be protected and enhanced. As changes in West Harbour continue, both on the waterfront and in the neighbourhoods, it is important to:

a) ensure new development respects and enhances the character of the neighbourhoods;

b) relocate heavy industrial uses and clean-up contaminated sites;

c) encourage compatible development on abandoned, vacant and under-utilized land;

d) support James Street North as the area’s main commercial street;

e) encourage new commercial uses that cater to the local neighbourhood;

f) enhance the amenities and landscaping in existing neighbourhood parks;

g) augment existing parkland with additional publicly-accessible open spaces;

h) ensure existing and future neighbourhoods are well served by community services such as schools, health care, libraries and emergency services;

i) improve access to the waterfront and Downtown from the neighbourhoods;

j) preserve, restore and/or reuse buildings of historic or architectural significance;
k) preserve and maximize on street parking; and,

l) generally avoid expropriation of residential and commercial properties.

6.5.2.3 Provide safe, continuous public access along the water’s edge.

The success of relatively recent public improvements on the West Harbour waterfront—Bayfront Park, Pier 4 Park and the Waterfront Trail—demonstrate the overwhelming human desire to be at the water’s edge. With the conveyance of most of Piers 1, 2, and 5-8 to the City of Hamilton, there are opportunities and advantages to extending public access, providing not just more water’s edge experiences but also a greater variety of passive and active experiences. These objectives need to be balanced with the desire to maintain and promote the existing diversity of boating activity on the waterfront, which routinely relies on direct and safe access to the harbour. To ensure there is safe, continuous public access along the water’s edge:

a) land at the water’s edge, to a depth that can accommodate a trail, promenade, or other desired open space or public facility, must be publicly-owned;

b) new development on the waterfront should not prevent or inhibit public access to the water’s edge;

c) the waterfront should include public facilities for launching and docking recreational boats; and,

d) the needs of recreational boating organizations for direct, safe and secure access to the harbour should be respected.

6.5.2.4 Create a diverse, balanced and animated waterfront.

The trails, parks and boating facilities on the West Harbour waterfront attract people from near and far and guarantee a variety of outdoor activity throughout the warmer months, particularly on summer weekends. But as the sun sets, the level of activity drops sharply, and in winter, the waterfront is practically abandoned. In order for the waterfront to become a year-round destination, offering things to do well into the evening, the predominant open space and recreational uses need to be augmented and balanced with residential, commercial and cultural uses. Besides allowing the waterfront to be enjoyed from the comfort of buildings in colder months, such uses can provide a greater range of attractions year-round. New uses and other changes on the waterfront should:

a) promote a diversity of land uses along the waterfront, including open space, marine recreation, residential, cultural, commercial, and institutional;

b) maintain a balance of active and passive recreational uses and outdoor and indoor waterfront attractions;

c) enhance the city as a tourist destination;

d) be “waterfront-appropriate”, taking advantage of the harbour setting and promote season-long and year-round enjoyment and appreciation of the waterfront; and,
e) support and encourage a diversity of marine activity.

6.5.2.5 Enhance physical and visual connections.

The grid network of streets across most of West Harbour provides for efficient movement in each of the neighbourhoods and links the area to Downtown. Significant physical barriers, however, restrict easy access to the area generally and the waterfront in particular, especially for pedestrians and cyclists. These barriers include the Stuart Street Rail Yard, the main CN line and the bluffs south of the rail yard and east of Macassa Bay. They also include busy streets like York Boulevard, Cannon Street and Barton Street that can be difficult to cross. Physical and operational improvements in West Harbour, particularly to the public realm of streets, parks and open spaces, should strive to achieve the following:

a) mitigate or eliminate physical barriers to the waterfront;

b) promote a connected open space system along the waterfront, through the neighbourhoods and between Downtown and the waterfront;

c) extend the existing grid of streets and blocks to the waterfront wherever feasible and appropriate;

d) preserve and augment important public vistas and view corridors to and from the waterfront;

e) improve pedestrian, cycling and transit connections to the waterfront from Downtown and the Escarpment;

f) establish a pedestrian connection between Dundurn Park and the Waterfront Trail;

g) enhance the streetscapes of key north-south and east-west streets; and,

h) develop a continuous waterfront trail.

6.5.2.6 Promote a balanced transportation network.

As the West Harbour waterfront attracts new development and more visitors, access by all modes of transportation will need to improve to effectively manage traffic. The West Harbour Transportation Master Plan maps a strategy for traffic management that considers all modes. Its primary goals include the following:

a) establish a clear street hierarchy that recognizes the function and character of existing streets;

b) improve road connections to the waterfront and identify primary routes to waterfront destinations;

c) promote a more balanced multi-modal transportation system, in which public transit, cycling, walking, ferries and water taxis have a significant role;

d) ensure most dwelling units in the area are within 400 metres walking distance of a transit stop; and,
e) monitor and minimize traffic impacts on the existing local street network.

6.5.2.7 Celebrate the City’s heritage.

Hamilton’s rich cultural and industrial heritage is rooted in West Harbour. As the urban fabric of the area continues to evolve, remnants of its past must not be discarded and its history not forgotten. Conserving and celebrating West Harbour’s heritage is important and should include:

a) conserving and strengthening the overall character of the West Harbour neighbourhoods and streetscapes;

b) conserving, restoring and reusing historic buildings and structures;

c) reflecting and interpreting the city’s industrial, marine and cultural heritage in the design of new buildings and open spaces;

d) encouraging the development of cultural institutions to inform residents and visitors about the area’s heritage; and,

e) providing public open spaces for cultural festivals and other celebratory events.

6.5.2.8 Promote excellence in design.

All urban environments should be designed well; however, because West Harbour is centrally located in Hamilton and conveys an image of the city to the world with its waterfront, the area should demonstrate the highest standard of design. Achieving design excellence respects the pride of residents, attracts tourists and encourages reinvestment in the area. In designing new buildings and open spaces in West Harbour, and enhancing existing ones, citizens, developers and the public sector have an obligation to:

a) design and construct buildings that respect, complement and enhance the best attributes of West Harbour;

b) adopt “best practice” technologies to achieve energy efficient buildings;

c) ensure the public realm—the area’s parks, squares, streets, trails and public buildings—is designed, up-graded and maintained to the highest standards;

d) incorporate public art into the design of significant buildings and open spaces; and,

e) promote the development of inspiring, meaningful and memorable places.

6.5.3 Land Use Policies

The policies in Section B.6.5.3 – Land Use Policies address land uses and other matters common to all parts of the West Harbour area and are intended to ensure all future planning and development in the area addresses issues and opportunities best viewed from an area-wide or city-wide perspective.
General Policies

6.5.3.1 The West Harbour Secondary Plan area includes the lands bounded by Hamilton Harbour, Wellington Street, Cannon Street and York Boulevard, as depicted on Map B.6.5-1-West Harbour - Land Use Plan and referred to as West Harbour in this Plan.

6.5.3.2 The City shall ensure development and redevelopment in neighbourhoods and lands surrounding West Harbour respect the type, scale and character of development identified in this plan.

6.5.3.3 Where there is a discrepancy between the maximum heights and density ranges in this plan when applied to specific sites, the maximum height limits shall prevail and be adhered to.

6.5.3.4 To encourage a broad mix of household types at varying income levels, West Harbour shall accommodate a diversity of housing types, including detached and semi-detached dwellings, and multiple dwellings.

6.5.3.5 In the event of disposal of publicly owned lands located within West Harbour, Council shall consider the desirability of developing such lands for affordable housing, and where appropriate, shall encourage the development of said lands for such housing as a priority.

6.5.3.6 In developing city owned lands for residential purposes Council may require that at least 25% of the gross area of such lands be provided in the form of affordable housing.

6.5.3.7 A live/work use, defined as a dwelling unit in which an individual also operates a commercial business, may be permitted in all areas within West Harbour, except Open Space and Institutional areas. Live/work uses shall be compatible with neighbouring uses and built form, and shall have no adverse environmental impacts in terms of noise, vibration, emissions and air quality. Any traffic or parking issues arising from the commercial aspect of the use shall be addressed to the satisfaction of City.

6.5.3.8 The following policies shall apply to those existing legal uses that do not comply with this plan:

a) The existing use is recognized as non-complying.

b) Expansion shall only be permitted when it can be demonstrated that the existing use is operated in a manner that does not create dust, noise, odour, vibration, fumes, soil or groundwater contamination, and/ or noxious spill-over effects on the existing uses or planned uses.

c) There are no adverse impacts from the expansion on existing or planned residential or mixed uses.

d) The proposal shall address the remediation of environmental issues including noise, vibration, indoor and outdoor quality, odour, dust, fumes, refuse, and soil and groundwater contamination.

e) Upon the ceasing of operation of the non-complying use, or abandonment of the use, development and/or redevelopment of the property shall comply with this plan.
6.5.3.9 Temporary use by-laws in West Harbour shall comply with this Secondary Plan.

6.5.3.10 With the exception of Pier 10, the following policies shall apply to industrial and manufacturing land uses in the West Harbour:

   a) New industrial and manufacturing facilities proposed as stand alone entities shall not be permitted.

   b) Existing industrial and manufacturing facilities shall only be permitted to expand on the existing property if:

      i) the expansion does not compromise the City's ability to implement the long-term land use strategy of this plan;

      ii) there shall be no adverse impacts from the expansion on existing or planned residential or mixed uses;

      iii) the proposal shall address the remediation of environmental issues including noise; vibration; indoor and outdoor air quality; odour; dust; fumes; refuse; and soil and groundwater contamination; and;

      iv) the design objectives of this plan, as they relate to built form, set backs, parking and other matters, are achieved.

6.5.3.11 Auto-oriented commercial uses such as gas stations, auto repair garages, other drive-through services including but not limited to drive-through restaurants, or other uses otherwise classified as Arterial Commercial shall not be permitted in the following areas:

   a) properties that front or flank along James Street North, including the proposed James Street Pier;

   b) properties designated Prime Retail Streets on Barton Street and Pier 8;

   c) the southwest corner of MacNab Street North and Stuart Street (land designated Local Commercial);

   d) the southwest corner of Bay and Barton Streets (land designated Local Commercial); and,

   e) the southeast corner of Barton and Oxford Streets (land designated Local Commercial).

6.5.3.12 Further to Policy B.6.5.3.11 and Policy B.6.5.3.20 - Local Commercial Designation, this policy shall clarify that no auto-oriented commercial uses such as gas stations, auto repair garages, other drive through services including but not limited to drive-through restaurants, or other uses normally classified as highway commercial shall be permitted in the area bounded by Wellington Street North on the east, Strachan Street East and West on the south and Hamilton Harbour on the west and north.
Residential Designations

6.5.3.14 Low Density Residential 3 Designation

In addition to Section E.3.4 - Low Density Residential of Volume 1, the following policies shall apply to lands designated Low Density Residential 3 on Map B.6.5-1 - West Harbour - Land Use Plan:

a) The scale, type and character of new development shall generally reflect existing low density development in the neighbourhood.

b) Notwithstanding Policy E.3.4.3 of Volume 1, single detached, semi-detached and street townhouses shall be permitted.

c) Notwithstanding Policy E.3.4.4 of Volume 1, the density of development shall range from 25 to 60 units per gross hectare.

d) Existing grid patterns of streets, blocks, and open space, and/or those proposed by this plan, shall be respected.

e) Lot dimensions and building setbacks shall be generally consistent with other Low Density Residential 3 properties in the neighbourhood.

f) For streets where a road allowance widening is required, the setback under the zoning by-law shall be taken from the widened road allowance.

g) Garages shall be located generally at the rear of properties and accessed from rear laneways where feasible.

h) Approval of rezonings for new residential development within the Zone of Noise Influence, as delineated on Map B.6.5-3 - West Harbour - Zone of Noise Influence, shall be contingent on submission of a "Noise and Vibration Study" to the satisfaction of the City and the Ministry of the Environment and agreement by the proponent to implement the recommendations of the study.

6.5.3.15 Medium Density Residential 3 Designation

In addition to Section E.3.5 - Medium Density Residential of Volume 1, the following policies shall apply to lands designated Medium Density Residential 3 on Map B.6.5-1 - West Harbour - Land Use Plan:

a) Multiple dwellings shall be permitted.

b) Notwithstanding Policy E.3.5.7 of Volume 1, the density of development shall be in the range of 60 - 150 units per gross hectare.

c) Notwithstanding Policy E.3.5.8 of Volume 1, the height of buildings shall range from three to five storeys.

d) Existing grid patterns of streets, blocks and open spaces, and/or those proposed by this plan, shall be respected.

e) Front yard setbacks shall be generally consistent with the setbacks of adjacent buildings.
f) For streets where a road allowance widening is required, the setback under the zoning by-law shall be taken from the widened road allowance.

g) Parking areas generally shall be provided at the rear of sites or underground, with access from public streets or laneways.

h) Direct driveway access to individual units, garages fronting public streets and front yard parking shall not be permitted.

i) The main entrances to buildings shall face public streets.

j) Private amenity space shall be provided on balconies and terraces, at the front or rear of individual ground-floor units, and/or within internal courtyards outdoors and indoors.

k) Common amenity space shall be consolidated on the site to create usable spaces.

l) The design and massing of buildings shall minimize shadow and wind impacts on the public realm.

m) The design of new developments shall have respect for the light, views and privacy enjoyed by residents in adjacent buildings and areas.

n) Approval of rezonings for new residential development within the Zone of Noise Influence, as delineated on Map B.6.5-3 West Harbour - Zone of Noise Influence, shall be contingent on submission of a noise and vibration study to the satisfaction of the City and the Ministry of the Environment and agreement by the proponent to implement the recommendations of the study.

6.5.3.16 High Density Residential 1a Designation

In addition to Section 3.6 - High Density Residential of Volume 1, the following policies apply to lands designated High Density Residential 1a on Map B.6.5-1 West Harbour - Land Use Plan:

a) Notwithstanding Policy E.3.6.2 of Volume 1, multiple dwellings and apartment buildings combined with street townhouses shall be permitted.

b) Notwithstanding Policy E.3.6.6 of Volume 1, the density of development shall be in the range of 150 - 300 units per gross hectare.

c) The height of buildings shall range from four to eight storeys.

d) Existing grid patterns of streets, blocks and open spaces, and/or those proposed by this plan, shall be respected.

e) Front yard setbacks shall be generally consistent with the setbacks of adjacent buildings.

f) For streets where a road allowance widening is required, the setback under the zoning by-law must be taken from the widened road allowance.
g) Parking areas shall be provided at the rear of sites, underground and/or in above-grade structures, with access from public streets or laneways.

h) Above-grade parking structures shall be located within buildings and fronted on all levels by residential uses.

i) Front yard parking shall not be permitted.

j) The main entrances to buildings shall face public streets.

k) Private amenity space shall be provided on balconies and terraces, at the front or rear of individual ground-floor units, and/or within internal courtyards outdoors and indoors.

l) Common amenity space shall be consolidated on the site to create useable spaces.

m) The design and massing of buildings shall minimize shadow and wind impacts on the public realm.

n) The design of new developments shall have respect for the light, views and privacy enjoyed by residents in adjacent buildings and areas.

o) Approval of rezonings for new residential development within the Zone of Noise Influence, as delineated on Map B.6.5-3 - West Harbour - Zone of Noise Influence, shall be contingent on submission of a noise and vibration study to the satisfaction of City staff and the Ministry of the Environment and agreement by the proponent to implement the recommendations of the study.

6.5.3.17 High Density Residential 2 Designation

In addition to Section 3.6 - High Density Residential of Volume 1, the following policies apply to lands designated High Density Residential 2 on Map B.6.5-1 - West Harbour - Land Use Plan:

a) Apartment buildings and apartment buildings combined with street townhouses shall be permitted.

b) Notwithstanding Policy E.3.6.6 of Volume 1, the maximum density of development on individual sites shall be the density that existed on March 25, 2005.

c) Notwithstanding Policy B.6.5.3.16 b), the addition of street-relating dwelling units to existing High Density Residential areas shall be permitted and encouraged, subject to rezoning.

d) In the event of comprehensive redevelopment, new buildings shall be more compatible with surrounding lower-density housing than existing buildings, in terms of their built form, and shall generally comply with Policy B.6.5.3.16 d) through o), inclusive.
Commercial and Mixed Use Designations

6.5.3.18 Mixed Use - Medium Density Designation

In addition to Section E.4.6 - Mixed Use - Medium Density Designation of Volume 1, the following policies shall apply to lands designated Mixed Use - Medium Density on Map B.6.5-1 West Harbour - Land Use Plan:

a) Apartment buildings and apartment buildings with ground-floor, street-related commercial and/or community uses shall be permitted and encouraged.

b) Notwithstanding Policy E.4.6.5 of Volume 1, the range of commercial uses permitted on the ground floor shall include retail stores, restaurants, take-out restaurants, business and personal services, and professional offices.

c) Notwithstanding Policy E.4.6.5 of Volume 1, the range of community uses permitted on the ground floor shall include day nurseries, schools, libraries and places of worship.

d) The density and height of development shall be governed by the maximum heights identified on Map B.6.5-4 - West Harbour - Building Heights.

e) Existing grid patterns of streets, blocks and open spaces, and/or those proposed by this Secondary Plan, shall be respected.

f) Buildings generally shall be built close to or at the front property line, subject to the development satisfying sightline requirements entering the public road allowance.

g) For streets where a road allowance widening is required, the setback under the zoning by-law shall be taken from the widened road allowance.

h) Ground-floor uses shall have their main entrances on the street with barrier free access, at grade.

i) Parking areas shall be provided at the rear of sites, underground and/or in above-grade structures behind buildings, with access from public streets or laneways.

j) Above-grade parking structures shall be located within buildings and fronted by street-related commercial, community and/or residential uses.

k) Front yard parking shall not be permitted.

l) Private amenity space shall be provided on balconies and terraces and/or within internal courtyards outdoors and indoors.

m) Common amenity space shall be consolidated to create useable spaces.

n) The design and massing of buildings shall minimize shadow and wind impacts on the public realm.

o) The design of new developments shall have respect for the light, views and privacy enjoyed by residents in adjacent buildings and areas.
p) Approval of rezonings for new residential development within the Zone of Noise Influence, as delineated on Map B.6.5-3 - West Harbour - Zone of Noise Influence, shall be contingent on submission of a noise and vibration study to the satisfaction of the City and agreement by the proponent to implement the recommendations of the study.

6.5.3.19 Prime Retail Designation

Parts of James Street and Barton Street are the prime retail streets in West Harbour. Further to the land use designations of Volume 1, for lands designated Prime Retail on Map B.6.5-1 - West Harbour - Land Use Plan, the following policies shall apply:

a) Mixed use developments with ground-floor, street-related commercial and community uses shall be permitted and encouraged.

b) Most of the street-facing portion of the ground floor of buildings shall be reserved for street-related commercial and/or community uses, including retail stores, restaurants, take-out restaurants, business and personal services, and/or professional offices.

c) The ground floors of all buildings shall have windows and doors opening onto the street to provide “eyes on the street” and an interesting pedestrian experience.

d) The range of uses permitted on upper floors shall include residential, live/work and office. Two-storey retail stores are permitted, and personal services are permitted on the second floor of buildings.

e) Notwithstanding Policies E.4.3.1 and E.4.3.5 h) of Volume 1, new institutional uses, including social services, schools and places of worship, may be permitted.

f) The density and height of development shall be governed by the maximum heights identified on Map B.6.5-4 - West Harbour - Building Heights.

g) Buildings generally shall be built close to or at the front property line to maintain a consistent street wall subject to the development satisfying sightline requirements entering the public road allowance.

h) For streets where a road allowance widening is required, the setback under the zoning by-law must be taken from the widened road allowance.

i) Ground-floor uses shall have their main entrances on the street, with barrier free access at grade.

j) Parking areas shall be provided at the rear of sites, with access from public streets or laneways.

k) The design and massing of buildings shall minimize shadow and wind impacts on the public realm.

l) The design of new developments shall have respect for the light, views and privacy enjoyed by residents in adjacent buildings and areas.
6.5.3.20 Local Commercial Designation

In addition to the policies of Section E.3.8 - Local Commercial of Volume 1, the following policies shall apply to lands designated Local Commercial on Map B.6.5-1 - West Harbour - Land Use Plan:

a) Commercial uses, such as retail stores, restaurants, take-out restaurants, banks, professional offices and personal services, shall be permitted.

b) Other uses, including office and residential, shall be permitted and encouraged above the ground floor.

c) Notwithstanding Policy E.3.8.3 of Volume 1, auto-oriented commercial uses, such as gas stations and auto repair garages are not permitted. For greater clarity, this policy does not prohibit drive-through restaurants.

d) Notwithstanding Policy E.3.8.2 of Volume 1, except grocery stores, large-scale retail uses are generally not permitted.

e) The maximum height of buildings shall be four storeys.

f) Front yard setbacks shall be consistent with the setbacks of adjacent buildings.

g) For streets where a road allowance widening is required, the setback under the zoning by-law shall be taken from the widened road allowance.

h) Buildings shall be oriented to a public street, with main entrances on a street, with barrier free access at street level.

i) Parking shall be located at the rear or side of buildings.

j) Loading and service areas shall be located at the rear of buildings wherever feasible.

6.5.3.21 Institutional Designation

In addition to Sections B.3.5 - Community Facilities/Services Policies, E.3.10 - Community Facilities/Services and E.6.0 - Institutional Designation the following policies shall apply to the lands designated Institutional on Map B.6.5-1 - West Harbour - Land - Land Use Plan:

a) Institutional uses, such as hospitals, long-term care facilities, day nurseries, schools, libraries, museums, places of worship and social services shall be permitted.

b) Notwithstanding Policy B.6.5.3.19 a), professional medical offices shall be permitted provided they are compatible with the surrounding area and are in keeping with the Local Commercial Designation policies of Section B.6.5.3.18 of this Secondary Plan.

c) The maximum height of buildings shall be three storeys, except where otherwise identified on Map B.6.5-4 - West Harbour - Building Heights.
d) Parking areas shall be provided at the rear of sites, underground and/or in above-grade structures behind buildings.

e) The design and massing of buildings shall minimize shadow and wind impacts on the public realm.

Shipping and Navigation Designation

6.5.3.22 Section E.5.6 - Employment Area - Shipping and Navigation of Volume 1 shall apply to lands designated Shipping and Navigation on Map B.6.5-1 - West Harbour - Land Use Plan.

Parks and Open Space Designations

6.5.3.23 The following designations constitute the Open Space system of the West Harbour Area and are designated on Map B.6.5-1 - West Harbour - Land Use Plan:

a) General Open Space;
b) Parkette;
c) Neighbourhood Parks;
d) Community Parks;
e) City Wide Park; and,
f) Marine Recreation.

6.5.3.24 Sections B.3.5.3 - Parkland Policies, C.2.0 - Natural Heritage System Policies, and C.3.3 - Open Space Designations of Volume 1 shall apply to the designations listed in Section B.6.5.3.20 a) through e), inclusive.

6.5.3.25 Marine Recreational Designation

Further to the designations of Volume 1, for lands designated Marine Recreational on Map B.6.5-1 - West Harbour - Land Use Plan, the following policies shall apply:

a) Buildings and facilities for the purposes of recreational boating, including marinas, club houses, indoor and outdoor storage areas, docks and access roads, shall be permitted.
b) Public open spaces, trails, and roads shall be permitted.
c) The height of buildings shall not exceed two storeys.
d) Small-scale commercial uses ancillary to marine recreational uses, such as restaurants, marine supply stores, boat service and repair shops and recreational equipment rental facilities, shall be permitted.

6.5.4 Utility and Transportation Designation

Section C.3.4 - Utility Designation of Volume 1 shall apply to lands designated Utility and Transportation on Map B.6.5-1 - West Harbour - Land Use Plan.
6.5.5 Public Realm Policies

6.5.5.1 Map B.6.5-5 – West Harbour – Public Realm depicts the Public Realm plan for West Harbour. The Public Realm includes streets, parks and other publicly-accessible open spaces, such as trails, public piers, promenades, plazas and school grounds. Minor adjustments and additions may be made to Map B.6.5-5 - West Harbour - Public Realm without amendment to this Secondary Plan.

Streets and Road Network Policies

6.5.5.2 The West Harbour Transportation Master Plan is the primary policy document governing the operations of the street system in the area. All plans and improvements for streets in the area shall conform to this Secondary Plan and the West Harbour Transportation Master Plan.

6.5.5.3 The historic grid street pattern in West Harbour shall be retained and enhanced through the following measures intended to improve pedestrian, cycling and vehicular mobility and maintain the character of neighbourhoods:

a) ensuring all new development adheres to a street grid pattern;

b) extending existing streets to serve new development where feasible;

c) eliminating dead-end streets where feasible;

d) requiring new public streets through large redevelopment sites; and,

e) acquiring land for public streets through redevelopment.

6.5.5.4 The street network for West Harbour is shown on Map B.6.5-5 – West Harbour – Public Realm. Streets are classified, and shall be improved according to their intended mobility function and physical character. Streetscape Master Plans may be prepared by the City to provide a broad, long-term vision of such improvements on these streets. There are three types of streets in West Harbour:

a) Primary Mobility Streets provide for the mobility of through traffic, people and goods, connecting major activity centres and neighbourhoods within West Harbour, and connecting to points outside the area. The right-of-way width of Primary Mobility Streets shall be 20 metres with the exception of Cannon and Wellington which are designated as 26.21m road allowances. The following are Primary Mobility Streets:

i) Cannon Street East and West;

ii) Barton Street East;

iii) York Boulevard;

iv) Guise Street East;

v) Dock Service Road;

vi) Burlington Street East;

vii) Bay Street North (to Strachan);
viii) James Street North;
ix) Strachan Street West and East (to John);
x) Wellington Street North;
xi) John Street North (south of Strachan); and,
xii) Ferguson Avenue (north of Burlington).

b) Neighbourhood Mobility Streets provide for the mobility of traffic, people and goods within West Harbour and to serve the local land uses. The right-of-way width of Neighbourhood Mobility Streets shall be 20 metres. The following are Neighbourhood Mobility Streets:
i) Bay Street (north of Strachan)
ii) Guise Street West
iii) Burlington Street West
iv) Ferguson Avenue North (south of Burlington)
v) John Street (north of Strachan)
vi) Locke Street North
vii) Barton Street West
viii) Queen Street North
ix) Hess Street North
x) Stuart Street (west of Bay)

c) Local Streets provide access to businesses and residences, on-street parking and pedestrian movement as a priority over traffic movement. The right-of-way width of Local Streets shall be 18-20 metres.

6.5.5.5 The Primary Mobility Streets and Neighbourhood Mobility Streets identified on Map B.6.5-5 - West Harbour - Public Realm may be subject to streetscape enhancements within the existing right-of-way. These improvements shall be coordinated with other streetscape initiatives in the area and may include sidewalk widenings, improved street lighting, improve accessibility, additional trees, improved bicycle facilities and/or other landscaping features.

6.5.5.6 The City shall continue to strengthen connections between the Waterfront and the Escarpment, and Downtown Hamilton. The preparation of Detailed Streetscape Plans for Bay Street, James Street and John Street shall be completed as Schedule B Municipal Class EA projects. The Streetscape Master Plans shall establish the vision and overall design intent for improvements of the public realm. The Detailed Streetscape Plans provide a functional detailed design for streetscape improvements and are identified in the Streetscape Master Plans. The Detailed Streetscape Plans shall:
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a) Generally maintain the nature of the existing streetscape, in terms of buildings, front yards, sidewalks, the boulevard and the edges of the roadway.

b) Maintain the street function in accordance with the West Harbour Transportation Master Plan.

c) Recognize the need to provide a balanced transportation network that serves pedestrians, cyclists, transit and vehicles.

d) Recognize the need of the City, in cases of critical subsurface infrastructure issues, to adjust the curb lines, but this shall only be done to the extent needed to address the critical infrastructure issues.

e) Utilize the Hamilton Downtown Mobility Streets Master Plan as a reference document only.

6.5.5.7 The following should be used to help ensure all streets provide a safe and comfortable pedestrian environment: appropriately-designed sidewalks, urban braille, landscaping, special lighting, seating areas, transit shelters, signage system and other amenities.

6.5.5.8 Existing alleys shall be maintained and, where feasible, extended to serve residential and commercial development. The City may approve alley closures only where development adjacent to the alley can be serviced from a public street without compromising the urban design objectives of this plan, particularly as they relate to streets and heritage buildings.

6.5.5.9 The City may, at its discretion, require dedication of private land prior to approval of plans of subdivision and site plan applications in order to achieve the street network shown in Map B.6.5-5 – West Harbour – Public Realm and the right-of-way widths set out in Policy B.6.5.5.4. New public streets on dedicated lands shall be designed, built and landscaped by the developer to the satisfaction of City staff. The landscaping plan for the property shall include improvements in the boulevard, which shall be paid for and constructed by the developer.

6.5.5.10 The City shall continue to implement the Ferguson Avenue Master Plan for the public realm in the corridor. Land uses within the corridor shall comply with the policies of the West Harbour Secondary Plan.

6.5.5.11 To monitor the traffic generated by new development, the City shall develop a transportation tracking method for West Harbour. Where a development application exceeds 100 residential units or where major cultural institution or commercial floor area is greater than 500 square metres, a Traffic Impact Study shall be completed and to update the transportation network data as a condition of development approval.

Open Space and the Public Realm

6.5.5.12 It is the City's objective to establish and maintain, to the extent possible, a comprehensive network of public open spaces in West Harbour linked to open spaces in adjacent neighbourhoods and Downtown, as shown on Map B.6.5-5 - West Harbour - Public Realm. This network shall include:
a) a system of parks and open spaces on the waterfront, as close to the water's edge as feasible, from the High Level Bridge to Eastwood Park, linked and complemented by the Waterfront Trail and including a physical connection to Dundurn Park;

b) enhanced green-space and trail connections between Bayfront Park and Ferguson Avenue through the lands on the south side of Strachan Street;

c) existing parks, i.e., Central Park, Bayview Park, Eastwood Park and Jackie Washington Rotary Park; and,

d) Notwithstanding Section C.3.3 – Open Space of Volume 1, existing school yards.

6.5.5.13 Public open spaces shall be subject to a high standard of design aimed at promoting safety, comfort, enjoyment, accessibility, usability, and planting. The City may develop and apply design guidelines for publicly-accessible open spaces that demonstrate how these goals can be achieved.

6.5.5.14 New development shall contribute to the creation of public open space in West Harbour. The method of contribution, whether a dedication of parkland or cash-in-lieu, shall be determined by the City during its review of plans of subdivision and rezoning applications.

6.5.5.15 Notwithstanding Section 3.3 – Open Space, the City shall work with the Public and Separate School Boards to ensure school yards remain open to the public and the facilities on school grounds have regard for the open space and recreational needs of the local community.

6.5.6 Cultural Heritage Policies

6.5.6.1 West Harbour shall promote the conservation of significant built heritage resources and cultural heritage landscapes.

6.5.6.2 Section B.3.4 – Cultural Heritage Resource Policies of Volume 1 shall apply to all lands within the West Harbour Secondary Plan area.

6.5.6.3 The City shall demonstrate leadership by pursuing opportunities to conserve municipally-owned heritage resources in West Harbour.

6.5.7 Urban Design Policies

6.5.7.1 In addition to the Section B.3.3 – Urban Design of Volume 1, the policies of Section B.6.5.7 – Urban Design Policies apply in the West Harbour.

6.5.7.2 New development, redevelopment and alterations to existing buildings in West Harbour shall respect, complement and enhance the best attributes of West Harbour and shall adhere to the following urban design principles:

a) Create a comfortable and interesting pedestrian environment.

b) Respect the design, scale, massing, setbacks, height and use of neighbouring buildings, existing and anticipated by this plan.

c) Generally locate surface parking at the rear or side of buildings.
d) Provide main entrances and windows on the street-facing walls of buildings, with entrances at grade level.

e) Ensure barrier-free access from grade level in commercial and mixed use developments.

6.5.7.3 The City may establish a design review process to review development applications and proposed public initiatives in Areas of Major Change and Corridors of Gradual Change to help ensure proposals support the objective of this plan to achieve excellence in design.

6.5.7.4 The City shall demonstrate leadership by designing new public buildings and spaces and maintaining and upgrading existing public facilities, streets and spaces to a consistent and high standard.

6.5.7.5 The integration of public art into the design of buildings and open spaces shall be strongly encouraged.

6.5.7.6 The vistas of Hamilton Harbour and the key views leading to the harbour identified on Map B.6.5-5 - West Harbour - Public Realm shall be preserved. As development occurs and the public realm is extended, the City may identify additional important vistas and view corridors for preservation without amendment to this Plan.

6.5.8 Public Transit Policies

6.5.8.1 In addition to the Section C.4.4 - Public Transit Network of Volume 1, the policies of Section B.6.5.8 - Public Transit shall apply in the West Harbour.

6.5.8.2 New development and redevelopment shall support the use of public transit by creating a comfortable pedestrian environment and providing main entrances on public streets, close to intersections where appropriate.

6.5.8.3 The City shall continue to provide convenient public transit to existing development in West Harbour and shall seek to provide at least the same level of transit service to new development. It is the City's goal to ensure most dwelling units in the area are within 400 metres walking distance of a transit stop, where permitted by the built pedestrian environment.

6.5.8.4 Public street improvements shall maintain or improve transit accessibility.

6.5.8.5 In its operation of the street system, the City may employ transit priority measures, such as exclusive lanes for buses, transit-controlled signals and turn restrictions, at strategic locations to maintain or improve the level of public transit service in West Harbour.

6.5.9 Environmental Policies

The policies in this section focus on the natural environment of West Harbour—earth, water and air—and how changes in the built environment can protect and enhance elements of the natural environment. This Section shall be applied in West Harbour in addition to Section C.2.0 – Natural Heritage System of Volume 1.
General Policies

6.5.9.1 Environmental Protection Act requirements may apply to sites formerly occupied by industrial, commercial and institutional uses.

6.5.9.2 The design and construction of new development and redevelopment shall incorporate best practices and appropriate building technology to minimize energy consumption, conserve water, reduce waste and improve air quality.

6.5.9.3 New development and redevelopment shall be encouraged to incorporate rooftop terraces, green walls, rooftop gardens and/or other green technologies to improve micro-climatic conditions, energy efficiency, air quality and for storm water management.

6.5.9.4 To reduce energy consumption and improve air quality, a balanced transportation network for automobiles, public transit, bicycles, and pedestrians, including efficient routes for walking and cycling, shall be provided and promoted in West Harbour.

6.5.9.5 In accordance with federal regulations, filling of the harbour shall generally be prohibited. Only where a significant public and/or environmental benefit will result without unacceptable impacts on aquatic habitats or water quality shall a proposal for minor filling be considered, and then only after submission of a detailed impact study to the relevant government agencies.

6.5.9.6 Remaining industrial uses in West Harbour that have had, or continue to have, significantly adverse impacts on the physical environment and quality of life of residents shall be encouraged to relocate to appropriate areas within the city. Such impacts may include soil contamination, groundwater contamination, air pollution, noise pollution, dust and/or odours.

Soil and Groundwater Quality

6.5.9.7 Applications for new development and redevelopment on active and former industrial lands shall include Phase 1 and Phase 2 Environmental Site Assessments to the satisfaction of the Province. Where these assessments reveal the presence of contaminants in concentrations above provincial standards for the intended use of the property, the proponent shall be required to prepare, submit for approval and implement a remediation plan in accordance with provincial policies and guidelines.

6.5.9.8 Where City-owned land was previously occupied by industrial uses, or is otherwise suspected of containing contaminated soils, the City shall conduct Phase 1 and Phase 2 Environmental Site Assessments of the lands and, in conjunction, with improvements and/or redevelopment of the land, shall implement a remediation plan to the satisfaction of the Province.

Water Quality

6.5.9.9 Development shall contribute to the improvement of water quality in Hamilton Harbour.

6.5.9.10 Storm water shall be managed using a suite of lot, conveyance and end-of-pipe solutions. Rainwater shall be considered a resource rather than a waste product.
6.5.9.11 The City shall continue to promote and facilitate the disconnecting of downspouts from the combined sewer system.

Aquatic and Terrestrial Habitats

6.5.9.12 It is an objective of this Plan to ensure the protection, restoration and enhancement of aquatic habitat in West Harbour, subject to the review and approval by relevant agencies, including Hamilton Conservation Authority and the Department of Fisheries and Oceans. In particular, the Areas of Significance and Areas of Sensitivity identified on Map B.6.5-6 – West Harbour – Fisheries Policy Areas shall be protected. The City shall encourage and support initiatives to protect and enhance these areas.

6.5.9.13 In conjunction with the planning and implementation of future development and public realm improvements envisioned in this Plan, the City, in cooperation with the relevant agencies, shall study opportunities to enhance aquatic habitats within the Areas of Opportunity identified on Map B.6.5-6 – West Harbour – Fisheries Policy Areas.

6.5.9.14 Management of aquatic plants in marina basins shall be coordinated with regulatory government agencies and marina operators to allow safe boating and to minimize environmental impacts and protect and enhance, where possible, the harbour fishery, and that aquatic plant management and removal activities be limited to times of the year when fish spawning is not occurring.

6.5.9.15 Hamilton Harbour is identified on Schedule B – Natural Heritage System of Volume 1 as a Core Area. Environmental Impact Statements shall be required on lands within and adjacent to Hamilton Harbour in accordance with Section C.2 – Natural Heritage System of Volume 1.

6.5.9.16 The City may complete a comprehensive sediment quality investigation for the West Harbour.

6.5.9.17 The City shall require groundwater studies be completed by a proponent for those developments adjacent to the shoreline or on shore landfill as part of the environmental site assessment process.

6.5.9.18 Disturbance of the shoreline, near shore landfill, or the sediments should be avoided or minimized until the associated risks are better understood and these environmental investigations may be done concurrently with the Marine Recreation Master Plan.

6.5.9.19 The shoreline of Hamilton Harbour provides residents with recreational, economic, scenic, and ecological opportunities. To protect the valued terrestrial and aquatic ecosystem of this area, the City shall:

a) encourage agencies and landowners (including the City) to consider opportunities to enhance and restore areas along the shoreline to a more natural state;

b) protect existing vegetation and naturalized areas along the shoreline, within the water and bottom of the harbour, along the Iroquois shoreline embankment (between the harbour and York Boulevard) and within the planning area generally. Vegetation in natural areas shall be left to mature so it contributes to the aesthetics of the area. It is recognized that selective
pruning of vegetation may be required at strategic points along the shoreline to permit views of the harbour;

c) maintain the integrity of natural areas and enhance linkages between natural habitat along the shoreline;

d) encourage agencies and landowners to use native vegetation species appropriate to the location whenever possible when planting within natural areas;

e) encourage habitat enhancement and naturalization projects where appropriate at Bayfront Park, Pier 4 Park, Hamiltonian Pier and Waterfront Trail;

f) manage nuisance wildlife such as Canada geese, gulls and other waterfowl so they are not a nuisance to park use and do not negatively impact the health of beach areas and water quality; and,

g) retain qualified professionals to manage wildlife in consultation with Remedial Action Plan partners, the City, and residents.

Noise and Vibration

6.5.9.20 The relocation of the Stuart Street Rail Yard, to an appropriate area within the city not adjacent to waterfront open spaces or existing or planned residential neighbourhoods, shall be encouraged.

6.5.9.21 Applications for development or redevelopment of sensitive land uses within the Zone of Noise Influence identified on Map B.6.5-3 - West Harbour - Zone of Noise Influence shall include a noise and vibration study that assesses the impacts of the Stuart Street Rail Yard on the proposed development. Noise and vibration studies shall be prepared to the satisfaction of the City and the Province, in consultation with CN, and shall undertake appropriate measures to mitigate any adverse effects from noise and vibration that were identified.

6.5.9.22 Applications for development or redevelopment within 300 metres of an existing heavy industrial use shall also include a noise and vibration study, prepared to the satisfaction of the City and the Province, that assesses the impacts of the industrial use on the proposed development. The City may invoke conditions on its approval of development to ensure noise and vibration mitigation measures are implemented where recommended by such studies.

6.5.9.23 All proposed development adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the City and in consultation with CN.

6.5.9.24 All residential and other uses sensitive to noise and vibration shall be set back a minimum of 30 metres from the main CN rail corridor that traverses West Harbour.

6.5.10 Corridors of Gradual Change
The Corridors of Gradual Change are identified on Map B.6.5-2 - West Harbour - Planning Area and Sub-Areas and include the portions of York Boulevard and Cannon Street that border West Harbour, the portion of Barton Street between James Street and Wellington Street. The intent of the policies in this section is to
enhance these corridors through positive, incremental change, acknowledging and reinforcing their mobility function as described in the West Harbour Transportation Master Plan. Redevelopment of private lands and public improvements within the municipal right-of-way provide opportunities to improve their vitality as commercial streets, their character and image, and their pedestrian environment.

**General Policies**

6.5.10.1 Section 6.5.10 – Corridors of Gradual Change shall apply to those properties with a lot line fronting the portions of York Boulevard, Cannon Street, Barton Street and James Street identified as Corridors of Gradual Change on Map B.6.5-2 - West Harbour - Planning Area and Sub-Areas. The policies shall also apply to the public road allowance within these corridors. Where land assembled for redevelopment includes a lot with frontage on a street within a Corridor of Gradual Change, the policies of this section shall apply to all of the land assembled to a maximum depth generally of 50 metres.

6.5.10.2 Streetscape improvements within the right-of-ways of Corridors of Gradual Change shall be guided by Streetscape Master Plans prepared for each Corridor.

6.5.10.3 None of the policies of this section is intended to conflict with or amend the Hamilton Downtown Mobility Street Master Plan, as it applies to Cannon Street and James Street. None of the policies of this section are intended to conflict with the Hughson Streetscape Master Plan or the Downtown Transportation Master Plan.

6.5.10.4 Redevelopment within Corridors of Gradual Change shall respect the scale and character of existing development in adjacent Stable Areas as shown on Map B.6.5-2 - West Harbour - Planning Area and Sub-Areas, providing an appropriate transition in the height and massing of buildings; screening any surface parking, loading and service areas; and minimizing traffic impacts on local streets.

6.5.10.5 York Boulevard

a) As a major entryway to the city, West Harbour and Downtown, the character and image of York Boulevard is of city-wide significance. Changes and improvements to the streetscape of York Boulevard, including its built form and landscaping, shall reflect design excellence and the desired image of the city as a whole.

b) Development and redevelopment on York Boulevard shall help to define the street in a consistent manner by:

   i) orienting buildings to the street and building to the property line;
   
   ii) locating main entrances on York Boulevard;
   
   iii) having a consistent height of five to six storeys; and,
   
   iv) locating all parking at the rear of buildings.

c) In addition to the uses permitted by Policy B.6.5.3.18 – Mixed Use – Medium Density Designation, office buildings shall be permitted in the York Boulevard Corridor.
d) The maximum permitted height of buildings on York Boulevard is identified on Map B.6.5-4 - West Harbour - Building Heights. Where lot depths allow, the height of buildings shall step down to a maximum of four storeys where the rear of a site is adjacent to low-rise housing.

e) Notwithstanding Policy B.6.5.3.18 a) and b), ground-floor, street-related commercial uses, such as restaurants, local shops and services, are only permitted at the corners where York Boulevard intersects with north-south streets, with full accessibility at grade and eyes on the street.

f) Development on vacant lots and parking lots on York Boulevard shall be encouraged.

g) In keeping with the objective to enhance York Boulevard as a key entryway to the city by promoting a consistent and high-quality streetscape environment, the City shall establish streetscape design guidelines to address a range of elements, including landscaping, street furniture, public art, transit shelters, commercial signage, lighting and bicycle facilities. Improvements within the right-of-way and new development and redevelopment fronting York shall adhere to the guidelines.

h) The City shall consider operational and physical changes within the right-of-way, such as distinctive paving, enhanced lighting and traffic-calming devices, to facilitate safe pedestrian crossings on York Boulevard at frequent intervals.

6.5.10.6 Cannon Street

a) Redevelopment and improvements in the Cannon Street Corridor shall seek to better connect the neighbourhoods of West Harbour and Downtown, support existing and new commercial uses in strategic locations, create a safe and inviting pedestrian environment, and improve the street's overall image.

b) There shall be a presumption in favour of the preservation and adaptive reuse of buildings with historic and/or architectural value on Cannon Street in any development or redevelopment proposal. In addition to the uses permitted by Policies B.6.5.3.19 a) and B.6.5.3.20 b), professional office and institutional uses are permitted on such properties.

c) Redevelopment adjacent to McLaren Park shall avoid locating parking, service and loading areas and blank walls adjacent to the park.

d) The designated road allowance for Cannon Street is 26.21 metres wide. Land dedications prior to the approval of Site Plan Applications shall be required to achieve this width through the Corridor.

e) The West Harbour Transportation Master Plan, Downtown Transportation Master Plan, Hamilton Downtown Mobility Street Master Plan and Hughson Streetscape Master Plan shall guide improvements within the Cannon Street right-of-way.

6.5.10.7 Barton Street
a) Redevelopment and improvements in the Barton Street Corridor shall seek to reinforce its role as a retail street; better connect the residential areas to the north and south; create a safe and inviting pedestrian environment; and enhance the mixed use character of the street.

b) The City shall prepare a Streetscape Master Plan for Barton Street to address the following: landscaping within the right-of-way; street furniture; transit shelters; commercial signage; lighting; bicycle facilities; and development permitted to encroach in the right-of-way. Improvements within the right-of-way, and development and redevelopment adjacent to Barton shall be guided by the master plan.

c) Development on parking lots fronting Barton Street is encouraged.

6.5.10.8 James Street

a) James Street is the primary retail street in West Harbour. Redevelopment and improvements within the James Street Corridor shall reinforce this function, preserve historic buildings and enhance the character of the street.

b) The City may reduce the parking requirement for commercial uses on James Street to help preserve and continue the historic pattern of development in portions of the corridor.

c) The Hamilton Downtown Mobility Street Master Plan, West Harbour Transportation Master Plan and Downtown Transportation Master Plan shall guide improvements within the James Street right-of-way.

d) The City shall develop and coordinate a parking strategy for James Street intended to support local businesses. The strategy shall address on-street parking regulations; the location and supply of public parking facilities; and opportunities to provide additional off-street public parking.

e) A public parking garage partly or wholly located within the rail trench and fronted at street level by commercial or community uses shall be permitted on James Street, across from LIUNA Station.

6.5.11 Stable Areas

The Stable Areas are identified on Map B.6.5-2 - West Harbour - Planning Area and Sub-Areas. They comprise the generally low-density neighbourhoods that define the residential character of West Harbour. Significant physical change is not anticipated in Stable Areas. The intent of the policies in this section is to maintain and reinforce the character of existing neighbourhoods and to encourage the replacement of inappropriate industrial and commercial uses with sensitively-designed residential development.

Land Use

6.5.11.1 The predominant land use in Stable Areas shall be Low Density Residential 2, with detached, semi-detached and street townhouses being the predominant types of housing.

6.5.11.2 Existing high-rise apartment buildings shall be permitted uses. However, where sites occupied by such buildings are proposed for additional development or redevelopment, the City shall review the permitted densities, heights and
setbacks based on the principles and design objectives of this plan and may revise them accordingly.

6.5.11.3 Existing industrial and commercial uses in Stable Areas incompatible with neighbouring residential uses due to adverse noise, vibration, air quality and/or traffic impacts shall be encouraged to relocate to appropriate areas in the city.

6.5.11.4 Surface parking lots serving commercial or industrial uses outside Stable Areas shall be prohibited within Stable Areas.

6.5.11.5 Institutional uses within Stable Areas, including schools and places of worship, shall minimize the size of surface parking areas and landscape the edges of parking areas adjacent to public streets and residential areas.

Public Realm

6.5.11.6 The City may study and implement traffic calming measures on local streets to address the impacts of non-local traffic.

6.5.11.7 Eastwood Park shall remain a Community Park. The City shall develop and implement a master plan for Eastwood Park to improve its aesthetics and amenities, to better define its edges, and to screen land uses north and east of the park.

6.5.11.8 Bayview Park shall remain a Neighbourhood Park. The City shall develop and implement a master plan to improve its amenities. The plan shall include elements that interpret the site’s heritage, such as a plaque or landscape feature.

6.5.12 Implementation

This section identifies the instruments, projects, studies and actions the City shall initiate to implement this Secondary Plan.

Municipal Capital Projects

6.5.12.1 The City shall prepare a capital budget outlining the following:

a) short, medium and long term capital projects arising from this plan;

b) cost estimates for the capital projects identified above; and,

c) special studies and projects arising from this plan, including timing for completion and their estimated cost.

6.5.12.2 The City shall incorporate capital projects and additional studies arising from this Plan into the municipal budgeting process.

6.5.12.3 The City shall recognize that there are a number of opportunities for investment and development in West Harbour. The Downtown West Harbour Coordinating Committee, with input from other stakeholders, shall continue to be responsible for coordinating municipal capital projects.

6.5.12.4 The City shall employ “best-practice” technologies in the design and development of public works in West Harbour and shall seek any available grant funds intended to support such technologies.
6.5.12.5 Community Improvements Plans and other programs and initiatives may be developed to identify, guide, encourage, and track future development in the study area.

6.5.12.6 West Harbour is designated a Community Improvement Project Area, and the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan applies, and shall continue to apply, to a large portion of West Harbour. The City may revise the ERASE Plan from time to time and may prepare additional Community Improvement Plans for West Harbour. Such plans should identify, rank and coordinate the public improvements set out in this Secondary Plan and others that may arise. Community Improvement Plans should also identify the programs and measures intended to promote development and the rehabilitation of existing buildings and properties. The City shall consult with the local community in preparing the Community Improvement Plan.

6.5.12.7 The objectives and criteria for all municipal grant and loan programs established under a Community Improvement Plan for West Harbour shall conform to this Secondary Plan.

6.5.12.8 The City shall seek to acquire all remaining private property on the south side of Strachan Street for the purpose of creating a continuous open space corridor between Bay Street and Ferguson Avenue.

6.5.12.9 Where City-owned land was previously occupied by industrial uses, or is otherwise suspected of being environmentally contaminated, the City shall conduct Phase 1 and Phase 2 Environmental Assessments of the lands. Prior to, or in conjunction with, improvements to and/or redevelopment of the land, the City shall implement a remediation plan to the satisfaction of the Ministry of the Environment. Where appropriate, Environmental Site Assessments and remediation plans shall be coordinated with those required on neighbouring private or public lands.

6.5.12.10 The City shall prepare facilities and landscaping master plans for Bayfront Park, Bayview Park, Eastwood Park, Central Park and Pier 4 Park, in that order. The plans shall be prepared in consultation with the local communities and park users.

6.5.12.11 In accordance with Policy B.6.5.14.5, the City shall initiate an urban design study for Barton-Tiffany to guide development in the area, help ensure development proposals support the objectives of this plan and achieve excellence in design. The study shall include a process of public consultation.

6.5.12.12 When the current uses on Pier 9 cease, the City shall initiate a land use and urban design study to determine the approximate mix of uses, height and massing of buildings, and layout of streets and open spaces on the property. The study shall result in a new Secondary Plan for the district.

6.5.12.13 The City shall develop, adopt and implement streetscape guidelines or master plans for Corridors of Gradual Change where no such guidelines or plans currently apply. The guidelines and plans shall be coordinated with the...
Downtown Mobility Street Master Plan and Hughson Streetscape Master Plan, and shall address such matters as appropriate sidewalk widths, pedestrian crossings, trees and other landscaping, signage, lighting, and bicycle facilities.

6.5.12.14 The City shall initiate a feasibility study for a pedestrian crossing between Dundurn Park and the Waterfront Trail. The study shall consider location and design options for the crossing, and include a cost-benefit analysis of the options.

6.5.12.15 West Harbour Marine Recreation Master Plan

a) The City shall complete a West Harbour Marine Recreation Master Plan Study to guide development and improvements on the City-owned property from Bayfront Park to Pier 7.

b) The boundaries of the West Harbour Recreation Master Plan Study Area shall be defined prior to commencement of the Study and shall include:

i) the Marine Recreational areas designated on Map B.6.5-1 - West Harbour - Land Use Plan; and,

ii) areas within Bayfront Park and Pier 4 Park used for marine recreation.

c) The West Harbour Marine Recreation Master Plan shall adhere to the principles of this plan, as described in Section B.6.5.2 - Planning Principles, and help to achieve the vision for the Waterfront, as described in Policies B.6.5.2.3 and B.6.5.2.4. The specific objectives of the Recreation Master Plan produced by the study shall include, but not be limited to:

i) Accommodate and facilitate a range of recreational boating facilities;

ii) Maximize public access to the water's edge, balancing the operational needs of marine and boating activities for safe and secure water access;

iii) Minimize the size of paved areas for parking and storage;

iv) Encourage sharing of facilities among boating organizations; and,

v) Ensure safety and security for boaters, trail users and park visitors.

d) The issues to be addressed by the West Harbour Recreation Marine Master Plan Study shall include, but not be limited to:

i) size and location of any new buildings;

ii) facilities, independent and/or shared, for boat clubs;

iii) extent, location and security of boat storage areas;

iv) extent and location of parking and loading areas;

v) new public open spaces at the water's edge;

vi) location of boat launch areas;
vii) location and types of breakwalls;

viii) alignment and design of the ultimate Waterfront Trail between Bayfront Park and Pier 7;

ix) protection and enhancement of aquatic habitats;

x) incorporate the Gartner Lee Phase I (July 2003) and II (December 2004) Fisheries study recommendations;

xi) park and open space landscaping and programming;

xii) nature and location of driveways and/or roadways;

xiii) pedestrian and trail user safety;

xiv) emergency access;

 xv) landscaping for stormwater management, energy conservation and water conversation;

xvi) auxiliary uses; and,

xvii) providing privacy and security for boating clubs and security.

e) The West Harbour Marine Recreation Master Plan Study shall entail a process of public consultation that includes, at a minimum, regular meetings with a stakeholder advisory committee, public workshops and public open houses. The stakeholder advisory committee shall broadly represent the community, including boating organizations and the North End neighbourhood, as well as federal, provincial and municipal departments, agencies and citizens with an interest in the study area.

f) The West Harbour Marine Recreation Master Plan Study shall be adopted as an amendment to this Plan prior to development or capital improvements proceeding within the West Harbour Marine Recreation Master Plan Study Area. Exceptions are limited to the replacement of destroyed or damaged buildings; repairs to roads, utilities and other public infrastructure; shoreline repair; and completion of a recreation trail from Pier 4 Park to the Canada Marine Discovery Centre.

6.5.12.16 Piers 7-8

a) The City shall work with the Hamilton Port Authority and Parks Canada to prepare an Action Strategy for Piers 7-8 that shall implement the development and improvements envisioned by this Plan. The Action Strategy shall include:

i) a timetable for the relocation of port-related uses;

ii) a timetable for the relocation of existing recreational boat storage;

iii) an infrastructure phasing plan;

iv) a development phasing plan; and,
v) a relocation plan and timetable for the existing Navy League facilities and Brewer’s Marine.

b) The City, in cooperation with the Hamilton Port Authority and Parks Canada, among other stakeholders, shall seek to identify and establish an appropriate Administrative Body that shall be responsible for implementing the Action Strategy for Piers 7-8. The options for such a body, including a development authority, partnership or corporation, shall be considered.

c) The Administrative Body established for the development of Piers 7-8 may seek requests for competitive proposals from private developers in order to best implement the vision in this Plan.

d) The City shall initiate and complete an urban design study of Piers 7-8 to determine the appropriate height, massing and character of new buildings and the appropriate physical relationship between buildings and public open spaces. The primary intent of the study shall be to refine the maximum building envelopes established by this Plan based on an analysis of public views to the harbour, sunlight penetration, privacy and wind conditions. The study shall include a process of public consultation and shall be completed prior to the adoption of new development and Zoning By-law Amendments for Piers 7-8. If the urban design study recommends building heights greater than the maximum heights identified on Map B.6.5-4 - West Harbour - Building Heights, an amendment to this Plan shall be required.

e) The City may lease or sell land or enter into joint ventures or similar arrangements on Piers 7 and 8, excluding the lands designated Open Space or reserved for streets on Map B.6.5-1 - West Harbour - Land Use Plan, in order to achieve the development objectives for Piers 7 and 8.

Other Implementation Policies

6.5.12.17 The City, in consultation with affected communities, may update the Neighbourhood Plans for those portions of Strathcona, Central and Beasley Neighbourhoods not within West Harbour. The updated plans shall have regard for the principles and policies of this Plan. In particular, policies applicable to York Boulevard and Cannon Street and properties on their south sides should generally reflect the corresponding policies for these corridors contained in this Plan.

6.5.12.18 The City may establish a Design Review process for major public capital improvement projects in the Waterfront. The Design Review process may include review by an advisory committee, whose membership should include, at a minimum: a representative of the West Harbour residential community; the Ward 2 Councillor; a professional architect; a professional landscape architect; a professional planner or urban designer; and a member of the Hamilton Historical Board. The Design Review process shall encourage participation from the local, national and international design communities.

6.5.12.19 The City shall seek the cooperation of CN and the operator of the Stuart Street Rail Yard in identifying and implementing measures that would mitigate the impacts of the rail yard as an industrial use and a physical barrier to waterfront access.

6.5.12.20 All studies required by the policies in this plan shall be submitted prior to any application under the Planning Act being deemed a complete application.
Area Specific Policies

Within West Harbour, three areas are planned for significant land use change. These areas are identified as Area Specific Policy on Map B.6.5-2 - West Harbour - Planning Area and Sub-Areas. In addition to the other policies in this Secondary Plan, the following sections shall apply specifically to these areas of major change - Waterfront, Barton-Tiffany, and Ferguson-Wellington Corridor.

6.5.13 Area Specific Policy - Area A - Waterfront

The policies of this Section shall apply to the lands shown on Map B.6.5-2 - West Harbour - Planning Area and Sub-Areas as Area Specific Policy - Area A - Waterfront.

Waterfront Vision

6.5.13.1 Development and improvements in the Waterfront shall help realize the City's vision of a waterfront that:

- is beautiful, publicly-accessible and inviting;
- promotes a healthy world class harbour;
- offers a variety of attractions to Hamilton residents and visitors;
- facilitates active and passive enjoyment of the harbour;
- contains a variety of linked open spaces at the water’s edge, including parks, trails, promenades and plazas;
- enhances recreational boating opportunities;
- accommodates waterfront-appropriate commercial amenities;
- accommodates new residential neighbourhoods;
- is active throughout the day, the week and the year;
- enhances adjacent neighbourhoods and complements the vision for Downtown;
- extends the existing grid pattern of streets in West Harbour; and,
- displays pride in the city’s heritage and excellence in design.

Stuart Street Rail Yard

6.5.13.2 The City acknowledges the importance of the Stuart Street Rail Yard to the regional economy. Nevertheless, it is a central principle of this Plan that the decline of heavy industrial activity in West Harbour is expected to continue. It is the City’s objective to have the Rail Yard relocated to a more suitable area of the city, where it shall be more compatible with surrounding uses, existing and planned. The City shall actively seek opportunities to relocate the Rail Yard, facilitate any proposed relocation to the best of its ability, and, in the interim, encourage the consolidation of facilities and rail track to free up land for other
uses. Until such time as it is relocated, the function of the Rail Yard for goods movement shall continue.

Bayfront Park
6.5.13.3 As a regionally-significant open space, Bayfront Park shall continue to be planned, designed and operated to encourage and accommodate a variety of civic events and recreational activities. Future improvements shall be guided by a master plan for the park and should include convenient washrooms and additional trees for shade and wind protection.

6.5.13.4 In addition to the uses permitted by Policy B.6.5.3.23, restaurants, cafés, and food and beverage vendors shall be permitted in Bayfront Park, provided such uses:
   
a) are generally located near the entrance to the park, overlooking Macassa Bay;
   
b) are small-scale and not greater than two storeys, and in totality do not occupy more than 1,500 square metres;
   
c) are accessory to the open space and recreation function of the park;
   
d) have no adverse impact on aquatic and terrestrial habitats;
   
e) have an architectural quality that enhances the park; and,
   
f) comply with any restrictions the City may impose on such uses to limit noise impacts.

6.5.13.5 An above-grade parking structure is permitted on the parking area for Bayfront Park, immediately south of the combined sewer overflow tank. The design of a parking structure in this location shall be of a high architectural standard and shall not obstruct vistas of the harbour and waterfront from Bay Street.

Marine Recreation
6.5.13.6 The City recognizes the special qualities of Hamilton Harbour, including its physical features and wind conditions that make it a unique, attractive and cherished environment for world class recreational boating within the Great Lakes. The City shall continue to promote and facilitate a diversity of such activity in West Harbour as it pursues other objectives for the Waterfront. Improvements to marine recreation facilities, including marina buildings, club houses, indoor and outdoor boat storage, boat ramps, parking, and docks, shall be guided by a Marine Recreation Master Plan for the West Harbour waterfront, as discussed in Section B.6.5.12.15 – West Harbour Marine Recreation Master Plan. Prior to development or capital improvements proceeding within Marine Recreational areas, as designated on Map B.6.5-1 - West Harbour - Land Use Plan, City Council shall adopt the Marine Recreational Master Plan by Official Plan Amendment.

Piers 6-8
6.5.13.6 Piers 6-8 shall be the focus of physical improvements and development that combine new civic spaces and promenades with residential, cultural and
mixed-use buildings to establish over time a series of linked destinations and a distinct, urban waterfront neighbourhood.

6.5.13.7 Pier 6 shall be extended and improved to accommodate small-scale commercial amenities, such as restaurants and cafés, and a public promenade at least 10 metres wide. The extension shall be subject to approval by the relevant agencies with regulatory authority over the harbour. Options for the extension that do not require fill shall be preferred.

6.5.13.8 Notwithstanding Policy B.6.5.3.20 - Local Commercial Designation, the only commercial uses permitted on Pier 6 shall be restaurants, take-out restaurants and retail stores, and the maximum height of buildings shall be two storeys. The boundaries of the Local Commercial area on Pier 6 identified in Map B.6.5-1 - West Harbour - Land Use Plan may be adjusted without amendment to this Plan.

6.5.13.9 Development of Pier 8 shall extend and refine the existing grid of streets and blocks, as indicated on Map B.6.5-1 - West Harbour - Land Use Plan. The precise location of new streets shall be determined in plans of subdivision but shall generally conform with the street pattern in Map B.6.5-1 - West Harbour - Land Use Plan.

6.5.13.10 The City shall initiate, in conjunction with development on Pier 8, the design and construction of a civic plaza or park. The design and programming of the space shall encourage year-round public use.

6.5.13.11 Notwithstanding Policy B.6.5.3.18 - Mixed Use - Medium Density Designation, in the Mixed Use area on Pier 8:

a) institutional uses of a cultural nature, or cultural facilities, such as museums and galleries, shall be permitted and encouraged;

b) apartment buildings and apartment buildings with institutional uses of a cultural nature on the ground-floor or lower floors shall be permitted and encouraged;

c) public open spaces shall be permitted;

d) buildings shall be generally built to the front property line;

e) ground-floor commercial uses ancillary to a cultural use, such as a restaurant or retail store, shall be permitted, provided they occupy no more than 20% of the total non-residential floor area;

f) parking areas shall be provided underground and/or in above-grade structures;

g) above-grade parking structures shall be located within buildings and fronted on all levels by commercial, cultural or residential uses;

h) front yard parking shall not be permitted;

i) private amenity space shall be provided on balconies and terraces and/or within internal courtyards;

j) common amenity space shall be consolidated to create useable spaces;
k) the design and massing of buildings shall minimize shadow and wind impacts on the public realm; and,

l) the design of new developments shall have respect for the light, views and privacy enjoyed by residents in adjacent buildings and areas.

6.5.13.12 In addition to the uses permitted by Policies B.6.5.3.16 – High Density Residential 1a Designation, B.6.5.3.18 – Mixed Use – Medium Density Designation, and B.6.5.3.19 – Prime Retail Designation, a total of one hotel shall be permitted in those areas designated High Density Residential 1a, Mixed Use – Medium Density, and Prime Retail on Piers 7 and 8.

6.5.13.13 In addition to the uses permitted by Policies B.6.5.3.15 – Medium Density Residential 3 Designation, B.6.5.3.16 – High Density Residential 1a Designation, and, B.6.5.3.19 – Prime Retail Designation, a public parking garage shall be permitted on the block north of Guise Street, between the future extensions of Hughson Street and John Street. A public parking garage in this location shall be integrated with, and fronted on all sides and all levels by, residential or commercial uses.

6.5.13.14 In addition to the uses permitted by Policy B.6.5.3.22, restaurants, cafés, and food and beverage vendors shall be permitted in areas designated General Open Space and City Wide Park on Map B.6.5-1 – West Harbour – Land Use Plan provided such uses:

a) are small-scale and not greater than two storeys, and in totality do not occupy more than 1,500 square metres;

b) are accessory to the open space and recreation function of the area;

c) have no adverse impact on aquatic and terrestrial habitats;

d) have an architectural quality that enhances the open space areas; and,

e) comply with any restrictions the City may impose on such uses to limit noise impacts.

6.5.13.15 Notwithstanding Policy B.6.5.3.15 a) and Policy B.6.5.3.16 a), street townhouses shall not be permitted on Piers 7-8.

6.5.13.16 Prior to zoning by-law amendments to permit the development of any new buildings on Piers 7 and 8, a comprehensive urban design study of the entirety of both piers shall be completed. The study shall determine the appropriate height and massing of new buildings, taking into consideration impacts on public views, sunlight penetration, privacy and wind conditions. If the urban design study recommends building heights greater than the maximum heights permitted by the above-referenced policies, an amendment to this plan shall be required.

6.5.13.17 Prior to approval of any new development on a single block or multiple blocks on Piers 7 and 8, a comprehensive traffic calming study shall be completed and implemented. The study shall include the area north of the CN railway line.
6.5.13.18 On Piers 7-8, direct driveway access to individual dwelling units, private garages fronting public streets and front yard parking shall not be permitted.

6.5.13.19 The Federal Government shall be encouraged, on the lands it owns on Pier 8, to accommodate additional cultural and educational uses that may be proposed and which complement and support the Canada Marine Discovery Centre.

6.5.13.20 The City and the Federal Government, in consultation with the Hamilton Port Authority, shall undertake to provide continuous public open space around Pier 8, approximately 30 metres wide and including a water’s edge promenade.

6.5.13.21 The City shall cooperate with the Hamilton Port Authority to achieve the development objectives for the Pier 8 lands leased to the Port Authority.

6.5.13.22 Signage identifying publicly-accessible buildings and public spaces on Pier 8 shall be used for wayfinding via James Street, Victoria Avenue and Burlington Street (east of Ferguson Avenue).

**Pier 9**

6.5.13.23 Notwithstanding Policy B.6.5.3.21- Institutional Designation, the institutional uses on Pier 9 that existed on the date of adoption of this Plan, including the HMCS Star property and the land-based facilities serving visitors to HMCS Haida, shall continue. The City has the right of first refusal on Pier 9, as per the Minutes of Settlement between the City and the Hamilton Port Authority dated October 20, 2000. Should the Federal Government decide to sell lands occupied by HMCS Star, the City shall act on its right of first refusal and seek to acquire the property.

6.5.13.24 When the current uses on Pier 9 cease, the City shall initiate a land use and urban design study to determine the appropriate mix of uses, height and massing of buildings, and layout of streets and open spaces on the property. The study shall result in new Secondary Plan policies for the district based on Policy B.6.5.13 – Area Specific Policy - Area A - Waterfront and the following long-term objectives for the district:

a) Provide continuous public open space along the water’s edge;

b) Accommodate residential development at densities of up to 300 units per hectare of development land (i.e., excluding public open space);

c) Accommodate cultural and educational uses;

d) Protect important public views and vistas of the harbour and waterfront; and,

e) Buffer residential and other sensitive land uses from industrial and port-related uses on Pier 10.

**Pier 10**

6.5.13.25 In accordance with the Port of Hamilton Land Use Plan, dated June 2002, and consistent with the City of Hamilton Official Plan, Pier 10 shall continue to be used for existing uses and uses permitted by the Shipping and Navigation land use designation. Should the Port of Hamilton decide to sell Pier 10, the City shall act on its right of first refusal and seek to acquire the property.
6.5.13.26 If and when Pier 10 is owned by the City, the City shall initiate a land use and urban design study to determine the appropriate mix of uses, height and massing of buildings, and layout of streets and open spaces on the property. The study shall result in new Secondary Plan policies for the pier.

Water-based Uses

6.5.13.27 Seasonal water-based uses, such as ferries, water taxis, tour boats and charter boats, are encouraged in the Waterfront. Generally, the land-based components of such uses shall be restricted to Piers 5-8. Any such uses and their proposed location shall be assessed based on the nature, size and docking requirements of the craft; the impacts of the use on the adjacent public realm and views along the waterfront and to the harbour; and the City's ability to provide emergency services to the use and ensure public safety. Such uses shall require approval by City Council and the relevant agencies with regulatory authority over the harbour.

6.5.13.28 Due to their impacts on views of the harbour from water's edge open space and their servicing and access requirements, permanent water-based uses, such as floating hotels and restaurants, shall not be permitted in the Waterfront.

6.5.14 Area Specific Policy - Area B - Barton-Tiffany

The policies of this Section shall apply to the lands shown on Map B.6.5-2 - West Harbour - Planning Area and Sub-Areas as Area Specific Policy - Area B - Barton-Tiffany.

6.5.14.1 The relocation of remaining industrial uses, the remediation of contaminated land, and the conversion of industrial lands to residential uses are promoted in Barton-Tiffany. The boundary of Barton-Tiffany is shown on Map B.6.5-2 - West Harbour - Planning Area and Sub-Areas.

6.5.14.2 The City acknowledges the importance of industry to the regional economy. Nevertheless, it is a central principle of this Plan that the decline of heavy industrial activity in the West Harbour is expected to continue. In keeping with City's objective to have Industrial uses in the West Harbour relocated to a more suitable area of the City, where it shall be more compatible with surrounding uses, existing and planned, The City shall actively help existing Industrial uses in the West Harbour search for new industrial sites.

6.5.14.3 Development in the Barton-Tiffany Area shall be in accordance with the following criteria:

a) Multiple dwellings shall be permitted.

b) The density of development shall be in the range of 60 - 300 units per gross hectare.

c) The height of building shall be a maximum of four storeys.

d) Notwithstanding Policy B.6.5.14.3 c) above, buildings greater than four storeys to a maximum of eight storeys may be permitted subject to the completion and approval of an urban design study by the City of Hamilton prior to any required rezoning amendments.
e) Existing grid patterns of streets, blocks and open spaces, and/or those proposed by this plan, shall be respected.

f) For streets where a road allowance widening is required, the setback under the zoning by-law shall be taken from the widened road allowance.

g) Parking areas shall be provided at the rear of sites, underground and/or in above-grade structures, with access from public streets or laneways.

h) Above-grade parking structures shall be located within buildings and fronted on all levels by residential uses.

i) Front yard parking shall not be permitted.

j) The main entrances to buildings shall face public streets.

k) Private amenity space shall be provided on balconies and terraces, at the front or rear of individual ground-floor units, and/or within internal courtyards outdoors and indoors.

l) Common amenity space shall be consolidated on the site to create useable spaces.

m) The design and massing of buildings shall minimize shadow and wind impacts on the public realm.

n) The design of new developments shall have respect for the light, views and privacy enjoyed by residents in adjacent buildings and areas.

o) Approval of rezonings for new residential development within the Zone of Noise Influence, as delineated on Map B.6.5.3 - West Harbour – Zone of Noise Influence, shall be contingent on submission of a noise and vibration study to the satisfaction of the City and the Ministry of the Environment and agreement by the proponent to implement the recommendations of the study.

p) Public open spaces shall comply with Policy B.6.5.3.23.

6.5.14.4 Prior to development occurring, the City shall complete a comprehensive urban design study and provide guidelines for the Barton-Tiffany Area including the following:

a) appropriate building heights, set backs and landscaping;

b) other built form controls intended to protect view sheds, as shown on Map B.6.5-5 - West Harbour - Public Realm, and prevent buildings from creating a barrier or wall effect;

c) the provision of an east-west continuous open space linkage between Dundurn Park and Bay Street;

d) the provision of open space; and,

e) noise attenuation, including such techniques as innovative building design, open space buffers and vegetative planting.
6.5.14.5 Where development is proposed prior to initiation of an urban design study for Barton-Tiffany, the developer may be required to submit an urban design study for the entire Barton-Tiffany Area. The urban design study shall address the matters set out in Policy B.6.5.14.4 and shall be completed to the satisfaction of the City.

6.5.14.6 Further to Policy B.6.5.3.18 - Mixed Use - Medium Density Designation, the development of a mixed use node at the intersection of Barton Street and Hess Street, comprised of small-scale, accessible ground-floor retail, restaurant and/or service uses, with residential units above, shall be encouraged.

6.5.14.7 The City shall seek to relocate the Public Works facilities on Barton Street and Bay Street to allow the expansion, reconfiguration and improvement of Central Park. The adaptive reuse of all or a portion of the Barton Street Works building for recreational or other public uses shall be considered prior to demolition.

6.5.14.8 Subject to the relocation of the affected Public Works facilities, the City shall undertake to expand, reconfigure and improve Central Park as schematically shown on Map B.6.5-1 - West Harbour - Land Use Plan. Any surplus lands created from the expansion and not required for street extensions may be sold for private residential development.

6.5.14.9 Permit additional residential density where the City determines there is a need to increase densities of development in Barton-Tiffany and Ferguson-Wellington corridor, to assist economically with the clean up of brownfield areas and soil contamination. The density increase shall be subject to the City of Hamilton's ERASE program.

6.5.15 Area Specific Policy - Area C - Ferguson-Wellington Corridor

6.5.15.1 The relocation of remaining industrial uses, the remediation of contaminated land, and the conversion of industrial lands to residential, institutional and commercial uses are promoted in the Ferguson-Wellington Corridor.

6.5.15.2 Should the land south of Barton Street, north of the proposed pedestrian connection shown on Map B.6.5-5 - West Harbour - Public Realm, east of Ferguson Avenue, west of existing development located between Cathcart Street and Wellington Street be developed for commercial purposes, the proposed street extensions may not be required.

6.5.15.3 The following policies shall apply to the lands north of Barton Street, between Ferguson Avenue and Wellington Street, designated Institutional on Map B.6.5-1 - West Harbour - Land Use Plan:

   a) In addition to the uses permitted by Policy B.6.5.3.21 - Institutional Designation, health-related commercial uses, such as professional medical offices, pharmacies and medical supply stores, and hotels shall be permitted.

   b) New development shall front onto one or more of the adjacent public streets.

   c) New buildings on Barton Street shall be built close to or at the front property line.
d) Buildings and/or landscaping shall be used to help define and enhance the streetscape of Ferguson Avenue.

e) Redevelopment shall incorporate the preservation, restoration and reuse of the historic building on Barton Street.

f) Parking shall not be permitted in front of buildings facing Ferguson Avenue and Barton Street.

6.5.15.4 The following policies shall apply to the lands south of Barton Street, north of the proposed pedestrian connection shown on Map B.6.5-5 - West Harbour - Public Realm, east of Ferguson Avenue, west of existing development located between Cathcart Street and Wellington Street, designated Mixed Use - Medium Density on Map B.6.5-1 - West Harbour - Land Use Plan:

c) In addition to the uses permitted by Policies B.6.5.3.17 a), B.6.5.3.15 a), and B.6.5.3.16 a), local commercial uses set out in Policy B.6.5.3.20 a) shall be permitted.

b) New buildings on Barton Street shall be built close to or at the front property line with any storeys above the third storey set back from the property line to create a defined street wall.

c) Buildings and/or landscaping shall be used to help define and enhance the streetscape of Ferguson Avenue.

d) Parking shall not be permitted in front of buildings facing Ferguson Avenue and Barton Street.

e) Driveway access for commercial development shall be from Barton Street or Ferguson Avenue. For loading purposes truck access shall be limited to Barton Street.

6.5.15.5 In areas within the Ferguson-Wellington Corridor designated Medium Density Residential 3 Designation and High Density Residential 1a Designation on Map B.6.5-1 - West Harbour - Land Use Plan, direct driveway access to individual dwelling units, private garages fronting public streets and front yard parking shall not be permitted, except where such conditions existed on the date of adoption of this Plan.

6.5.15.6 With the intent of enhancing the streetscapes of Barton Street and Ferguson Street, the City shall encourage the Province to develop and implement a parking and landscaping plan for the Detention Centre site that meets or exceeds the City's standards for institutional uses.

6.5.15.7 The City shall seek to expand and improve Beasley Park to better serve existing residents in the Beasley Neighbourhood and serve new residents in the Ferguson-Wellington Corridor.
Legend
- 2-4 Storeys
- 3-5 Storeys
- 4-6 Storeys

Height is governed by the Secondary Plan Policies

Proposed Roads
Secondary Plan Boundary
SECONDARY PLANS

Stoney Creek

URBAN HAMILTON OFFICIAL PLAN
B.7 STONEY CREEK SECONDARY PLANS

7.1 Western Development Area Secondary Plan

The Western Development Area Secondary Plan area is bounded by Barton Street to the north, Fruitland Road to the East, the Niagara Escarpment to the South, and Gray Road to the West. The Western Development Area Secondary Plan establishes land uses, basic transportation network, community facilities, infrastructure requirements and development standards to guide the development and/or redevelopment of lands located in the Western Development area and protect the neighbourhood's natural areas and environmental resources. The policies of Section B.7.1 and Map B.7.1-1 – Western Development Area – Land Use Plan, constitute the Western Development Area Secondary Plan.

7.1.1 Residential Designations

7.1.1.1 The residential areas are designated Low Density Residential 2b, Low Density Residential 3c, and Medium Density 3 on Map B.7.1-1 – Western Development Area - Land Use Plan.

7.1.1.2 Low Density Residential 2b Designation

Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the Low Density Residential 2b designation identified on Map B.7.1-1 – Western Development Area - Land Use Plan:

a) the permitted uses shall be single, semi detached and duplex dwellings;

b) the density shall range from 1 to 29 units per net residential hectare; and,

c) lands designated Low Density Residential 2b, located on the south side of Barton Street and fronting Barton Street, permitted uses may include fourplexes, fiveplexes, and sixplexes.

7.1.1.3 Low Density Residential 3c Designation

Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the Low Density Residential 3c designation identified on Map B.7.1-1 – Western Development Area - Land Use Plan:

a) the permitted uses shall be low rise apartments, row houses, stacked and block townhouses and innovative forms of attached housing; and,

b) the density shall range from 30 to 49 units per net residential hectare.

7.1.1.4 Medium Density Residential 3 Designations

Notwithstanding Policies E.3.5.2, E.3.5.7, and E.3.5.8 of Volume 1, the following policies shall apply to the Medium Density Residential 3 designation identified on Map B.7.1-1 – Western Development Area - Land Use Plan:

a) the permitted uses shall be predominantly apartment dwellings in buildings not exceeding a height of nine stories; and,

b) the density shall range from 50 to 99 units per net residential hectare.
7.1.2 Commercial Designations
The commercial areas are lands designated Local Commercial, Mixed Use - Medium Density and District Commercial on Map B.7.1-1 - Western Development Area - Land Use Plan.

7.1.2.1 Local Commercial Designation
Section E.3.8 - Local Commercial shall apply to the lands designated Local Commercial on Map B.7.1-1 - Western Development Area - Land Use Plan.

7.1.2.2 Notwithstanding Policy E.3.8.6 of Volume 1, on Lands designated Local Commercial on Map B.7.1-1 Western Development Area - Land Use Plan, the maximum gross floor area of any individual commercial establishment shall be 500 square metres and the maximum gross floor areas of any grouping of local commercial uses shall be 1,500 square metres.

7.1.2.2 Mixed Use - Medium Density Designation
Section E.4.6 - Mixed Use - Medium Density Designation shall apply to the lands designated Mixed Use - Medium Density on Map B.7.1-1 Western Development Area - Land Use Plan.

7.1.2.3 District Commercial Designation
Sections E.4.7 - District Commercial Designation shall apply to the lands designated District Commercial on Map B.7.1-1 - Western Development Area - Land Use Plan.

7.1.3 Parks and Open Space Designations
7.1.3.1 In addition to Sections B.3.5.3 - Parkland Policies and C.3.3 - Open Space Designations in Volume 1, the following policies shall apply to lands designated Neighbourhood Park, Natural Open Space, General Open Space and Parkette on Map B.7.1-1 - Western Development Area - Land Use Plan:

a) The open space system planned for the Western Development Area includes the following:
   i) General Open Space;
   ii) Natural open Space;
   iii) Community Park;
   iv) Neighbourhood Park; and,
   v) Parkette.

7.1.4 Institutional Designation
7.1.4.1 Sections B.3.5 - Community Facilities/Services Policies, E.3.10 - Community Facilities/Services, and E.6.0 - Institutional Designation shall apply to the lands designated Institutional on Map B.7.1-1 - Western Development Area - Land Use Plan.
7.1.5 Area and Site Specific Policies

Site Specific Policy – Area A

7.1.5.1 For the lands located at 325 Highway No. 8, identified as Site Specific Policy – Area A on Map B.7.1-1 – Western Development Area – Land Use Plan, mixed residential/commercial uses shall also be permitted.
7.2  Old Town Secondary Plan

The Old Town Secondary Plan area is bounded by the rear lot lines of the properties fronting on north side Queenston Road, Gray Road to the East, the Niagara Escarpment to the South, to the west by the western property lines in line with Alpine Avenue just East of Centennial Parkway North, north of King Street East, as well as Centennial Parkway North, south of King Street. The Old Town Secondary Plan establishes land uses, basic transportation network, community facilities/services, infrastructure requirements and development standards to guide the development and/or redevelopment of lands located in the Old Town Secondary Plan area and protect the neighbourhood's natural areas and environmental resources. Section B.7.2 and Map B.7.2-1 - Old Town - Land Use Plan, constitute the Old Town Secondary Plan.

7.2.1  General Policies

7.2.1.1 All development within the Old Town shall protect and maintain the economic viability of Stoney Creek's downtown and support its revitalization through conversion, infilling and redevelopment.

7.2.1.2 Site plan approval shall be required for all redevelopment. Site plans shall address matters such as but not limited to building form and appearance, building siting, landscaping and amenity areas, parking and loading, cultural heritage, and the physical relationship of the proposal to local amenities such as shopping facilities, schools, parks, recreational facilities and public transit.

7.2.1.3 The following architectural and landscaping elements shall be encouraged:

a) landscaped front yards;

b) prevention of front yard parking;

c) underground parking, screening; and,

d) buffering of conflicting uses through overall building and landscaping articulation, fencing, root-lines, building materials, detailing, window and entrance features.

7.2.1.4 Battlefield House and Park is identified with the symbol HS on Map B.7.2-1 - Old Town - Land Use Plan and shall be subject to the policies of B.3.5.3 - Parkland Policies.

7.2.2  Residential Policies

The following residential policies define the location and scale of each type of residential use, and help ensure that a variety of residential types are provided to meet the needs of the area residents.

7.2.2.1 General Residential Policies

a) The residential areas are designated Low Density Residential 2a, Medium Density Residential 3, and High Density Residential 1 as identified on Map B.7.2-1 - Old Town - Land Use Plan.

b) The City shall encourage the retention and conversion of existing dwellings and infilling along King Street in a manner that maintains the prevailing 'house-form' character of the streetscape.
7.2.2.2 Low Density Residential 2a Designation
In addition to Section E.3.4 – Low Density Residential of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2a on Map B.7.2-1 – Old Town – Land Use Plan:

a) Notwithstanding Policy E.3.4.4 of Volume 1 the density range shall be from 1 to 29 units per net residential hectare.

b) In addition to Policy E.3.4.3 of Volume 1, a wide range of “house-form” dwelling types, housing for specialized purposes such as housing with supports and lodging houses, and other small scale non-residential uses shall be permitted.

7.2.2.3 Medium Density Residential 3 Designation
In addition to Section E.3.5 – Medium Density Residential of Volume 1, the following policies shall apply to the lands designated Medium Density Residential 3 on Map B.7.2-1 – Old Town – Land Use Plan:

a) Notwithstanding Policy E.3.5.7 of Volume 1, the density range for development shall be from 30 to 99 units per net residential hectare.

b) Notwithstanding Policies E.3.5.2 and E.3.5.3 of Volume 1, permitted uses shall include a wide range of multiple dwelling structures.

c) Notwithstanding Policy E.3.5.8 of Volume 1, building height shall not exceed three storeys along Centennial Parkway.

d) Notwithstanding Policy E.3.5.2 of Volume 1, accessory non-residential uses may also be considered within larger structures.

7.2.2.4 High Density Residential 1 Designation
In addition to Section E.3. - High Density Residential of Volume 1, the following policies shall apply to the lands designated High Density Residential 1 on Map B.7.2-1 – Old Town – Land Use Plan:

a) Notwithstanding Policy E.3.6.1 of Volume 1, the density range for development shall be from 100 to 200 units per net residential hectare.

b) Notwithstanding Policies E.3.6.2 and E.3.6.3 of Volume 1, permitted uses shall include apartment buildings above six storeys in height.

c) High density residential uses should be located within the Stoney Creek Community Node and along Queenston Road.

7.2.4 Commercial Designations
The commercial areas are lands designated Local Commercial, Mixed Use - Medium Density, Mixed Use – Medium Density – Pedestrian Predominant, Mixed Use – High Density, and District Commercial on Map B.7.2-1 – Old Town – Land Use Plan.

7.2.4.1 Local Commercial Designation
The following policies apply to lands designated Local Commercial on Map B.7.2-1 – Old Town – Land Use Plan:
a) Section E.3.8 - Local Commercial of Volume 1 shall apply to the lands designated Local Commercial on Map B.7.2-1 - Old Town - Land Use Plan.

b) Notwithstanding Section E.3.8.6 of Volume 1, on Lands designated Local Commercial on Map B.7.2-1 Old Town - Land Use Plan, the maximum gross floor area of any individual commercial establishment shall be 500 square metres and the maximum gross floor areas of any grouping of local commercial uses shall be 1,500 square metres.

7.2.4.2 Mixed Use - Medium Density Designation
The following policies shall apply to lands designated Mixed Use - Medium Density on Map B.7.2-1- Old Town - Land Use Plan:

a) Section E.4.6 - Mixed Use - Medium Density Designation shall apply to the lands designated Mixed Use - Medium Density on Map B.7.1-1 - Western Development Area - Land Use Plan.

b) Building heights should not generally exceed six stories in height.

7.2.4.3 Mixed Use - High Density Designation
Section E.4.5 - Mixed Use - High Density Designation of Volume 1 shall apply to lands designation Mixed Use - High Density on Map B.7.2-1 - Old Town - Land Use Plan.

7.2.4.4 District Commercial Designation
Section E.4.7 - District Commercial Designation shall apply to the lands designated District Commercial on Map B.7.2-1 - Old Town - Land Use Plan.

7.2.5 Parks and Open Space Designations
7.2.5.1 In addition to Sections B.3.5.3 - Parkland Policies and C.3.3 - Open Space Designations of Volume 1, the following policies shall apply to lands designated General Open Space, Natural Open Space, Community Park, Neighbourhood Park or Parkette on Map B.7.2-1 - Old Town - Land Use Plan:

a) The open space system of the Old Town Secondary Plan area includes the following:
   i) General Open Space;
   ii) Natural Open Space;
   iii) Community Park;
   iv) Neighbourhood Park; and,
   v) Parkette.

7.2.6 Institutional Designation
7.2.6.1 The policies of Sections B.3.5 - Community Facilities/Services Policies, E.3.10 - Community Facilities/Services and E.6.0 - Institutional Designation shall apply to the lands designated Institutional on Map B.7.2-1 - Old Town - Land Use Plan.
7.2.6.2 Notwithstanding Sections E.3.10 – Community Facilities/Services Policies and E.6.0 – Institutional Designation of Volume 1, the front portion of Battlefield House Museum and Park shall be designated Institutional on Map 7.2-1 – Old Town – Land Use Plan to protect the historic nature of this site and shall only permit this use.

7.2.7 Urban Design Policies
7.2.7.1 In addition to Section B.3.3 – Urban Design Policies of Volume 1, the following policies shall apply:

a) The City shall encourage redevelopment which enhances and unifies the built form along Queenston Road. Streetscape and urban design improvements for this area shall include the following:

i) replacement of the existing asphalt pavement on boulevards with planted material, where appropriate;

ii) a street-tree planting program;

iii) unified building setbacks to maintain a consistent streetscape as well as a pedestrian-friendly environment; and,

iv) emphasis on shared entrances and parking facilities.

7.2.8 Area and Site Specific Policies

Site Specific Policy - Area A
7.2.8.1 The long term intent for the properties on the south side of King Street West between Centennial Parkway and Battlefield Creek and designated Institutional – HS on Map B.7.2-1 – Old Town – Land Use Plan identified as Site Specific Policy - Area A on Map B.7.2-1 – Old Town – Land Use Plan shall be to incorporate them into Battlefield Park.

Site Specific Policy - Area B
7.2.8.2 Lands located on the south side of King Street West, west of Battlefield Drive and designated Mixed Use - Medium Density - Pedestrian Predominant, and identified as Site Specific Policy – Area B on Map B.7.2-1 – Old Town – Land Use Plan, shall be converted and or/redeveloped in such a manner to be in keeping with the character of Battlefield Park.

Site Specific Policy - Area C
7.2.8.3 Those lands located at 33 Cromwell Crescent (St. David School Site) designated Medium Density Residential 3 and identified as Site Specific Policy - Area C on Map B.7.2-1 – Old Town – Land Use Plan are intended to be comprehensively redeveloped for residential purposes in accordance with the following policies:

a) Permitted uses include single-detached dwellings, townhouses and multiple dwelling structures in consultation with the City.

b) In the interim, the use of these lands shall continue for institutional purposes.

c) Any redevelopment will not provide vehicular access to Cromwell Crescent.
d) The height of new buildings adjacent to existing single detached dwellings and future single detached dwellings fronting on Cromwell Crescent will be compatible; however, somewhat higher buildings may be permitted on other portions of the site.
7.3 **Urban Lakeshore Area Secondary Plan**

The Urban Lakeshore Area Secondary Plan area is bounded by Lake Ontario shoreline to the north, the Hamilton Municipal Boundary to the East, the Queen Elizabeth Way to the South, and Jones Road to the West. This Planning Area comprises the Trillium Neighbourhood, the Winona North Neighbourhood, and the Fifty Point Neighbourhood. The Urban Lakeshore Area Secondary Plan establishes land uses, basic transportation network, community facilities, infrastructure requirements and development standards to guide the development and/or redevelopment of lands located in the Urban Lakeshore Secondary Plan area. Section B.7.3 and Map B.7.3-1 – Urban Lakeshore Area – Land Use Plan constitute the Urban Lakeshore Area Secondary Plan.

7.3.1 **Residential Designations**

The following residential policies define the location and scale of each type of residential use, and help ensure that a variety of residential types are provided to meet the needs of the area residents.

7.3.1.1 The residential areas are designated Low Density Residential 2b, Low Density residential 2e, Low Density Residential 3c and Medium Density Residential 3 as identified on Map B.7.3-1 – Urban Lakeshore Area – Land Use Plan.

7.3.1.2 Low Density Residential 2b Designation

Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2b on Map B.7.3-1 – Urban Lakeshore Area - Land Use Plan:

a) the permitted uses shall be single, semi detached and duplex dwellings; and,

b) the density shall range from 1 to 29 units per net residential hectare.

7.3.1.3 Low Density Residential 2e Designation

Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2e on Map B.7.3-1 – Urban Lakeshore Area - Land Use Plan:

a) the permitted uses shall be single, semi-detached, duplex, link dwellings, and cluster homes; and,

b) the density shall range from 20 to 40 units per hectare.

7.3.1.4 Low Density Residential 3c Designation

Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 3c on Map B.7.3-1 – Urban Lakeshore Area - Land Use Plan:

a) the permitted uses shall be low rise apartments, row houses, stacked and block townhouses and innovative forms of attached housing; and,

b) the density shall range from 30 to 49 units per net residential hectare.
7.3.2.1 Local Commercial Designation
Sections E.3.8 - Local Commercial shall apply to the lands designated Local Commercial on Map B.7.3-1 - Urban Lakeshore Area - Land Use Plan.

7.3.2.2 Notwithstanding Section E.3.8.6 of Volume 1, on lands designated Local Commercial on Map B.7.3-1 - Urban Lakeshore Area - Land Use Plan, the maximum gross floor area of any individual commercial establishment shall be 500 square metres and the maximum gross floor areas of any grouping of local commercial uses shall be 1,500 square metres.

7.3.3 Parks and Open Space Designations
Section B.3.5.3 - Parkland Policies and C.3.3 - Open Space Designations of Volume 1 shall apply to the lands designated Parkette, Neighbourhood Park, General Open Space and Natural Open Space on Map B.7.3-1 - Urban Lakeshore Area - Land Use Plan.

7.3.3.2 The open space system of the Old Town Secondary Plan area includes the following:
- General Open Space;
- Natural Open Space;
- City Wide Park;
- Neighbourhood Park;
- Parkette;
- Off street bikeways; and,
- walkways.

7.3.3.3 An integrated open space system in the Lakeshore Secondary Plan Area shall be developed by incorporating and linking significant natural amenities such as woodlots and parks along the City's waterfront.

7.3.3.4 A bikeway and pedestrian path system has been identified on the Map B.7.3-1 Urban Lakeshore Area - Land Use Plan to provide for the use of and safe access to these open space areas and other community facilities.
7.3.4 Institutional Designation

7.3.4.1 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 the lands designated Institutional on Map B.7.3-1 - Urban Lakeshore Area - Land Use Plan.

7.3.5 Utility Designation

Section C.3.4 - Utility Designation of Volume 1 shall apply to lands designated Utility on Map B.7.3-1 - Urban Lakeshore Area - Land Use Plan.

7.3.6 Area and Site Specific Policies

Area Specific Policy – Area A

7.3.6.1 Fifty Point Neighbourhood

To maintain the unique character of the Fifty Point Neighbourhood, special design features shall be provided on lands designated Low Density Residential 2b west of Fifty Road. These lands are shown as an Area Specific Policy – Area A on Map B.7.3 -1 - Urban Lakeshore Area – Land Use Plan and the following policies shall apply:

a) A variety of house styles with different architectural details shall be encouraged and reviewed during the draft plan of subdivision process.

b) New residential development shall complement existing low profile residential uses in the Fifty Point Neighbourhood.

c) Notwithstanding Policy E.3.4.4 of Volume 1, areas designated on Map B.7.3-1 – Urban Lakeshore Area – Land Use Plan as Low Density Residential 2b shall not exceed a density of 13 units per net residential hectare.

d) A gradation of lot sizes shall be established in the plans of subdivision with larger lots being located closer to Lake Ontario.

e) In no case shall lots with a lot frontage less than 15 metres be permitted.

f) A lot having less than 18 metres of frontage shall only be permitted within 500 metres of Baseline Road.

g) The implementing Zoning By-law shall make provisions to establish single detached lots having a lot area of approximately 900 square metres with a minimum lot frontage of approximately 18 metres.

h) The design features shall include but not be limited to decorative street lamps, enhanced boulevard landscaping and increased front yards and side yards.

i) Final determination of the yard requirements will be made by the City at the time of its review of the zoning and subdivision applications.

j) The implementing Neighbourhood Plan shall make provisions to incorporate historical resources within the overall design of the Fifty Point Neighbourhood in order to minimize adverse effects that may detract from these resources and provide for their preservation.
Area Specific Policy – Area B

7.3.6.2 Part Lot 3, Broken Front Concession and known municipally as 1353, 1357 Baseline Road is shown as Area Specific Policy – Area B on Map B.7.3-1 – Urban Lakeshore Area – Land Use Plan and the following policies shall apply:

a) Notwithstanding Policy E.3.4.4 of Volume 1 and Policy 7.3.1.2 b) of Volume 2, the maximum density on the subject land shall be 32 units per Net Residential Hectare.

b) Notwithstanding Policy E.3.4.3 of Volume 1 and Policy 7.3.1.2 a), a wide variety of dwelling types including single detached, semi-detached and townhouses units shall be permitted.

c) Architectural and Urban Design Guidelines shall be required for any Plan for Development and shall be prepared to the satisfaction of the City.
7.4 Winona Urban Community Secondary Plan

The Winona Urban Community Secondary Plan area is bounded by Barton Street to the north, Fruitland Road to the East, the Niagara Escarpment to the South, and Gray Road to the West. The Winona Urban Community Secondary Plan establishes and uses, basic transportation network, community facilities, infrastructure requirements and development standards to guide the development and/or redevelopment of lands located in the Winona Urban Community Secondary Plan area. Section B.7.4 and Map B.7.4-1 - Winona Urban Community - Land Use Plan constitute the Winona Urban Community Secondary Plan.

7.4.1 General Policies

7.4.1.1 The lands generally located around the intersection of Highway No. 8 and Winona Road and schematically shown on Map B.7.4-1 - Winona Urban Community - Land Use Plan are defined as the Winona Centre. This Centre may be used for residential, commercial, institutional, and public uses in accordance with the policies of this Secondary Plan and Volume 1. Such uses include but are not limited to retail stores, professional offices, personal service shops, libraries, schools, churches, government and community facilities, and similar uses necessary to serve the community and surrounding area. Currently, there are no lands designated for commercial uses within Winona Centre.

7.4.1.2 Storm drainage poses a significant constraint to development in the Winona Urban Community. In this regard, Council shall be satisfied that:

a) All new development, with the exception of minor infilling lots along existing roads, shall be provided with full urban storm drainage services including storm sewers, catch basins, manholes, curb and gutters and storm service laterals.

b) Storm sewers shall not be permitted to discharge to natural watercourses unless sufficient capacity is shown to exist and appropriate remedial measures are undertaken to resolve any watercourse erosion or bank instability problems.

c) If runoff increases as a result of development, such development shall not be permitted unless it can be demonstrated that no adverse effects such as increased flooding, erosion or sedimentation will occur downstream.

7.4.2 Residential Designations

Section E.3.3 - Residential Uses - General and Section E.3.4 - Low Density Residential of Volume 1 shall apply to lands designated Low Density Residential 1 and Low Density Residential 3c on Map B.7.4-1 - Winona Urban Community - Land Use Plan.

7.4.2.1 Low Density Residential 1 Designation

Notwithstanding Policy E.3.4.3 and Policy E.3.4.4 of Volume 1, lands designated Low Density Residential 1 on Map B.7.4-1 - Winona Urban Community - Land Use Plan shall be restricted to single detached dwellings and the net residential density shall be in the range of 1 to 29 units per hectare.
7.4.2.2 Low Density Residential 3C Designation

Notwithstanding Policy E.3.4.3 and Policy E.3.4.4 of Volume 1, lands designated Low Density Residential 3c Map B.7.4-1 – Winona Urban Community – Land Use Plan shall be predominantly for townhouse dwellings and walk-up apartments and the net residential density shall be in the range of 30 to 49 units per hectare.

7.4.2.2 Within Winona Centre, a limited number of apartments above commercial uses may be permitted in conjunction with Local Commercial uses.

7.4.3 Commercial Policies

7.4.3.1 Local Commercial Designation

The following policies apply to lands designated Local Commercial on Map B.7.4-1 – Winona Urban Community – Land Use Plan:

a) Section E.3.8 – Local Commercial of Volume 1 shall apply to lands designated Local Commercial.

b) Notwithstanding Section E.3.8.6 of Volume 1, the maximum gross floor area of any individual commercial establishment shall be 500 square metres and the maximum gross floor areas of any grouping of local commercial uses shall be 1,500 square metres.

7.4.4 Parks and Open Space Designations

7.4.4.1 Section B.3.5.3 – Parkland Policies shall apply to the lands designated Community Park on Map B.7.4-1 – Winona Urban Community – Land Use Plan.

7.4.5 Institutional Designation

7.4.5.1 Sections B.3.5 – Community Facilities/Services Policies, E.3.10 – Community Facilities/Services and E.6.0 – Institutional Designation shall apply to the lands designated Institutional on Map B.7.4-1 – Winona Urban Community – Land Use Plan.
7.5 Nash Neighbourhood

The Nash Neighbourhood Secondary Plan area is bounded by Felker's Creek on the west, the Niagara Escarpment on the north, Upper Centennial Parkway on the east and Mud Street on the south. The Nash Neighbourhood Secondary Plan establishes land uses, basic transportation network, community facilities, infrastructure requirements and development standards to guide the development and/or redevelopment of lands located in the Nash Neighbourhood. These policies along with the policies of Volume 1 provide guidance and direction for the protection of the neighbourhood’s natural areas and environmental resources.

Section B.7.5 and Map B.7.5-1 – Nash Neighbourhood – Land Use Plan constitute the Nash Neighbourhood Secondary Plan.

7.5.1 Principles

Development of the Nash Neighbourhood shall be based on the following principles:

a) Provision of safe, continuous public access throughout the neighbourhood and between adjacent neighbourhoods;

b) Creation of a more balanced multi-modal transportation system which facilitates public transit, cycling, and walking modes in addition to automobiles;

c) Development of community structure based on a modified grid pattern of streets to maximize connectivity and permeability while respecting the natural topography of the land;

d) Development of a “Gateway Road” along First Road West, north of Green Mountain Road that will reinforce the unique character of this community. This road should integrate both recreational trails for pedestrians as well as bicycles into the transportation framework of the community;

e) Integration of new parks and open spaces with existing natural open spaces to provide new passive recreation resources and destinations and to establish linkages creating an interconnected system of parks and open space;

f) Identification, protection, conservation and wise management of the tangible and intangible cultural heritage resources of the City of Hamilton for present and future generations. Where feasible, natural heritage elements that remain on site shall be considered for integration into the Nash Neighbourhood community;

g) Enhancement of the physical and visual connections to the Niagara Escarpment and Environmentally Significant Areas through the layout and design of the community including placement of parks/open space areas and the creation of streetscapes that create and protect views;

h) Rehabilitation of the former Quarry sites located east and west of First Road West, north of Mud Street for future recreational development; and
i) Provision of a mixture of land uses, including a full range and mix of housing types. All built forms shall be designed at a human scale and the neighbourhood shall include a variety of streets and streetscapes that are appropriate to adjacent land use activities.

7.5.2 Objectives

Objectives provide the framework for the planning and development of the Secondary Plan Area by both the public and private sectors. The objectives shall be implemented by the mechanisms set out in this Secondary Plan and the Official Plan.

a) Land Use:
   i) Ensure the Neighbourhood is developed with a compact urban form at an appropriate scale that is pedestrian-oriented and fosters community interaction.
   ii) Promote development at densities suitable to support the public transit network.
   iii) Create a sense of identity and continuity through design.
   iv) Encourage energy conservation through community and site planning and urban design.
   v) Conserve the built heritage including buildings and structures.
   vi) Ensure the development of an attractive, compact, safe and pedestrian oriented urban environment, including a high quality of design for public parks and open spaces, appropriate streetscape standards, the development of attractive buildings and appropriate relationship between buildings and streets, parks and other public spaces, and compatibility between areas of different land use or development intensity.

b) Residential Development:
   i) Create a residential community with a safe, healthy and functional environment that can accommodate approximately 9,600 people (based on about 3,600 dwelling units).
   ii) Ensure that opportunities for a full range and mix of low, medium and high density housing are provided within the Neighbourhood.

c) Major Institutional Development:
   i) Accommodate facilities for public use including health and community uses.
   ii) Integrate institutional uses with the residential community.

d) Open Space and Environmental Features:
   i) Establish a network of connected open space accessible to all residents with natural and cultural features integrated into open space areas and providing a strong link to the open space
associated with the Niagara Escarpment and Environmentally Significant Areas.

ii) Create open spaces with a clear function and relationship to the Community.

iii) Ensure the preservation and enhancement of significant environmental features, including the Niagara Escarpment, Environmentally Significant Areas, and the valley lands associated with Felker’s Creek.

iv) Promote community health through a system of non-vehicular trail connections through the new community with linkages to surrounding lands.

v) Provide opportunities for recreation where they do not impact natural heritage features.

vi) Conserve the natural beauty and distinctive character of the Niagara Escarpment landscape.

e) Transportation:

i) Develop a land use pattern and transportation system that supports vehicular traffic, transit, cyclists and pedestrians.

ii) Achieve a street network that is laid out in a modified grid pattern that maximizes connectivity to and within the neighbourhood so that there are alternate vehicular and pedestrian routes to most destinations.

iii) Design streets at a pedestrian scale that are attractive public spaces while still serving vehicular traffic functions.

iv) Ensure that all new development is designed to facilitate efficient and effective public transportation operations.

f) Heritage:

i) Identify and protect historically or architecturally significant buildings.

ii) Ensure appropriate managements, conservation, mitigation or preservation of archaeological resources.

g) Services:

i) Ensure that all new development occurs on the basis of full urban water and sanitary sewer facilities.

ii) Design and implement a stormwater management system that is integrated with the open space system and which mitigates impacts on the natural environment.

iii) Ensure that the necessary infrastructure and services are in place to facilitate the timely and orderly development of the community.
7.5.3 Land Use Policies

The policies in the following sections address land uses and other matters common to all parts of the Nash Neighbourhood study area and are intended to ensure all future planning and development in the area addresses issues and opportunities best viewed from a city-wide perspective.

General Policies

7.5.3.1 Map B.7.5-1 - Nash Neighbourhood - Land Use Plan shows the land use designations for the entire Nash Neighbourhood.

7.5.3.2 Development within the Nash Neighbourhood shall provide a mix of housing opportunities in terms of lot size, unit size, style and tenure that are suitable for different age levels, income groups, lifestyles, and household structures.

7.5.3.3 In an effort to make best use of lands currently located within the City’s urban boundary, medium densities shall be encouraged throughout this neighbourhood. These densities can be achieved through the provision of smaller lots in interior locations and higher density developments located at external locations within the neighbourhood.

7.5.4 Residential Designations

7.5.4.1 In addition to Section E.3.4 - Low Density Residential of Volume 1, the following policies shall apply to lands designated Low Density Residential 2 and 2h on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan:

a) Low Density Residential 2 Designation:

i) Single detached, semi-detached, duplex and street townhouses shall be permitted.

ii) Notwithstanding Policy E.3.4.4 of Volume 1, the density of development shall range from 20 to 35 units per net residential hectare.

iii) The maximum height of dwelling units shall be no more than three storeys.

iv) Other forms of low density housing may be considered where neighbourhood compatibility can be demonstrated to the satisfaction of the City. Their appropriateness shall be evaluated in terms of protection of natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, and privacy.

v) The location of Low Density Residential 2 is in the interior of residential neighbourhoods adjacent to local and/or collector roads.
b) Low Density Residential 2h Designation:
   i) Notwithstanding Policy E.3.4.3 of Volume 1, multiple dwellings such as street and block townhouses, duplexes, triplexes and quadraplexes shall be permitted.
   ii) Notwithstanding Policy E.3.4.4 of Volume 1, the density shall be in the range of 30 to 49 units per net residential hectare.
   iii) The maximum height of dwelling units shall be three storeys.
   iv) A limited number of detached and semi-detached dwellings may be permitted, provided the density falls within the range specified in Policy B.7.5.4.1 b) ii).
   v) Notwithstanding Policy E.3.4.1 of Volume 1, the location of lands designated Low Density Residential 2h shall generally be at the periphery of residential neighbourhoods adjacent to or close to arterial and/or collector roads.

7.5.4.2 In addition to Section E.3.5 – Medium Density Residential of Volume 1, the following policies shall apply to lands designated Medium Density Residential 2 and Medium Density Residential 3 as shown on Map B.7.5-1 - Nash Neighbourhood – Land Use Plan:

a) Medium Density Residential 2 Designation:
   i) Multiple dwellings such as street and block townhouses, duplexes, triplexes and quadraplexes shall be permitted.
   ii) Notwithstanding Policy E.3.5.7 of Volume 1, the density of development shall be in the range of 30 to 49 units per net residential hectare.
   iii) Notwithstanding Policy E.3.5.8 of Volume 1, the maximum height of dwelling units shall be three storeys.
   iv) A limited number of detached and semi-detached dwellings may be permitted, provided the density falls within the range specified Policy B.7.5.4.2 a) ii).
   v) The location of Medium Density Residential 2 designated lands shall generally be at the periphery of residential neighbourhoods adjacent to or close to arterial and/or collector roads.
   vi) Individual driveways shall not be permitted to directly access the public street. Individual vehicular access shall be provided by either a private lane parallel to the public road in front of the buildings separated from the public street by an enhanced continuous landscape strip or, by a private lane behind the buildings.
   vii) Buildings shall be located as close to the street as possible while still allowing for front porches, stairs and a small landscaped area; or other appropriate methods that would achieve the desired effect would also be considered.
b) Medium Density Residential 3 Designation:
   
i) Notwithstanding Policy E.3.5.8 of Volume 1, apartment buildings and street and block townhouses shall be permitted providing that heights do not exceed eight storeys.
   
ii) Notwithstanding Policy 3.5.7 of Volume 1, the density of development shall be in the range of 50 to 99 units per net residential hectare.
   
iii) The location of Medium Density Residential 3 is intended to be adjacent to or in close proximity to collector roads, community park facilities and open space areas.

7.5.5 Commercial Designations

The Commercial areas for the Nash Neighbourhood Secondary Plan Area are designated Local Commercial and Arterial Commercial on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan.

7.5.5.1 Local Commercial Designation

In addition to Section E.3.8 - Local Commercial of Volume 1, the following policies shall apply to lands designated Local Commercial on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan:

a) The maximum height of buildings shall be three storeys.

b) Notwithstanding Policy 3.8.3 of Volume 1, auto-oriented commercial uses, such as drive-through establishments, gas stations and auto repair garages shall not permitted.

c) Adequate off-street parking shall be provided.

d) Notwithstanding Policies E.3.8.6 and E.3.8.7 b) of Volume 1, the maximum gross floor area of any individual commercial establishment shall be 500 square metres and the maximum gross floor areas of any grouping of local commercial uses shall be 1500 square metres.

7.5.5.2 Arterial Commercial Designation

Section E.4.8 - Arterial Commercial Designation of Volume 1 shall apply to lands designated Arterial Commercial on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan.

7.5.6 Parks and Open Space Designations

7.5.6.1 The policies of Section B.3.5.3 - Parkland Policies, Section C.2.0 - Natural Heritage System, and Section C.3.3 - Open Space Designations of Volume 1, shall apply to lands designated General Open Space, Neighbourhood Parks, Community Parks and Natural Open Space on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan.

7.5.6.2 The open space system for the Nash Neighbourhood includes the following designations and components designated on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan:

   a) General Open Space;
b) Neighbourhood Parks;

c) Community Parks;

d) The Niagara Escarpment;

e) Natural Open Space;

f) hedgerow features; and,

g) trails.

7.5.6.3 Multi-purpose trails shall be established in the linked open space system pursuant to the approved Hamilton Trails Master Plan and identified on Map B.7.5-1 – Nash Neighbourhood – Land Use Plan. Every effort shall be made to connect new trails to existing and planned trails within and around the neighbourhood. The trails shall be established through plans of subdivision and development agreements.

7.5.6.4 The former Taro Quarry West lands designated Open Space located west of First Road West, between Mud Street West and the Heritage Green Community Park and east of the unopened road allowance are ultimately intended for open space and/or recreational use and may include a golf course.

7.5.6.5 No development, except infrastructure works, utilities and a low impact trail network (subject to confirmation that the works are suitable by an Environment Impact Statement), shall be permitted on lands designated Natural Open Space.

7.5.6.7 Prior to any lands being considered for development within 100 metres of lands designated Natural Open Space on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan, an Environmental Impact Statement shall be undertaken by the proponent and approved by the City and the Hamilton Conservation Authority to determine the appropriate setbacks from the Core Area.

7.5.6.8 Any development must address the retention of Core Areas and other wooded areas included within the Natural Open Space designation identified on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan as follows:

a) Wooded areas, including existing "hedgerows" should be maintained, enhanced, and incorporated into the overall design of the neighbourhood where possible. The delineation of the hedgerows shall be identified as part of a development application. Hedgerows are not intended to only be identified by existing mature tree species but shall also include other vegetation which establishes this area as a hedgerow. (A hedgerow can be defined as a narrow linear strip of trees that defines a laneway or a boundary between fields).

b) A minimum 10 metre wide planted buffer from identified Environmentally Significant Areas shall be included as part of these natural areas and included as part of the open space system.

c) A 30 metre wide open space area adjacent to the brow of the Niagara Escarpment Natural Area shall be established. Included in this open space shall be a public trail and may include a portion of a single loaded scenic
road to promote public access, views and an open space link. The scenic road shall be located no closer than 15 metres to the brow of the Escarpment. The final location of this road shall be established as part of the processing of a plan of subdivision to the satisfaction of the City and the Niagara Escarpment Commission.

7.5.6.9 Development proposals for land within 150 metres of the Niagara Escarpment shall have a maximum height of no more than two storeys. Prior to the approval of a draft plan of subdivision and/or zoning by-law, a visual analysis shall be required to determine the maximum building height and minimum setbacks to ensure that no component of the building mass is visible above the skyline of the Niagara Escarpment from below the Escarpment brow (edge). The visual analysis must be to the satisfaction of the City and the Niagara Escarpment Commission. (Note: the skyline includes the escarpment brow – the uppermost point of the escarpment slope or face, and the tree line. Buildings should not be visible through trees above the brow, the most obvious break in slope associated with underlying bedrock).

7.5.6.10 Felkers Creek is identified in the Davis Creek Subwatershed Study as a watercourse in need of rehabilitation using natural channel design. The lands east of the Felkers Channel, north of Mud Street, is also identified as having medium and low constraint with regards to terrestrial constraints, and is a Tertiary Linkage for terrestrial resources. A minimum 35 metre open space buffer adjacent to Felkers Creek as identified on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan shall be required to facilitate creek restoration works and terrestrial rehabilitation.

7.5.7 Institutional Designation
7.5.7.1 In addition to the policies of Volume 1, the following policies shall apply to lands designated Institutional on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan:

a) Notwithstanding Policy E.6.2.2 - Permitted Uses and Policy E.6.2.6 of Volume 1, the intended use of lands designated Institutional on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan shall be for schools and ancillary uses and facilities normally accessory to schools. Should these lands not be required for schools then the lands may be developed for Medium Density Residential and/or Park purposes without further amendment to the Official Plan.

7.5.8 Utility Designation and Utility Policies
7.5.8.1 Section C.3.4 - Utility Designation of Volume 1 shall apply to lands designated Utility on Map B.7.1-1 - Nash Neighbourhood - Land Use Plan.

7.5.8.2 Utility services shall be permitted in all land use designations, except Open Space, and Environmentally Significant Areas, Hazard Lands or Escarpment Natural Area designations where exceptions shall only be permitted in limited circumstances where deemed necessary by the City and subject to detailed engineering designs to be approved by the City.

7.5.8.3 Prior to approval of development within the Nash Neighbourhood Secondary Plan area, all interested utilities and telecommunications providers shall confirm if services can be provided to support the proposed development, and shall determine appropriate locations for large utility equipment or utility cluster sites, and that they can be phased in a way that is cost effective and efficient.
7.5.8.4 In addition to Sections B.3.3.6 - Urban Services and Utilities and C.3.4 - Utility Designation of Volume 1, public and private utilities shall be, where possible:

a) installed within public road allowances or within appropriate easements;

b) clustered or grouped to minimize visual impact; and,

c) located within an initial common trench to avoid unnecessary over digging and disruption of municipal rights-of-way.

7.5.8.5 Consideration shall be given to the location of utilities within public rights-of-way as well as on private property.

7.5.9 Urban Design Policies

This Secondary Plan incorporates a number of design considerations to take advantage of the unique natural setting and features of the area, to encourage the creation of a distinct community identity, and to promote walking, transit use and connectivity through the development of a safe and attractive pedestrian realm throughout the neighbourhood.

7.5.9.1 In addition to Sections B.3.3 - Urban Design and E.3.7 - Residential Greenfield Design of Volume 1, Policy B.7.5.9.2 through Policy B.7.5.9.6 shall apply to development of the Nash Neighbourhood.

7.5.9.2 Streetscape and Built Form

a) Wherever possible the presence of garages on the public street shall be minimized by:

   i) setting them back from the front facade or locating them flush with the front facade of the building;

   ii) locating them at the rear or side of the building by a private lane or driveway;

   iii) minimizing the width of the garage by creating deeper garages to accommodate storage; and,

   iv) incorporating varied roof lines, architectural details and porches to emphasize the pedestrian entrance to the building while minimizing the presence of the garage.

b) Architectural variation shall be encouraged through the incorporation of varied roof lines, materials and colours in each building and from building to building.

c) Variation in the number of storeys, porch designs, architecture style and building type from building to building shall be encouraged.

d) Continuous rows of building facades shall be discouraged.

e) Long straight streets shall incorporate appropriate methods that may include landscaped traffic circles and/or medians in order to provide pleasant vistas and traffic calming along the length of the street.
f) Buildings on corner sites shall be encouraged to have façades with architectural details and windows facing both streets.

g) The layout of streets, configuration of lots and the sighting of buildings shall ensure that:

i) there is no reverse lotting adjacent to streets unless otherwise approved by the City;

ii) there is generally unobstructed road frontage adjacent to public open spaces;

iii) streets and open spaces have an appropriate degree of continuity and enclosure, and opportunities are provided for the creation of views both within the community and to adjacent natural heritage and rural areas;

iv) service and parking facilities are integrated into the design of buildings to minimize disruption to the safety and attractiveness of the adjacent public realm;

v) pedestrian ease of access and enjoyment of public streets and other outdoor spaces is encouraged; and,

vi) the safety and security for all persons in public places including streets, parks and amenity areas are promoted through the design and sighting of buildings, entrances, walkways, amenity and parking areas to provide visibility and opportunities for informal surveillance.

h) The design, location and orientation of public and institutional buildings shall be developed in a way that will enhance and promote their landmark status and physical contribution to the neighbourhood.

7.5.9.3 In areas designated Local Commercial on Map B.7.5-1 – Nash Neighbourhood – Land Use Plan, the following policies shall apply:

a) Buildings shall be located close to the street at grade, with main entrances on a street, with barrier free access at street level;

b) Principal entrances shall face the public street or an exterior space directly adjacent and visible from the public street;

c) In order to maintain unimpeded views of the building façade and to enhance a pedestrian oriented environment, parking on corner sites, will be encouraged to locate in the rear yard away from the street;

d) All facades facing a public street shall have window openings directly onto the street; and,

e) Loading, service and garbage areas shall be screened with enhanced landscaping and fencing constructed and designed to be in keeping with the design of the building.
7.5.9.4 Pedestrian Environment

To encourage connectivity and a safe pedestrian friendly environment, the following elements shall be provided:

a) continuous public pedestrian access to the edge of the escarpment;

b) single loaded scenic streets open to the escarpment lands to the north, where possible;

c) open space connections shall be provided for pedestrian access from public streets to trails within other Natural Open Space Areas and other open spaces; and,

d) a local road with wide sidewalks and continuous street trees from Green Mountain Road north to the neighbourhood park at the north edge of the neighbourhood to create a primary pedestrian route through the site to the escarpment.

7.5.9.5 Gateways

a) To promote and enhance community identity, two Gateways shall be provided in the following locations:

i) First Road West, at or north of the intersection with Green Mountain Road; and,

ii) the existing or realigned Green Mountain Road West, West of the intersection with Upper Centennial Parkway.

b) Gateways shall be designed to express the distinct character of the neighbourhood and signal entrance into a pedestrian-friendly area. They shall incorporate enhanced landscaping which may include a central landscape median and/or architectural feature.

7.5.9.6 Views and Vistas

a) Where possible, views from the escarpment edge shall be maintained, enhanced and be accessible to the public.

b) Where appropriate, north/south streets shall be oriented and terminated in such a way as to provide visual connections to the escarpment lands.

7.5.10 Transportation Policies

7.5.10.1 Collector Roads shall be designed to include sidewalks on both sides of the road and bike lanes. On street parking may be required.

7.5.10.2 The location of on-street parking and on-street bicycle facilities shall be included within collector road right-of-ways as determined by City staff.

7.5.10.3 Traffic control roundabouts shall be considered at the following intersections and the required road allowance shall be dedicated by the subdivider at the draft plan of subdivision stage:

a) Green Mountain Road and First Road West; and, Green Mountain Road and the two intersecting north-south roads;
b) First Road West and the proposed east-west collector road;

c) First Road West and the sports park access; and

d) the west end of the proposed east-west collector road.

7.5.10.4 Appropriate sidewalk and pedestrian enhancement features shall be incorporated into the collector roadway system at locations determined by the City of Hamilton and constructed to the satisfaction of the City.

7.5.10.5 Where traffic calming features are proposed, the planned right-of-way widths may be adjusted to accommodate the traffic calming feature.

7.5.10.6 Local roads shall be designed within a 20 metre right-of-way width. Smaller right of way widths may be considered subject to the approval of the City.

7.5.10.7 New development shall support the use of public transit by creating a comfortable pedestrian environment.

7.5.10.8 The City shall provide convenient public transit to development in the Nash Neighbourhood. It is the City’s goal to ensure most dwelling units in the area are within 400 metres walking distance of a transit stop, where permitted by the built pedestrian environment.

7.5.10.9 Public transit shall be accommodated on the primary collector roads. Additional pedestrian walkways may be established to minimize walking distances to existing and potential transit routes. The location and design of pedestrian walkways shall be determined through the draft plan of subdivision approval process.

7.5.10.10 The vertical alignment of Green Mountain Road creates areas of reduced visibility. Road reconstruction to upgrade to an urban cross section and reduce the vertical curvature may be required prior to providing access to adjacent lands and construction of intersecting north south roadways.

7.5.10.11 If the southerly re-alignment of Green Mountain Road does not proceed in a timely matter due to land or other constraints, a temporary traffic signal may be required or other means of traffic control from the Nash Neighbourhood such as medians or diverts to prohibit left turns from Green Mountain Road to Upper Centennial Parkway.

7.5.10.12 First Road West shall ultimately be realigned easterly to align with a future road south of Mud Street. The ultimate realignment of this road and the resulting closure of First Road West at Mud Street will be resolved through a Class Environmental Assessment process to the satisfaction of the City in accordance with Section B.7.5.13.

7.5.10.13 Where required, the Municipal Class Environmental Assessment (Class EA) process shall be completed for traffic calming projects prior to development, to the satisfaction of the City of Hamilton. The Class EA process may be integrated with the Planning Act application approval process.
7.5.11 Environment Policies

7.5.11.1 Design and construction of new development and redevelopment shall incorporate best practices and appropriate building technology to minimize energy consumption, conserve water, reduce waste and improve air quality.

7.5.11.2 Any plans of subdivision or other development applications in the Nash Neighbourhood shall be accompanied by a noise and vibration report identifying possible effects of the quarrying operation and mitigating measures, if any, which are necessary until the ongoing quarrying operation located west of Upper Centennial Parkway and south of Green Mountain Road ceases.

7.5.11.3 Development proposals for residential or institutional uses located within 500 metres of the Taro East Quarry/Landfill site and former Taro West Quarry/Landfill site may be required to submit studies demonstrating that there are no adverse effects on the development or that the effects can be mitigated. Said studies may include but not be limited to hydrogeology, traffic, air quality, noise, etc. subject to the requirements of the City and the Province.

7.5.12 Infrastructure Policies

7.5.12.1 Where applicable, the Lake based Water/Waste Water Master Plan being completed through the integrated Municipal Class Environmental Assessment (Class EA) process, must be completed to the satisfaction of the City, for municipal infrastructure prior to any development of lands within the Nash Neighbourhood Secondary Plan area.

7.5.12.2 Easements shall be dedicated, as required, to the City to facilitate trunk works required to provide adequate services for the neighbourhood. This may affect road widths to accommodate future servicing.

7.5.12.3 Temporary servicing, where appropriate, may be permitted for interim phasing of the neighbourhood, subject to confirmation of available capacities through engineering studies, all to the satisfaction of the City.

7.5.12.4 All development shall proceed on the basis of full municipal services to and from the municipal distribution system.

7.5.12.5 Storm water management ponds shall be set back a minimum distance of 7 metres from the Escarpment Natural Area as defined in the Niagara Escarpment Plan, or escarpment brow whichever is the greater.

7.5.12.6 All storm water management reports shall be in conformity with the applicable storm water management studies, including the final Davis Creek Subwatershed Plan, the Stoney Creek Stormwater Quality Master Plan and/or the City’s Master Stormwater Management Plan.

7.5.12.7 The final design configuration and landscaping details of storm water management ponds shall be undertaken through the draft plan of subdivision process or Class Environmental Assessment process.

7.5.12.8 Native vegetation should be used within and adjacent to the ponds to incorporate a natural design which reflects the surrounding area. A storm water report will be required as part of the plan of subdivision application. This plan shall be reviewed by the appropriate agencies including but not limited to the
7.5.12.9 Approval of a storm water management report shall be required as part of the plan of subdivision approval process.

7.5.13 Implementation

7.5.13.1 Prior to any development occurring within the Nash Neighbourhood, a traffic study shall be required, to the satisfaction of the City, to determine the adequacy of the following intersections and roads to accommodate the ultimate development proposed within the Nash Neighbourhood and assess the potential roundabouts and other traffic calming measures within the Nash Neighbourhood:

a) the intersection of Mud Street West and First Road West;

b) the intersection of Upper Centennial Parkway and Green Mountain Road;

c) First Road West; and,

d) Green Mountain Road.

7.5.13.2 New municipal roads may be subject to the Municipal Engineers Association (MEA) Municipal Class Environmental Assessment. All Class EA requirements must be fulfilled prior to development approval by Hamilton City Council.

7.5.13.3 The Taro East Quarry/Landfill is identified as Site Specific Policy - Area B on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan. Full implementation of the Nash Secondary Plan required the determination and resolution of the alignment of:

a) First Road West, north of Mud Street and the proposed closure of First Road West at Mud Street West; and,

b) Green Mountain Road at Centennial Parkway and the proposed closure of Green Mountain Road at Centennial Parkway;

c) The City of Hamilton shall undertake a Municipal Class EA to determine the feasibility of and requirements for the proposed realignment of the above noted intersections as part of the Upper Centennial Corridor Master Plan.

7.5.13.4 Lands intended for residential use within 160 metres of the working licensed limits of an active quarry or the limits of a former quarry under rehabilitation shall be placed in a Holding Zone in accordance with Section F.1.8 - Holding By-laws. The Holding Zone will not be removed for those lands immediately adjacent to the quarry properties, until such time as the completion of mining and the completion of rehabilitation on quarry lands immediately adjacent to the Residential Holding Zone.

7.5.14 Area and Site Specific Policies

Site Specific Policy - Area A

7.5.14.1 For lands shown as Site Specific Policy - Area A on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan, the following policies shall apply:
Site Specific Policy - Area A

a) Site Specific Policy - Area A is currently used for a telecommunication tower and antenna. These existing uses are recognized and permitted until redevelopment of the land occurs.

b) Lands in Site Specific Policy - Area A are intended to be redeveloped for low and medium density residential, open space and storm water management purposes. Development for these uses can occur without further amendment to this Plan.

Site Specific Policy - Area B

7.5.14.2 For lands shown as Site Specific Policy - Area B on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan, the following policies shall apply:

a) In addition to the uses permitted in Section C.3.3 - Open Space Designation and Policy E.5.3.6 of Volume 1, the existing waste disposal facility shall be permitted in Site Specific Policy - Area B.

b) Site Specific Policy - Area B is ultimately intended for open space and/or recreational uses and may include a golf course. However, these lands may be used for landfill and quarry operations in accordance with the Terms and Conditions of the Agreement among the Corporation of the former City of Stoney Creek, Taro Aggregates Ltd. and Philip Environmental Inc. dated February, 1997; the Provisional Certificate of Approval for a Waste Disposal Title No. A181008 dated September 6, 1996; and Notice of Approval to proceed with the undertaking under Section 14 of the Environmental Assessment Act dated July 15, 1996; and any amendments to the aforementioned documents.

c) Final closure of this site, and the after-use of this site for recreational and open space uses, such as a golf course, will require the approval of the Minister of Environment pursuant to the provisions of the Environmental Protection Act, as amended.

d) Recreational and open space uses, when approved by the Minister, can occur without amendment to this Plan subject to any necessary Site Plan and Development Agreements being approved by the City.

Site Specific Policy - Area C

7.5.14.3 For lands shown as Site Specific Policy - Area C on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan, the following policies shall apply:

a) Site Specific Policy - Area C is currently used for an "earth station" (satellite dishes and associated equipment) regulated and licensed by Industry Canada and subject to Health Canada's Safety Code 6 guidelines. This existing use shall be permitted, subject to compliance with the noted Federal Regulations, as amended, until redevelopment of the property occurs.

b) These lands are intended to be redeveloped for low and medium density residential purposes. Development for these uses can occur without further amendment to this Plan.

Site Specific Policy - Area D

7.5.14.4 Site Specific Policy - Area D - subject to future OMB hearing.
Legend

Residential Designations
- Low Density Residential 2
- Low Density Residential 2h
- Medium Density Residential 2
- Medium Density Residential 3

Commercial and Mixed Use Designations
- Local Commercial
- Arterial Commercial

Parks and Open Space Designations
- Neighbourhood Park
- Community Park
- General Open Space
- Natural Open Space

Other Designations
- Institutional
- Utility
- SWM
- Storm Water Management

Other Features
- Area or Site Specific Policy
- Flood Ponds
- Hedgerow Features
- Gateway
- Subject to Future OMB Hearing
- Trail Links
- Proposed Road Realignment
- Environment
- Proposed Roads
- Secondary Plan Boundary

Urban Hamilton Official Plan
Nash Neighbourhood
Secondary Plan
Land Use Plan
Map B.7.5-1
7.6 West Mountain Area (Heritage Green) Secondary Plan

The West Mountain Area (Heritage Green) Secondary Plan area is generally bounded by Felkers Creek, Mud Street, Upper Centennial Parkway, Rymal Road, a northerly extension of Trinity Road to north of the interchange of Mud Street and the Redhill Expressway, west to existing Mount Albion Road, a northerly extension of Upper Mount Albion Road to the Niagara Escarpment. The boundary is shown on Map B.7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan.

Section B.7.6 and Map B.7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan constitute the West Mountain Area (Heritage Green) Secondary Plan.

7.6.1 General Policies

7.6.1.1 Residential development shall be permitted only when full urban services are available.

7.6.1.2 Lands intended for residential use within 160 metres of the working licensed limits of an active quarry or the limits of a former quarry under rehabilitation shall be placed in a Holding Zone in accordance with Section F.1.8 - Holding By-laws, of Volume 1. The Holding Zone shall not be removed for those lands immediately adjacent to the quarry properties, until such time as the completion of mining and the completion of rehabilitation on quarry lands immediately adjacent to the Residential Holding Zone.

7.6.1.3 Proponents of development proposals for residential and other sensitive land uses located within 500 metres of the Taro East Quarry/Landfill site and former Taro West Quarry/Landfill site shall be required to submit studies demonstrating there are no adverse effects on the development or that the effects can be mitigated. These studies may include, but not be limited to, ground and surface water, leachate migrating onto the subject lands, traffic, air quality, noise, soil contamination and hazardous waste and landfill generated gases, subject to the requirements of the City and the Province.

7.6.2 Residential Designations

7.6.2.1 The residential areas for West Mountain (Heritage Green) Secondary Plan area are designated Low Density Residential 2b, Low Density Residential 3c and Medium Density Residential 3 on Map B.7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan.

7.6.2.2 Notwithstanding Section E.3.4 - Low Density Residential of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2b and Low Density Residential 3c on Map B.7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan:

a) Low Density Residential 2b designation:
   i) the permitted uses shall include single detached dwellings, duplex and semi-detached dwellings; and,
   ii) the density shall not exceed 29 units per net residential hectare.

b) Low Density Residential 3c designation:
i) the permitted uses shall include townhouse dwellings and low rise apartments; and,

ii) the density shall not exceed 29 units per net residential hectare.

7.6.2.3 Notwithstanding Section E.3.5 - Medium Density Residential of Volume 1, the following policies shall apply to the Medium Density Residential 3 designation identified on Map B.7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan:

a) the permitted uses shall include apartments not exceeding nine stories in height; and,

b) the density shall be approximately 50 to 99 units per net hectare.

7.6.3 Commercial Designations

7.6.3.1 The commercial areas for the West Mountain (Heritage Green) Secondary Plan area are designated Local Commercial, Arterial Commercial and Mixed Use - Medium Density on Map B.7.6-1 - West Mountain (Heritage Green) - Land Use Plan.

7.6.3.2 Local Commercial Designation

a) Sections E.3.8 - Local Commercial of Volume 1 shall apply to lands designated Local Commercial, Mixed Use Medium, and Arterial Commercial on Map 7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan.

b) Notwithstanding Section E.3.8.6 - Local Commercial of Volume 1, the maximum gross floor area of any individual commercial establishment shall be 500 square metres and the maximum gross floor areas of any grouping of local commercial uses shall be 1500 square metres.

7.6.3.3 Arterial Commercial Designation

a) Sections E.4.8 - Arterial Commercial of Volume 1 shall apply to lands designated Arterial Commercial on Map 7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan.

b) In addition to the uses permitted in Section E.4.8 - Arterial Commercial Area of Volume 1, small scale local institutional uses shall also be permitted on lands designated Arterial Commercial on Map B.7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan.

c) An 15 metre open space landscaped buffer between future commercial uses and future adjacent residential uses shall be provided on the westerly boundary of the lands designated for commercial use along the west side of Upper Centennial Parkway between Mud Street and Highland Road within the Felker East Neighbourhood.

7.6.3.4 Mixed Use - Medium Density Designation

a) Sections E.4.6 - Mixed Use - Medium Density Designation of Volume 1 shall apply to lands designated Local Commercial, Mixed Use Medium, and Arterial Commercial on Map 7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan.
7.6.4 Business Park Designation
Section E.5.4 - Business Park Designation of Volume 1 shall apply to lands designated Business Park on Map B.7.6-1 - West Mountain (Heritage Green) - Land Use Plan.

7.6.5 Parks and Open Space Designations and Policies
7.6.5.1 The policies of Section B.3.5.3 - Parkland Policies, Section C.2.0 - Natural Heritage System, and Section C.3.3 - Open Space Designations of Volume 1, apply to lands designated General Open Space, Natural Open Space, City Wide Park, Community Park, and Neighbourhood Park on Map B.7.6-1 - West Mountain (Heritage Green) - Land Use Plan.

7.6.5.2 The open space system for the West Mountain (Heritage Green) Secondary Plan area includes the following designations and components designated on Map B.7.5-1 - Nash Neighbourhood - Land Use Plan:

a) General Open Space;
b) Natural Open Space;
c) City Wide Park;
d) Community Park;
e) Neighbourhood Park; and,
f) Off street bikeway/walkway.

7.6.5.3 It is the intent of this Secondary Plan to provide an integrated open space system which incorporates and links significant natural amenities in the area, such as Felker’s Falls, Niagara Escarpment, woodlots and active parks.

7.6.5.4 In open space areas not used for park purposes, wooded and open areas shall generally be maintained in a natural state except for areas where active recreation facilities are provided.

7.6.5.5 In the review of development proposals, every attempt shall be made to integrate public open space linkages with adjacent multiple-family residential development and institutional uses in order to enhance the use of such linkages.

7.6.6 Utility Designation
Section C.3.4 - Utility Designation of Volume 1 shall apply to lands designated Utility on Map B.7.6-1 - West Mountain (Heritage Green) - Land Use Plan.

7.6.7 Transportation Policies
7.6.7.1 Traffic calming features such as chicanes, reduced roadway width, curbing incorporating on-street parking (i.e. curb extensions) and road bump, and, formal boulevard landscaping, special intersection treatments, and streetscape features such as decorative streetlighting shall be encouraged in the Felker Neighbourhood.
7.6.7.2 First Road West shall not be closed at Mud Street until such time as Forestdale Drive is established north of Mud Street or until such time as a traffic analysis proposing an alternative solution is prepared to the satisfaction of the City.

7.6.7.3 A bikeway and pedestrian system to provide for the use of and safe access to open space areas and other community facilities is identified on Map B.7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan. The following policies shall guide the development of the bikeway and pedestrian system:

a) On-Street Bikeway - A bikeway shall be located within arterial and collector rights-of-way and shall be spatially separated from motorized traffic and pedestrians and paved with an approximate width of 2 metres. Any addition or deletion to this system will require an Official Plan Amendment. However, minor alterations necessary to improve the efficiency of the system will not require an amendment to the Plan.

b) Off-Street Bikeway and/or Walkway - An off-street bikeway, hiking and walking trail system utilizing areas designated for open space purposes is conceptually identified on Map B.7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan. This system will attempt to separate, spatially, bicycles from pedestrians. The specific design of these links is to be determined according to demand and feasibility. Additions to this system within lands designated for open space purposes will not require an amendment to this Plan. Major deletions to this system which detract from the continuity of the system, shall require an amendment to this Plan.

c) In consideration of any amendment to the Official Plan to alter this bikeway and pedestrian system, regard shall be given to the recommendations of the relevant master plans.

7.6.7.4 Notwithstanding Policy C.4.5.7 - Daylighting Triangles of Volume 1, the daylighting triangle requirements for the West Mountain (Heritage Green) Secondary Plan area are as follows:

a) local to local roads: 4.5 m triangle or radius;

b) Collector to Local or Collector roads: 7 m x 7 m triangle; and,

c) Arterial to Collector or Arterial: 15 m x 15 m triangle.

7.6.8 Site and Area Specific Policies

Area Specific Policy – Area A

7.6.8.1 West Mountain Core Area

The West Mountain Core Area is located in the southeast corner of the intersection of the Red Hill Valley Expressway and Mud Street and is designated Site Specific Policy – Area A shown on Map B.7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan. The West Mountain Core Area consists of five blocks designated A-1, A-2, A-3, A-4 and A-5 on Map B.7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan.

The West Mountain Core Area shall serve as the commercial centre of the surrounding community and shall be a destination place. Notwithstanding Section E.4.6 – Mixed Use Medium Area of Volume 1, policies B.7.6.8.1 through B.7.6.8.16, inclusive, shall apply to the West Mountain Core Area.
Development Principles

The West Mountain Core Area is the focus for higher order land uses for the surrounding community and shall evolve as an urban centre with a physical form that is human in scale, pedestrian friendly and transit supportive. The following development principles shall apply throughout the West Mountain Core Area:

a) Development shall be in the form of a mix of higher density residential, broad range of commercial uses, employment uses, and public spaces concentrated and arranged to encourage pedestrian activity along a 'central street' (Upper Mount Albion Road) which fosters and facilitates public transit ridership.

b) West Mountain Core Area shall be developed in accordance with urban design policies that:
   i) provide a focus and identity for the surrounding community;
   ii) create an attractive, safe and pedestrian-friendly environment; and,
   iii) promote high quality of urban design including streetscapes and main streets, views, gateways, trails, walkways and open spaces.

c) West Mountain Core Area shall be a mixed use area, providing a broad range of commercial uses including large-format retail stores, retail, entertainment, restaurants, office and service/commercial uses. A range of housing forms and types shall be developed at medium densities including low rise (2 to 3 storeys), mid-rise (3 to 9 storeys), commercial/residential uses and live/work housing options.

d) West Mountain Core Area shall have a high degree of connectivity, planned and designed with interconnecting pedestrian/bicycle linkages between the residential and commercial uses, a transit node and the storm water management pond within the Core Area, and to the remainder of the surrounding community.

e) The pattern of development in the West Mountain Core Area shall be transit supportive in terms of land use, density and urban design as the area evolves over time. On this basis, a centrally located node for local transit shall be established to connect to the surrounding community and the larger City.

General Land Use Policies

a) The development of the West Mountain Core Area shall include a wide variety of commercial and residential uses.

b) A local road shall be provided between Winterberry Drive and Upper Mount Albion Road.

c) Medium density residential development shall be concentrated north of Artfrank Drive.
d) A storm water management pond shall be located at the south-west corner of Winterberry Drive and Mud Street.

e) A major transit node shall be located at the intersection of Upper Mount Albion Road and Artfrank Drive. This transit node shall connect the Core Area to the surrounding community and the rest of the City.

7.6.8.4 Commercial Policies

Notwithstanding Section E.4.6 - Mixed Use - Medium Density Area of Volume 1, the following policies apply to the lands within the West Mountain Core Area:

a) West Mountain Core Area shall serve as the commercial centre of the surrounding community with a variety of commercial uses including large format retail stores and retail and service/commercial uses, including restaurants, personal services, entertainment and office uses.

b) The following policies shall apply to lands on the west side of Upper Mount Albion Road within the West Mountain Core Area shown as Block A-5 on Map B.7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan:

   i) Large format retail and warehouse-type stores individually with a gross floor area of not less than 1,860 square metres and not more than 28,335 square metres shall be permitted.

   ii) Restaurants, entertainment, personal services and offices uses shall be permitted.

   iii) Additional retail space may be permitted to a maximum of 2,272 square metres if office space on the lands in Block A-4 exceed 2,272 square metres.

   iv) Retail and service commercial uses shall be permitted fronting on to Upper Mount Albion Road to facilitate the development of Upper Mount Albion Road as a pedestrian-oriented 'central street'.

c) The following policies shall apply to those lands to the South of Artfrank Drive, shown as Block A-4 on Map B.7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan:

   i) Commercial uses including office and service commercial uses including entertainment, theatres, restaurants and personal services shall be permitted.

   ii) Convenience retail uses shall be permitted on lands fronting onto Upper Mount Albion Road.

d) A major transit node shall be centrally located at the south east corner of Upper Mount Albion and Artfrank Drive. The transit node shall be easily identified and integrated with the adjacent commercial development, and shall be designed in such a manner as to be attractive and safe to all users.

e) All commercial development fronting both sides of Upper Mount Albion Road and adjacent to Artfrank Drive in the vicinity of the transit node shall be built close to the street edge to foster and enhance a 'central street'
7.6.8.5 Residential Policies

a) Residential uses in the West Mountain Core Area shall contribute to the development of a vibrant commercial area and foster increased public transit ridership. A range of housing types and tenure shall be encouraged at medium densities in accordance with Policy 7.6.2.3 of this Secondary Plan. All residential development shall be located north of Artfrank Drive, between Upper Mount Albion Road and Winterberry Drive.

b) The following policies shall apply to lands north of Artfrank Drive shown as Blocks A-1, A-2 and A-3 on Map B.7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan:

i) Block A-1
Live/work opportunities shall be encouraged along the north side Artfrank Drive adjacent to Block 3. Ground floor commercial uses and residential uses are permitted. Personal services, professional offices and convenience retail stores are permitted commercial uses.

ii) Block A-2
A mix of ground floor commercial with not more than 2 storeys of residential uses above shall be permitted at the northeast corner of Upper Mount Albion Road and Artfrank Drive. Commercial uses shall be limited to small-scale retail, personal service and offices. Development shall occur close to the street edge of Artfrank Drive to enhance the "central street" image and shall be guided by the Urban Design policies in this Secondary Plan.

iii) Block A-3
Mid-rise apartments shall be located on the east side of Upper Mount Albion Road, north of Artfrank Drive and the transit node. Heights shall range from 3 to 9 storeys.

7.6.8.6 Infrastructure and Transportation Policies

a) All storm water runoff from the West Mountain Cores Area shall be directed to a storm water management pond located at the south-west corner of Mud Street and Winterberry Drive, identified on Map B.7.6-1 - West Mountain Area (Heritage Green) - Land Use Plan.

b) A major transit node shall be established at the intersection of Upper Mount Albion Road and Artfrank Drive. This transit node shall connect the Core Area to the West Mountain Planning District and the rest of the City.

7.6.8.7 Urban Design Policies

The West Mountain Core Area shall be developed in accordance with the urban design principles and policies found in Policies B.7.6.8.8 through B.7.6.8.16, inclusive. The urban design principles and policies provide the basis for urban design guidelines provided in the West Mountain Core Area Urban Design Guidelines adopted by City Council. The West Mountain Core Area Urban Design Guidelines shall be read in conjunction with the Site Plan Guidelines.
7.6.8.8 Urban Design Principles

The West Mountain Core Area shall be developed in accordance with the following urban design principles:

a) urban form that is compatible with the adjacent residential neighbourhood;

b) a strong community image with a ‘central street’ and pedestrian-friendly environment that shall provide a central gathering point and focal point around which the development shall be organized;

c) gateways that facilitate connectivity, orientation and ‘way finding’ to, and within, the site for both vehicles and pedestrians;

d) landscape areas that act as screens and buffers to enhance the development while minimizing the visual impacts of service lanes, parking areas and loading zones; and,

e) a comprehensive pedestrian system for the entire site that links all buildings to the central street, transit node and adjacent neighbourhoods with sidewalks on streets, pathways, trails and/or pedestrian walkways.

7.6.8.9 Gateways

Gateways introduce and indicate entrance into and exit from a central focus area. They define the transition from one area to another and make a powerful impression. Two types of gateways are provided in the West Mountain Core Area: Entry Gateways and Corner Gateways.

a) Entry Gateways clearly identify vehicular entry points and shall include information signage for traffic circulation. There are two entry gateways to be located at each of the primary entrances to the West Mountain Core Area along the perimeter roads.

b) Corner Gateways shall serve as primary project indicators. Three corner gateways are located in West Mountain Core Area. Two corner gateways (1) at the south-west corner of Winterberry Drive and Mud Street and (2) at the intersection of Stone Church Road and the Red Hill Creek Expressway identify the West Mountain Core Area from the north and west, and shall include design elements and features to represent the natural heritage and architectural style of the West Mountain Core Area. The third corner gateway is located at the north-west corner of Winterberry and Paramount Drive and shall be recognized as a focal point of the neighbourhood and shall be given special architectural design and landscape treatment subject to the following design elements:

i) Building entrances should open onto the corner.

ii) Buildings should be appropriately positioned at the intersection and parallel to the public street to create a publicly accessible space of high quality, in terms of design, materials and also to ensure adequate sight lines.
7.6.8.10 Built Form

Buildings shall be sited and designed to enhance the public nature of streets, open spaces and pedestrian routes.

a) For buildings located on Upper Mount Albion Road ('Central Street') and Artfrank Drive, the following policies shall apply:

i) Buildings shall be located close to the street line with minimum setback from the edge of the road allowance to provide for a pedestrian friendly streetscape.

ii) Buildings shall address both sides of the street line in a prominent fashion to create a pleasant and attractive pedestrian experience and facilitate interaction between different activities.

iii) Commercial buildings and their principal entrances shall be located at grade, easily accessible from the public sidewalk.

iv) Building heights shall create a streetscape scaled to the pedestrian.

v) Design features such as varied roof lines, building fenestration and canopies shall be encouraged on all facades of buildings.

vi) Principal building façades and entrances shall be oriented towards the public street or to exterior spaces that are directly adjacent to, and visible from, the public street.

vii) The main entrance of buildings shall be emphasized in the design of buildings.

viii) Canopies over doorways, arcades and other treatments are encouraged to provide weather-protected useable outdoor space.

ix) Building façades should be varied and articulated by use of bay projections, canopies and/or varied roof lines to provide visual interest for pedestrians. Long walls along streets or pedestrian routes shall be broken up by a series of bays and/or projections to create the impression of smaller building units.

x) The ground floor coverage of buildings should be maximized.

xi) Roof-top mechanical equipment shall be enclosed or screened. Roofs and screens should be designed in a manner integral with the overall building design in terms of form, material and colour.

xii) All buildings on a public street shall be designed with windows and signage facing the street.

xiii) Buildings are to be generally sited parallel to the public street.

xiv) On-site parking shall be in consolidated parking areas located to the side or rear of buildings.

xv) The streetscape shall create a positive community image through the coordinated use of high quality paving materials, wide sidewalks,
street furniture, pedestrian-scale lighting and signage and enhanced landscaping.

xvi) All facades addressing a parking lot shall be finished with material and architectural features consistent with the principal facade of the building and shall incorporate building elements and landscaping to screen any service lanes and loading zones from public view.

xvii) Drive-through windows shall not face the public street.

b) For buildings along Winterberry Drive and Paramount Drive, the following policies shall apply:

i) Buildings shall be compatible with the surrounding built form and exhibit a 'Village' character with articulated and/or pitched roofs.

ii) Buildings are to be generally sited parallel to the public street.

iii) Roof-top mechanical equipment shall be enclosed or screened. Roofs and screens shall be designed in a manner integral with the overall building design in terms of form, material and colour.

iv) Principal building facades and entrances should be oriented towards the public street or to exterior spaces that are directly adjacent to, and visible from, the public street and not to loading zones and parking lots.

v) All commercial buildings on a public street shall be designed with windows and signage facing the street.

vi) On-site parking shall be in consolidated parking areas located to the side or rear of buildings.

vii) Drive-through windows shall not face the public street.

c) Buildings on Blocks A-1, A-2, A-3 and A-4 shall provide an enhanced and distinctive visual experience along all street frontages and the following policies shall apply:

i) Buildings shall be placed so the tallest buildings are interior to the planned development at the north-east corner of Upper Mount Albion Road and Artfrank Drive. Buildings shall be incrementally reduced in height towards Winterberry and Paramount Drive.

ii) On Blocks A-1, A-2 and A-3, the range and mix of building types shall provide for a varied articulation of building heights within each residential block length.

iii) Zoning By-law regulations affecting the lands in Block A-4 shall be based on a maximum building height of three storeys (12.5 metres) at the intersection of Winterberry and Paramount Drive.
i) Buildings on Upper Mount Albion Road ('Central Street') shall be located as close to the street line as possible to provide a well-defined and pedestrian-friendly street.

ii) Buildings on Artfrank Drive shall be located close to the street line to prevent front yard parking and to define the street while maintaining small landscape areas allowing a transition from the private to the public realm.

iii) Buildings on Winterberry and Paramount Drive shall be located further from the street line to allow for a generous continuous landscape area while providing a level of definition to the street edge.

b) On Blocks A-1, A-2, and A-3, planted and constructed elements in the setback, such as low hedges, trees, masonry and decorative metal fences and gates, provide a transition from the public sidewalk to the building face and shall be provided.

c) On Block A-4, constructed elements in the setback, such as wide sidewalks with street trees, pedestrian-scale lighting and street furniture shall be provided.

d) To create the spatial definition and a sense of enclosure that encourages a pedestrian-oriented street, the Zoning by-law regulations shall set out the minimum length of building that shall be required to be located at the build-to lines along the public street on the 'Central Street' and Artfrank Drive.

e) Commercial buildings along Upper Mount Albion Road to the intersection of Artfrank Drive, and east along Artfrank Drive to Winterberry Drive shall have a limited depth, as set out in the Zoning by-law, to encourage pedestrian-friendly, street-related development.

f) The intersections of Upper Mount Albion Road and Artfrank Drive, Winterberry and Paramount Drive, and Upper Mount Albion and Paramount Drive, are significant corner sites. These areas shall be developed with landmark buildings in accordance with the following policies:

   i) Buildings at the intersection of Winterberry and Paramount Drive shall be higher than adjacent buildings.

   ii) Buildings shall have articulated facades towards both streets and should be visually different from adjacent development.

   iii) Buildings shall have the highest level of architectural detailing and a distinct architectural appearance.

g) Buildings shall be designed to incorporate varied rooflines, canopies, decorative architectural details and/or projecting bays. Large blank walls and continuous rows of monotonous and repetitive façades shall not be permitted.

7.6.8.12 Pedestrian Realm

da) Pedestrian systems that connect pedestrians to all buildings, the 'Central Street', the transit node and pedestrian routes in the surrounding community.
shall be provided. Private sidewalks and linkages shall be designed as a condition of Site Plan Approval.

b) Pedestrian walkways within parking lots that connect pedestrians from parking areas to building entrances shall be provided. These walkways shall be designed with paving materials, trees and lighting that contribute to the safety and visual continuity of the entire pedestrian system.

c) Pedestrian weather protection systems including awnings, canopies, colonnades, or front porches, along the sidewalk edge of pedestrian streets, in particular along Upper Mount Albion Road and Artfrank Drive at entrances to buildings shall be provided.

d) Buildings shall be designed with the primary windows and signage facing onto the street.

e) Barrier free design of buildings, streets and publicly accessible exterior spaces shall be implemented.

f) Cross walks and differentiated paving materials and patterns shall be constructed to identify pedestrian routes where they cross streets and other vehicular routes.

g) Parking areas, servicing lanes, utility and mechanical equipment and drop off and loading zones shall be designed and located in a manner that has minimal physical impact on public sidewalks and accessible exterior spaces. Shared driveways and service lanes at the side and rear of buildings are to be provided for these functions.

7.6.8.13 Landscape Areas and Buffers

a) Landscape areas shall be provided as a screen or buffer to address the interface with existing residential uses along east side of Winterberry Drive and the south side of Paramount Drive.

b) Landscape areas shall be provided between commercial development and existing residential uses along Upper Mount Albion Road.

c) Landscape buffers shall be provided and coordinated with the adjacent Red Hill Creek Expressway lands and the Mud Street road allowance to enhance and screen the parking areas and buildings of the planned development.

d) Landscaped islands shall be provided throughout parking lots to identify, reinforce and connect pedestrian routes, separate roads from parking areas, define edges, and to visually break down large parking areas into smaller quadrants.

e) The zoning by-law regulation shall identify a minimum landscaped area as a percentage of the overall property area.

7.6.8.14 Parking Entrances, Loading Zones and Service Lanes

a) The location of parking entrances, loading zones and service lanes shall be coordinated with the locations of pedestrian routes in order to reinforce streets as primary public spaces.
b) Parking entrances, loading zones and service lanes shall have the least possible impact on the streetscape and public open spaces.

c) Surface parking areas abutting a public street shall be adequately setback from the property line in order to provide a landscape strip that define the street edge and provide safety pedestrian amenity. The zoning by-law shall set out a minimum setback from the property line.

d) Vehicular access to parking areas shall be restricted to common entrances to the overall development and shall be designed to minimize crossing of pedestrian routes, sidewalks and trails.

e) All loading zones and service lanes shall be screened and landscaped. Screens shall be designed to complement the materials and details of the associated building facades.

f) Loading zones and service lanes shall be located to avoid conflict with pedestrian and vehicular traffic and away from the adjacent residential areas.

g) Wherever possible on-site loading zones and service lanes shall be consolidated and shared. These facilities shall be located at the rear of buildings or shared between buildings.

h) Drive-through windows and associated traffic stacking areas shall be located to the rear of buildings internal to the site to have minimum impact on the streetscape and public open spaces.

7.6.8.15 Vehicular Access

a) The number and location of vehicular access points shall be limited so as to minimize disruption to traffic flow and to minimize the impact on local streets.

b) Shared access points shall be encouraged to reduce the number of curb cuts and facilitate pedestrian movement.

7.6.8.16 Signage and Lighting

a) Signage shall be designed in a manner integral to the building design in terms of size, form, material and colour.

b) Way finding signage shall be implemented along major vehicular and pedestrian routes.

c) Signage along all pedestrian routes, the central street and Artfrank Drive shall be provided at pedestrian scale.

d) Lighting on the 'central street', Artfrank Drive and other pedestrian routes shall be pedestrian scale.

Site Specific Policy – Area B

7.6.8.17 Notwithstanding Section E.3.8 – Local Commercial of Volume 1, the lands on the south east corner of Paramount Drive and Upper Mount Albion Road and designated as a Site Specific Area on Map B.7.6-1 - West Mountain Area
(Heritage Green) - Land Use Plan shall be limited to an automobile service station with a convenience store and uses.

**Eramosa Karst - Area Specific Policy**

7.6.8.18 Additional area specific policies are found in Volume 3, Chapter B - Area Specific Policy Areas, for the lands located east of Upper Mount Albion Road, south to the hydro corridor south of Rymal Road, west to Second Road West, and north, almost to Highland Road. These lands are shown as Area Specific Policy Area USC-1 on Map SC-1 - Area Specific Policies of Volume 3. The associated policies in Volume 3 shall apply to development of these lands.
URBAN HAMILTON
OFFICIAL PLAN

Vibrant, Healthy, Sustainable Hamilton

Volume 3 - Special Policy Areas, Area Specific Policies, and Site Specific Policies

Adopted by Council: July 9, 2009
Ministerial Approval: Pending
# VOLUME 3 – SPECIAL POLICY AREAS, AREA SPECIFIC & SITE SPECIFIC POLICIES

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## MAPS

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VOLUME 3 - SPECIAL POLICY AREAS, AREA SPECIFIC POLICIES & SITE SPECIFIC POLICIES

Special policy areas (SPA) are geographic areas where additional studies are required to determine ultimate land uses, or more detailed and specific policies are not contained within a Secondary Plan or Rural Settlement Area Plan in Volume 2 of this Plan.

Area specific policies (ASP) are required to recognize unique policies that encompass multiple properties, and/or span across multiple land use designations. These policies provide more detailed direction for land use, infrastructure, transportation, environment, urban design and/or similar issues beyond the general framework provided by Volume 1 or cannot be addressed by secondary plans due to unique local circumstances.

Site specific policies (SSP) are policies that apply to individual properties. They are adopted to address unique local circumstances that cannot be addressed in Volume 1 or secondary plans. The site specific policies in this section apply to lands within the urban area and outside of a secondary plan area. Site specific policy areas for lands contained within a secondary plan area are found in the appropriate secondary plan.

All special policy areas, area specific policies and site specific policies described in Volume 3: Special Policy Areas, Area Specific Policies and Site Specific Policies are broken down into two geographic areas for ease of administration - rural and urban.
VOLUME 3, CHAPTER A - SPECIAL POLICY AREAS

In Rural Hamilton Official Plan.
Volume 3

CHAPTER B

Urban Area Specific Policies and Maps

URBAN HAMILTON OFFICIAL PLAN
Volume 3, Chapter B - Area Specific Policies

Area specific policies (ASP) are required to recognize unique policies that encompass multiple properties, and/or span across multiple land use designations identified on Schedule E-1 - Urban Land Use designations. These policies provide more detailed direction for land use, infrastructure, transportation, environment, urban design, and/or similar issues beyond the general framework provided by Volume 1 or cannot be addressed by secondary plans due to unique local circumstances. Several of these area specific policies were contained in former, approved Official Plans and remain relevant. These area specific policies apply to lands within the urban area.
Ancaster

UA-1 Lands fronting onto Wilson Street from Rousseaux Street to Meadowbrook Drive

1.0 Notwithstanding the policies of Volume 1, Chapter E - Urban Systems and Designations, until such time as a transportation study and a secondary plan are completed, for the lands fronting onto Wilson Street from Rousseaux Street to Meadowbrook Drive in the Ancaster Community Node, heights on properties shown as Area Specific UA-1 on Map A-1 shall be limited to 3 stories.

UA-2 Lands bounded by Fiddlers Green Road, Jerseyville Road and Wilson Street

1.0 Notwithstanding the policies of Volume 1, Chapter E - Urban Systems and Designations, commercial uses, other than those existing as of the date of this Plan, shall not be permitted on the lands bounded by Fiddlers Green Road, Jerseyville Road and Wilson Street shown as Area Specific UA-2 on Map A-1.

UA-3 Lands fronting onto Wilson Street between Rousseaux Street and Reding Road - Ancaster Village Core

1.0 In addition to the policies of Volume 1 and until such time as a secondary plan is completed for the Ancaster Community Node, the following policies shall apply to the lands fronting onto Wilson Street between Rousseaux Street and Reding Road - Ancaster Village Core shown as Area Specific UA-3 on Map A-1:

a) The Village Core area shall include all lands fronting onto Wilson Street between and including 193 Wilson Street East to 475 Wilson Street East shown as Area Specific UA-3 on Map A-1.

b) The Village Core shall be a focal point for Commercial development and activity. In comparison to other areas designated commercial by this Plan, it shall constitute the main pedestrian-oriented retail shopping area for the Ancaster community. The Village Core shall function as the primary centre of business, offices, services, civic and community activities within the Ancaster community.

c) Commercial facilities to be encouraged with the Village core area may include retail stores, service commercial uses, banks, restaurants with sit-down service, offices and medical centres. The lands to be used for commercial purposes shall be those lands that front on Wilson Street.

d) New development shall respect and reflect the existing heritage character of the Village Core and shall be in accordance with Section B.3.4 - Cultural Heritage Policies, in Volume 1.

UA-4 Area bounded by Garner Road, Shaver Road and Wilson Street West (part of Duff's Corners)

1.0 Notwithstanding Policy E.4.7.7 - District Commercial of Volume 1, the lands designated District Commercial, bounded by Garner Road, Shaver Road, Wilson Street West and lands west of McClure Road (part of Duff's Corners), shown as Area Specific UA-4 on Map A-2 shall permit up to a maximum of 70,000 square metres of retail and service commercial space and shall not permit residential uses.
Dundas Two Zone Floodplain Area

1.0 Council recognizes the inherent dangers to development in areas subject to flooding and the constraints required to minimize the loss of life and property. Accordingly, the following policies shall apply within the floodplain area shown on Map D-1 as Area Specific UD-1:

a) It is the intent of Council to limit development within the floodplain areas defined by the Hamilton Conservation Authority, of Spencer, Ann and Sydenham Creeks. In this regard, policies a) through i) shall apply to floodplain areas identified from time to time as floodway or flood fringe by the Conservation Authority in consultation with the City.

b) Where a proposal is made for development or redevelopment within or in proximity to UD-1, the City shall request the proponent to contact the Hamilton Conservation Authority to determine if and what flood protection measures are necessary, or other limitations to development.

c) It is intended the floodway be kept unobstructed, and free of all structures or the placement of fill.

d) Notwithstanding Policy 1.0 c), existing and similar uses otherwise complying with the intent of this Plan shall be appropriately zoned in the implementing Zoning By-law. However, extensions and enlargements of these uses shall not be permitted within the floodway.

e) It is the intent of Council that limited development may be permitted within the flood fringe subject to protection from flooding. In this regard such protection shall include the placement and stabilization of fill to or above the limit of the flooding, identified by the Hamilton Conservation Authority, floodproofing, or a combination of both.

f) Residential development may be permitted, in accordance with Volume 1 of this Plan, within the flood fringe subject to the placement and stabilization of fill to, or above the limit of flooding identified by the Hamilton Conservation Authority.

g) Non-residential development within the flood fringe area may be permitted on the basis of limited or no fill and subject to adequate flood proofing.

h) Paved day-use parking lots may be permitted within the flood fringe without the necessity of flood protection measures.

i) The boundaries of this Area Specific Policy Area are approximate and shall be confirmed by the Hamilton Conservation Authority during the review of applications for development regulations of the Conservation Authority.

Dundas Two Zone Flood Plain Area

1.0 In addition to the area specific policies of UD-1, the following policies apply to the lands generally located west of East Street South, north and south of Meadow Lane, shown as Area Specific UD-2 on Map D-1:

a) In addition to uses permitted in Section C.2.3 - Natural Heritage System - Core Areas, in volume 1 of this Plan, within the area shown on Map D-1 as
Area Specific UD-2, existing and similar uses as well as renovation of existing buildings shall be permitted.

b) Reconstruction of existing buildings and structures which have been destroyed by fire or flood, up to the limits of the floor plate and building envelope existing as of October 2000 shall be permitted.

c) Expansions to existing uses or structures or new development which does not comply with Section C.2.3 – Natural Heritage System – Core Areas, in Volume 1 of this Plan, shall not be permitted.

**UD-3 Dundas Two Zone Floodplain Area**

1.0 Within the area identified on Map D-1 as Area Specific UD-3, the permitted land uses shall be in accordance with the policies of Volume 1 of this Plan, subject to the following requirements:

a) All development shall be floodproofed to the regulatory flood elevation. Where this is not feasible or practical a lower level of floodproofing may be considered but in no case shall the minimum acceptable level be less than 1.1 metre below the regulatory flood elevation;

b) All new buildings and structures shall be designed such that their structural integrity is maintained during a regulatory flood event. The City may require that plans for all development be designed and certified by a qualified professional engineer or architect.

c) The construction or erection of a building or structure on the footprint of a previous structure which has been destroyed or demolished by fire or other natural causes may be permitted if appropriately zoned in the implementing Zoning By-law subject to the written approval of the City and the Hamilton Conservation Authority.

d) New development associated with the manufacture and/or bulk storage of substances of a chemical, hazardous or toxic nature which may pose an unacceptable threat to public safety damaged as a result of flooding or failure of floodproofing measures, shall not be permitted.

e) New long term care facilities, hospitals, homes of the aged, senior citizen apartments, housing with supports, or other similar uses for which flooding could pose a significant danger to the inhabitants shall not be permitted.

f) Parking spaces for permitted commercial or industrial uses may be permitted at lower elevations to be determined by Hamilton Conservation Authority.

g) No habitable room shall be located in a basement or cellar.

h) New building services such as electrical and heating systems should be located above the regulatory flood elevation, but where this location is not feasible, building services shall be floodproofed to the regulatory flood level.

i) Transition slopes within the limits of a parcel of land that are necessary to match grades with existing streets shall be deemed to conform with the provisions of this area specific policy.
j) Residential development, redevelopment or major renovation/addition to residential structures shall be permitted in accordance with this Plan and the Zoning By-law provisions provided the structure complies with the minimum flood proofing elevation and:

i) the habitable room elevation of any residential dwelling unit is located above the regulatory flood level;

ii) safe access and safe parking can be achieved;

iii) mechanical, electrical, heating and air/conditioning equipment are located above the regulatory flood level;

iv) minor renovations/additions to existing buildings used solely for residential purposes shall be permitted in accordance with Hamilton Conservation Authority policy provided that, in no case, the proposed floor level is lower than the existing ground floor level; and,

v) a permit has been issued from the Hamilton Conservation Authority.

k) The Zoning By-law shall attach an ‘FP’ suffix to all lands within the boundary of this Area Specific Policy Area to indicate that lands are susceptible to flooding and erosion and that the lands are subject to the regulations of the Hamilton Conservation Authority and that approval of the Hamilton Conservation Authority is required prior to undertaking any development, redevelopment, site alteration or minor alterations to structures.

l) Site plan control shall be extended to include all lands within or partially within the boundary of this Area Specific Policy Area.

m) Site plan applications shall not be given final approval until such time as the Hamilton Conservation Authority has advised the City of its endorsement of the flood proofing methods proposed.

n) The City and the Hamilton Conservation Authority shall maintain and implement a flood emergency plan including the implementation of a flood warning system.

UD-4 Downtown Dundas Core

1.0 In addition to the policies of Section E.4.6 - Mixed Use - Medium Density Designation of Volume 1, the following policies shall apply to lands located on King Street between York Road and Market Street and the lands generally bounded by Ogilvie Street, Cross Street and south of Haft Street, shown as Area Specific UD-4 on Map D-2:

a) Additional parking and residential amenity space shall not be required for additional residential units in buildings constructed prior to October 2000.

b) The properties surrounding the intersections of King Street West and Sydenham Street, and, the intersection of King Street West and Cross Street/Main Street have been identified as community landmark areas. In these areas, the City shall promote the development of unique or distinctive focal points for the community which shall contribute to and enhance the...
unique identity and sense of place of the Dundas community. The following design elements shall be promoted when considering redevelopment application in these landmark areas:

i) provision of public open space in the form of landscaped areas or urban squares;

ii) additional building setbacks from the street;

iii) special paving treatments;

iv) enhanced street tree planning or landscaped schemes; and,

v) additional building heights above those specified in the zoning by-law permitted in accordance with the provisions of Section F.1.9 - Bonusing Provision and Transfer of Development Rights, of Volume 1 of this Plan.

UD-5 Land Located to the East and West of the Mixed Use-Medium Density Designation in Downtown Dundas

1.0 In addition to Section E.3.0 - Neighbourhoods of Volume 1, the following policy applies to the lands located east and west of the Mixed Use Medium designation in Downtown Dundas, shown as Area Specific UD-5 on Map D-2:

a) The existing low-rise residential built form and scale of these areas shall be maintained;

b) Conversion to commercial uses shall be encouraged to maintain the existing residential buildings; and,

c) Proposals for residential infill shall reflect the house form of adjacent properties.

UD-6 Lands located along Spencer Creek

1.0 In addition to the policies of Volume 1, the following policy shall apply to lands located along Spencer Creek, shown as Area Specific UD-6 on Map D-2:

a) Development or redevelopment proposals on sites adjacent to Spencer Creek shall be required to provide public access to the creek, and to make necessary improvements to complete the trail system along Spencer Creek to the satisfaction of the City and the Hamilton Conservation Authority.

UD-7 Lands located on the Southwest Corner of Hatt and Ogilve Streets

1.0 In addition to the policies of Volume 1, the following policies shall apply to the redevelopment of the lands consisting of an area of approximately 4.4 hectares (10.8 acres) situated on the southwest corner of Hatt Street and Ogilvie Street shown as Area Specific UD-7 on Map D-2:

a) Notwithstanding the permitted uses of Policy E.3.2.3 of Volume 1, the permitted uses and building forms shall include:

i) residential apartments;
ii) retirement homes;

iii) long term care facilities;

iv) street-oriented commercial uses consisting of retail, service commercial and personal service uses in freestanding buildings and/or on the first floor of mixed use buildings;

v) office uses;

vi) institutional uses;

vii) entertainment uses; and,

viii) accessory private recreation facilities serving the needs of residents of the subject lands.

b) Permitted uses may be stipulated in the implementing Zoning By-law to the following maximums:

i) residential apartments (322 units)

ii) retirement home, long term care facility or a combination of both (151 residents)

iii) retail, service commercial and personal service uses (1,400 square metres)

c) Residential apartments may locate in residential buildings and in mixed use buildings along Hatt Street and Ogilvie Street, and in residential buildings along the north side of Spencer Creek.

d) Retirement homes and a long term care facility may locate in residential buildings and/or in mixed use buildings along Hatt Street and Ogilvie Street.

e) Retail, service commercial, personal service, office, institutional and entertainment uses may locate in mixed use buildings and in freestanding commercial buildings along Hatt Street and Ogilvie Street.

f) Residential uses, retirement homes and long term care facilities shall not locate below commercial and institutional uses.

g) New residential and mixed use buildings shall generally be in scale and compatible with the low profile character of buildings in the Dundas community in order to maintain views of the escarpment. New buildings shall be carefully integrated with the character of established residential areas. In order to minimize conflicts, the location, form, scale, bulk and design of new buildings shall be sensitive to and compatible with the density and form of existing residential development.

h) The maximum height of residential buildings along the north side of Spencer Creek shall be 9 storeys.
i) The range of height for residential buildings, mixed use buildings and freestanding commercial buildings along Hatt Street and Ogilvie Street shall be 2 to 6 storeys.

j) The height and massing of new buildings along Hatt Street and Ogilvie Street shall be subject to a 'height transition' requirement where the tallest part of the buildings shall be situated adjacent to the intersection of Hatt Street and Ogilvie Street. The maximum height shall be 6 storeys. The height of the remainder of the buildings shall be 'stepped down' to 5 and 4 storeys along Hatt Street and Ogilvie Street. The building shall be arranged to create an urban streetscape along Hatt Street and Ogilvie Street.

k) As part of the design of the overall development, the intersection of Hatt Street and Ogilvie Street shall be recognized as major crossroads and a focal point in the downtown.

l) The development of the subject lands shall be based on public roadway with a right-of-way width of 18.5 metres and acceptable alternative development standards to the satisfaction of the City.

m) Prior to development, the subject lands shall be remediated in accordance with provincial standards regarding site decommissioning and clean-up to ensure there are no adverse effect resulting from former contaminants on the site. The Owner shall satisfy the City that the site assessment and restoration activities at the site have been undertaken in accordance with the Ministry of Environment’s Guideline for Use at Contaminated Sites in Ontario, June 1996 as may be amended from time to time. Any site remediation work occurring within the regulated area of Spencer Creek shall be subject to a permit from the Hamilton Conservation Authority. The decommissioning of the site shall occur in phases. No development of any portion of the site may proceed until such time as all the requirements of the City regarding site assessment and remediation for the portions of the lands to be developed have been satisfied.
Flamborough

UF-1 Lands located east of Highway 6, west of the pipeline easement, north of the Niagara Escarpment and south of Borer's Creek (part of Clappison's Corners)

1.0 Notwithstanding Section E.4.7 - District Commercial of Volume 1, the following policies shall apply to lands located east of Highway 6, west of the pipeline easement, north of the Niagara Escarpment and south of Borer's Creek (part of Clappison's Corners), and shown as sub areas A, B (B-1 and B-2), C and D on Area Specific UF-1 on Map F-1:

a) a combined maximum of 93,610 square metres of retail and service commercial space shall be permitted in areas A, B and C of UF-1; and,

b) residential uses shall not be permitted.

Area A

1.1 Notwithstanding Policies E.4.7.2, E.4.7.3, and E.4.7.7 - District Commercial of Volume 1, the lands west of the pipeline easement and south of Highway 5, shown as Area A on Area Specific UF-1 on Map F-1, shall be subject to the following policies:

a) The following uses shall be permitted:

i) Hotel/motel;

ii) Government service buildings such as fire halls and ambulance stations;

iii) Recreational and entertainment facilities;

iv) Wholesale and/or retail warehouses; and,

v) Home improvement, household furniture and/or appliance outlet and/or lawn and garden centre.

b) The maximum total combined gross floor area of retail space shall not exceed 2,500 square metres.

c) Minimum unit sizes of retail establishments shall be 465 square metres.

Area B

1.2 Notwithstanding Policies E.4.7.2, E.4.7.3, E.4.7.7 - District Commercial of Volume 1, the lands east of Highway 6, and south of Highway 5 shown as Area B in Area Specific UF-1 on Map F-1, including B-1 and B-2, shall be subject to the following policies:

a) The following uses shall be permitted:

i) Hotel/motel;

ii) Government service buildings such as fire halls and ambulance stations;

iii) Recreational and entertainment facilities;
iv) Wholesale and/or retail warehouses;

v) Home improvement, household furniture and/or appliance outlet and/or lawn and garden centre; and,

vi) Department store.

b) Area B, including B-1 and B-2, shall be developed in accordance with the following policies:

i) The maximum gross floor area for all uses combined, excluding a hotel, motel, community centre and public uses, shall not exceed 52,000 square metres, and shall generally be distributed equally between B-1 and B-2;

ii) Individual retail establishments shall generally have a minimum size of 1,858 square metres. However, subject to a Retail Impact Analysis, the Zoning-By-law may permit smaller store areas, including retail establishments without further amendment to this Plan;

iii) A maximum of 6 individual wholesale and retail warehouse facilities or retail establishments each having a gross floor area of between 465 square metres and 700 square metres.

iv) A "gateway" feature shall be required to establish the site as a focal point to one of the major entrances to the Waterdown urban area;

v) Enhanced landscaping and tree planting shall be required especially as the site relates to Highway 5 and 6 and the internal road pattern;

vi) Development must ensure adequate traffic infrastructure both on the site and at the access points; and development shall be phased-in accordingly with road improvements; and,

vii) Buffering and screening of the site relative to the lands to the south shall be required. Consideration shall be required to identify and provide for a suitable barrier or fence to prevent trespassing on lands to the south.

Area C

1.3 Notwithstanding Policies E.4.7.2 and E.4.7.3, 4.7.7 - District Commercial of Volume 1, the land south of Borer’s Creek, east of Highway 6, north of Highway 5 and west of the pipeline easement shown as Area C in Area Specific UF-1 on Map F-1, shall be subject to the following policies:

a) The following uses shall be permitted:

i) Hotel/motel and conference/convention facilities;

ii) Government service buildings such as fire halls, community centres, ambulance stations and other public uses;

iii) Recreational and entertainment facilities;
b) Area C shown on UF-1 on Map F-1, shall be developed in accordance with the following policies:

i) Retail uses exceeding a combined gross floor area of 39,110 square metres shall require a market impact study to ensure that there are no significant detrimental impacts on other planned commercial functions within the City, but no amendment to this Plan shall be required;

ii) The maximum gross floor area for all uses combined, excluding a hotel, motel, community centre and public uses, shall be 55,740 square metres;

iii) A maximum of thirty-five percent of the total gross floor area of all wholesale and/or retail warehouses and other retail uses equal to or greater than 1,858 square metres each in gross floor area may be comprised of individual retail establishments between 465 square metres and 1,857 square metres each in gross floor area;

iv) A “gateway” feature shall be required to establish the site as a focal point to one of the major entrances to the Waterdown urban area;

v) Enhanced landscaping and tree planting shall be required especially as the site relates to Highway 5 and 6 and the internal road pattern;

vi) As part of the staging of development, all required transportation improvements must be secured to properly service the extent of development permitted by the implementing Zoning By-law.

Area D

1.4 In addition to Section E.4.7 - District Commercial of Volume 1, the lands located on the north and south side of Highway 5, shown as Area D in Area Specific UF-1 on Map F-1, redevelopment of the lands within Area D shall only be permitted following the completion of a traffic impact study to the satisfaction of the City and the Ministry of Transportation.

UF-2 Area north of Mountain Brow Road, west of Kerns Road, south of Parkside Drive and east of the developed areas of Waterdown.

1.0 Notwithstanding Section E.3.0 - Neighbourhoods Designation of Volume 1, the following policies shall apply to the lands located north of Mountain Brow Road, west of Kerns Road, south of Parkside Drive and east of the developed areas of Waterdown, shown as Area Specific UF-2 on Map F-2, until a secondary plan and other related studies are completed for the area:

a) It is the intent of the City that the following policies shall be further detailed through Secondary Plan for the area shown as Area Specific UF-2 on Map F-
2. Accordingly, no development shall proceed in Area Specific UF-2 until the following matters are completed:

i) A Class Environmental Assessment for the Dundas Waste Water Treatment Plant expansion/diversion to address the long term servicing solution of Waterdown;

ii) A financial strategy for the preferred solution has been determined once the Environmental Assessment process has been completed. Assuming an acceptable financial plan is found, the construction of this project shall begin as soon as possible; and,

iii) A Master Environmental Assessment (EA) Transportation study (Waterdown/Aldershot Transportation Environmental Assessment) as directed by the Joint Board is undertaken, to be funded jointly by the City of Hamilton, the City of Burlington, and the developer parties of area UF-2. The Study shall include an implementation plan in accordance with the terms of reference approved by the City of Hamilton and the City of Burlington.

The completion of the Master EA Transportation Study (Waterdown/Aldershot Transportation Environmental Assessment) shall provide the basis for a new transportation schedule including, if necessary, a Highway No. 5 by-pass. The Study shall examine amongst other things, the role and capacity of Waterdown Road, King Road, Kerns Road, Brant Street and Highway No. 5. It is understood and agreed that any recommended solution and implementation thereof that requires alterations of Waterdown Road, Kerns Road, King Road, Brant Street and Highway No. 5 within the City of Burlington, shall be in the sole discretion of Burlington City Council, with the exception of Highway No. 5 which shall be a joint decision of the city of Burlington, and the Region of Halton. Such recommendations and implementations must be approved by Burlington City Council. It is further understood and agreed that there are fiscal limits to Burlington’s ability to afford major road construction or reconstruction projects. In addition, the parties acknowledge that other factors shall limit the amount of traffic that such roads can carry because of their residential character and existing design standards. Any recommended solution and implementation that requires alterations of Highway No. 5 within the City of Hamilton shall be the sole discretion of the City.

b) As contemplated in the Memorandum of Agreement prepared by the City of Hamilton and dated October 30, 1997, no development shall proceed in area UF-2 until the following are completed:

i) In recognition of the financial constraints to development, it is agreed that, in addition to the City’s regular Development Charge, a charge shall be paid to the City of $800.00 per unit at the time of issuance of building permits. This charge shall be indexed to the Consumer Price Index commencing on the date of the issuance of the first building permit for those lands to be designed Urban or on January 1, 1999, whichever comes first;

ii) The City shall make every effort to utilize its Development Charges By-law as the method of collecting the said per unit charge. However, in
the event the Development Charges By-law is not legally able to be utilized, an alternative method shall be determined; and,

iii) The City shall request that any approval of a plan of subdivision in area UF-2 shall contain a condition of draft plan approval requiring that the per unit charge specified in a) above shall be a requirement of the subdivision agreement to be secured through an amendment to the City's Development Charges By-law or an alternate method to the satisfaction of the City.

c) Phasing of development within area UF-2 shall be controlled by subsequent planning requirements and processes including Provincial Planning Policies (Housing), the results of the Master EA Transportation Study (Waterdown/Aldershot Transportation Environmental Assessment) and Secondary Planning.

d) No development shall take place in area UF-2 prior to the fulfillment of Subsection 1.1 except as follows. If it is determined by the City that a housing supply shortfall in Waterdown is imminent, they may approve (subject to the requirements of the Planning Act) a limited amount of additional urban residential land in Waterdown for development prior to fulfillment of Subsection 1.1 to address solely the immediate shortfall provided the following conditions are satisfied:

i) Sufficient sewage capacity is available for the development;

ii) The transportation impacts of the development have been evaluating and addressed;

iii) The Environmental Assessment for the Transportation Master Plan (Waterdown/Aldershot Transportation Environmental Assessment) is proceeding expeditiously and has advanced to the stage where the alternatives have been identified and the potential routes have been identified for evaluation;

iv) The development shall not impact, prejudice or compromise secondary planning processes, the Transportation Study process, or any of the alternatives or alternative routes under consideration in the Environmental Assessment process for the Transportation Master Plan (Waterdown/Aldershot Transportation Environmental Assessment) or the evaluation and selection of alternatives or the implementation of the preferred alternatives; and,

v) The development does not prejudice or compromise the Environmental Assessment process and associated financing for the waste water treatment solution.

e) In the lands south of Highway No. 5:

i) No development shall take place that requires storm water drainage excavation or other related work south of Mountain Brow Road; and,

ii) Prior to any development, a sub-watershed planning study shall be completed to the satisfaction of the City of Hamilton, City of Burlington, and the Halton Region Conservation Authority. The sub-watershed
planning study shall identify ways and means to limit future flows to pre-
development levels which shall have the effect of causing no increase
on downstream erosion or downstream flood risk.

f) The lands south of Highway No. 5 are subject to the following principles of
an open space buffer:

i) A 30 metre open space buffer, designated as Open Space on
Schedule E-1 – Urban Land Use Designation in Volume 1 of this Plan,
shall be maintained along the north boundary of the 2nd Concession
Road (Mountain Brow Road) road allowance between the Renwood
Park subdivision and King Road.

ii) A minimum 5 metre open space buffer shall be provided adjacent to
Core Areas as defined in Schedule B. Any additional open space
buffer land identified by the required Environmental Impact Statement
shall be set aside either for acquisition by the City or by incorporation
into building setback requirements on the adjacent lands.

iii) A 30 metre open space buffer, designated as Parks and Open Space
on Schedule E-1 – Urban Land Use Designations, shall be maintained
along the west side of the Kerns Road, road allowance, south of
Dundas Street.

iv) The form (landscaping and treatment) of the open space buffer shall
be jointly determined between the City and Area C, the City agrees to
work toward a joint use arrangement whereby owners would be
allowed to use a portion of the conveyed land for open space uses,
subject to any requirements and findings of the Environmental Impact
Statement.
Glanbrook

There are no Area Specific Policies for the former municipality of Glanbrook.
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 Maps H-1 to H-5 inclusive include the following areas:

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;

f) The lands along Centennial Parkway North, north of Barton Street East designated Arterial Commercial shown as UH-1f on Map H-4; and,

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 to H-5 inclusive 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:

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,
Volume 3, Chapter B – Hamilton Area Specific Policies

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.
Stoney Creek

USC-1  Lands located east of Upper Mount Albion Road, south to the hydro corridor south of Rymal Road, west to Second Road West, and north, almost to Highland Road.

1.0  In addition to the policies of Section C.2.0 – Natural Heritage System of Volume 1, the following policies shall apply to the lands located east of Upper Mount Albion Road, south to the hydro corridor south of Rymal Road, west to Second Road West, and north, almost to Highland Road, shown as Area Specific USC-I on Map SC-1:

a)  The Eramosa Karst Area of Natural and Scientific Interest (ANSI) has been divided into various zones, with different levels of protection. The Core Area includes the highest density of significant features and has been identified as a Core Area in the Natural Heritage System. The Feeder Area includes all of the watersheds for streams that contribute flow to the provincially significant karst systems in the Core Area. The Feeder Area provides water flows which are important to the continued functioning and development of the karst features within the Core Area.

b)  Notwithstanding Section C.2.0 – Natural Heritage System of Volume 1, the Feeder Area shall be afforded a level of protection to ensure that:

   i)  the flows of the creeks into the Core Area are substantially maintained (i.e. stream discharge including low flow and high flow characteristics and discharge response to runoff events);

   ii) water quality is improved (i.e. primarily a reduction in sediment load); and,

   iii) protective measures are employed to reduce the risk of contamination of surface streams by substances that would significantly impact groundwater and the karst.

c)  Notwithstanding Section C.2.0 – Natural Heritage System of Volume 1, no development shall occur within the Feeder Area unless it can be shown, through technical studies completed to the satisfaction of the City and the Conservation Authority, that these objectives shall be met. Individuals who review these studies must have expertise in environmental hydrology and geomorphology, and civil engineering.

d)  As part of the recommendations in the Eramosa Karst ANSI report (Buck, Worthington, and Ford, 2003) a 50 metre wide buffer was applied to the boundary of the ANSI Core Area. Notwithstanding the requirements of Policy C.2.5.11 of Volume 1, any additional buffer requirements shall be identified through an Environmental Impact Statement.

e)  Within the Feeder Area of the Eramosa Karst ANSI, below grade fuel and chemical storage tanks shall not be permitted.
USC-2 Lands located south of Highland Road, west of Second Road West, municipally known as No. 293 to 385 Highland Road West, and including Highland Green Park.

1.0 As identified in the Eramosa Karst ANSI report (Buck, Worthington, and Ford, 2003) for the Developed Area, it is recommended that:

a) the geomorphology and hydrogeology of surface and subsurface karst features be protected;

b) appropriate measures be taken to ensure the protection of the karst conduits that feed Nexus and Olmstead Springs. If future construction intersects a karst conduit, the hydrologic function of that conduit should be restored.

c) within the Developed Area of the Eramosa Karst ANSI, below grade fuel and chemical storage tanks shall be prohibited.

USC-3 Lands located at: 1) Fruitland Road, Barton Street, Glover Roads, and Highway No. 8; 2) South east corner of Barton Street and Glover Road, municipally known as No. 288 Glover Road; 3) East side of McNeilly Road, Barton Street, western limits of Winona and Highway No. 8; 4) The eastern limits of Winona, Barton Street, properties just west of Fifty Road, and Highway No. 8; and, 5) east of Winona Road, South Service Road of the QEW, City limits, CNR Railway

1.0 Area Specific USC-3, comprised of Parcels A, B, B-1, B-2, C, D inclusive, shown on Map SC-3 includes the following lands bounded by:

a) Fruitland Road, Barton Street, Glover Road, and Highway No. 8;

b) South east corner of Barton Street and Glover Road, municipally known as No. 288 Glover Road;

c) East side of McNeilly Road, Barton Street, western limits of Winona Urban Community and Highway No. 8;

d) The eastern limits of Winona, Barton Street, properties just west of Fifty Road, and Highway No. 8; and,

e) East of Winona Road, South Service Road of the QEW, City limits.

1.1 Lands located within Area Specific Policy USC-3 are intended to be planned in a comprehensive manner. No development shall proceed for these lands until the following studies have been completed for all of the lands located within Area Specific USC-3 to the satisfaction of the City.

Parcels A, B, B-1, B-2

a) Prior to development of the lands between Barton Street and the CNR tracks east of Winona Road and west of Fifty Road identified as Parcel A on Map SC-2, and the area between Winona Road and the Hamilton Municipal
boundary north of the CNR tracks and south of the QEW identified as Parcels B, B-1 and B-2 on Map SC-2, the following policies shall be satisfied:

i) the City shall prepare a general land use concept for all the lands identified as Area Specific USC-3 on the basis of:

1. housing density, type, and mix;
2. projected population;
3. school requirements;
4. commercial lands; and,
5. employment lands.

ii) As part of the City’s commercial and employment land needs analysis in clause i), the City shall evaluate the appropriateness of commercial development on the lands identified as Parcel B on Map SC-2.

iii) The City shall undertake a transportation analysis based on the land uses in Policy 1.1 a) i).

iv) The land owners shall undertake, a water, wastewater and storm water analyses for the storm drainage areas in which Parcels A and B are located to support the land uses determined in Policy 1.1 a) i) to the satisfaction of the City, and,

v) The cost of the studies:

1. identified in Policy 1.1 a) i and ii) above shall be paid for by the land owners located within in Parcels B, B-1, and B-2; and,
2. identified in Policy 1.1 a) iv) above shall be at the complete cost of the landowners located within in Parcels A, B, B-1, and B-2.

Parcel B-1

b) In addition to Policy 1.0 above, the lands identified as Parcel B-1 in Area Specific USC-3 on Map SC-2, shall be developed as a mixed use centre including a range of commercial uses.

i) In addition to Policy E.4.7.2 - District Commercial of Volume 1, the following uses shall be permitted:

1. one department store;
2. arts and cultural uses;
3. entertainment uses;
4. free standing offices; and,
5. an inter-regional multi modal transportation terminal.
ii) Notwithstanding Policy E.4.7.2 c) - District Commercial of Volume 1, no residential uses shall be permitted.

iii) Notwithstanding E.4.7.3 c) and E.4.7.7 - District Commercial of Volume 1, the maximum gross leasable floor area of all commercial development for the site shall be 41,200 square metres excluding any building area associated with the inter-regional, multi modal transportation terminal subject to the following:

1. The maximum amount of gross floor area permitted for one department store shall be 14,000 square metres.
2. The maximum amount of gross leasable floor area of all professional or business office buildings shall not exceed 10,000 square metres.
3. An individual free standing office building shall not exceed 2,000 square metres.

iv) Development of an inter-regional multi modal transportation terminal shall be developed in accordance with Section C.4.4 - Public Transit Network of Volume 1.

Urban design

v) Prior to development of lands identified as Parcel B-1 in Area Specific USC-3 on Map SC-2, the proponent shall complete urban design guidelines for development of the site to the satisfaction of the City, in accordance with Section B.3.3 - Urban Design Policies, E.4.7.11 - District Commercial, and Policies USC-3 1.1 b) vii) – viii) below.

vi) In addition to Section B.3.3 - Urban Design Policies, the following urban design principles shall apply to lands identified as Parcel B-1:

1. A mixture of uses and the location of the site along a major highway and at the head of an arterial road, provides an opportunity for a transit supportive development.
2. The urban form shall be compatible with the adjacent neighbourhoods and employment land uses.
3. The proposed development shall function as a community focal point. The unique location of the site shall provide a gateway into the City which is of high quality of design. Gateways shall promote a sense of arrival and facilitate connectivity, orientation and ‘way finding’ to, and within, the site for both vehicles and pedestrians;
4. A strong development image with an internal circulation system shall be applied. This circulation system shall include an internal pedestrian-friendly ‘central street’ which is a central gathering and focal point for the development.
5. Parcel B-1 shall be developed with a comprehensive pedestrian system for the entire site that links buildings to the central street, transit node and adjacent neighbourhoods with sidewalks on streets, pathways, trails, and/or pedestrian walkways.

vii) In addition to Section B.3.3 - Urban Design Policies of Volume 1, buildings located along South Service Road and Winona Road shall:

1. create a positive community image through the coordinated use of high quality paving materials, wide sidewalks, street furniture, pedestrian-scale lighting and signage, and enhanced landscaping.

2. locate drive-through stacking lanes toward the side or rear of buildings. Stacking lanes shall not face the public street.

viii) In addition to Section B.3.3 - Urban Design Policies of Volume 1, buildings located along the central street shall:

1. incorporate buildings which address both sides of the street line in a prominent fashion to create a pleasant and attractive pedestrian experience and facilitate interaction between different activities.

2. encourage incorporation of design features such as varied roof lines, building fenestration and canopies on all façades of buildings.

3. encourage on-street parking to provide the 'look and feel' of a public street while supporting pedestrian friendly urban design principles.

4. buildings on the interior central street shall be located to achieve the appearance of wide boulevards of comprising sidewalks and landscaping areas yet create the spatial definition and a sense of enclosure that encourages a pedestrian-oriented street.

Energy and Environment

ix) Prior to development of lands identified as Parcel B-1 in Area Specific USC-3 on Map SC-2, the proponent shall submit energy and environment design development guidelines for development of the site to the satisfaction of the City, in accordance with Section B.3.7 Energy and Environmental Design of Volume 1.

Parcel B-2

c) The lands identified as Parcel B-2 on Map SC-2 shall be designated as Neighbourhoods on Schedule E-1 - Urban Land Use Designations. No development shall occur, with the exception of a storm water management pond or infrastructure for a multi modal transportation hub, until such time as an appropriate designation has been determined as part of the secondary plan process.
Parcels B-2, C and D

d) Following the completion of the requirements identified in a) above, an integrated Secondary Planning Process under the Planning Act and the Municipal Engineering Association's Class Environmental Assessment process shall be completed for the remaining lands within Area Specific Policy USC-2 identified on Map SC-2.

Parcel C

e) Sections and policies of the Greenbelt Plan, including Section 5.2.1, permit the implementation of the urban land use designations and policies of this Plan, as described in Chapter F – Implementation of Volume 1, for the lands located at:

i) Glover Road, Barton Street, Concession 1, dividing Lots 11 and 12 and Highway No.8 (30.87 ha approximately), identified as Parcel C on Map SC-2.

USC-4 Lands located north of the QEW on the east and west side of the Fruitland Road/QEW interchange and south of North Service Road and Lakeview Drive.

1.0 For the lands shown as USC-4 on Map SC-3, the following policies shall apply:

a) In addition to the Arterial Commercial uses permitted under policy E.4.8.2 of Volume 1, District Commercial uses specified in Policy E.4.7.2 of Volume 1 shall be permitted.
Volume 3

CHAPTER C

Urban Site Specific Policies and Maps

URBAN HAMILTON OFFICIAL PLAN
VOLUME 3, CHAPTER C - URBAN SITE SPECIFIC POLICIES

Site specific policies (SSP) are policies that apply to individual properties. They are adopted to address unique local circumstances that cannot be addressed in Volume 1 or secondary plans. The site specific policies in this section apply to lands within the urban area and outside of a secondary plan area. Site specific policies for lands contained within a secondary plan area are found in the appropriate secondary plan.

Ancaster

Neighbourhoods

UAN-1 Lands generally located north of Filman Road, east of Woodhaven Place and the lands located east of Lime Kilm Road, northwest of Highvalley Road, former Town of Ancaster

1.0 In addition to Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located north of Filman Road, east of Woodhaven Place and the lands located east of Lime Kilm Road, northwest of Highvalley Road, shall be developed for low density residential uses. Accordingly, development in these areas shall be subject to the following policies:

a) The new residential subdivision shall be designed to provide suitable integration of proposed road systems with existing road systems to create a comprehensive road pattern for the area; and,

b) Public open space areas shall be provided as an extension of municipal park lands dedicated from High Park Estates Subdivision. In this regard, every effort shall be made to ensure that a continuous open space link between Hendry Lane and Tiffany Falls area is established.

UAN-2 Lands located at 3 Wilson Street East, former Town of Ancaster

1.0 Notwithstanding the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 3 Wilson Street East, only a medical clinic shall be permitted in accordance with the following policies:

a) The design shall be in keeping with the character of the surrounding area.

b) Landscaping shall form an integral part of the development and screening and/or buffering shall be provided between commercial and other adjacent uses, in particular, residential uses.

c) Adequate off street parking facilities shall be provided for all permitted uses and access points to such parking shall be limited in number and designed in a manner that shall minimize the danger to both vehicular and pedestrian traffic. The implementing site plan agreement may permit a portion of the
required off-street parking spaces to be provided for employees on other than the subject lands (i.e. a service station property nearby). The owner of the subject lands shall be obliged in such an agreement to comply with the appropriate standards set forth in the Zoning By-law, whether on the subject lands or nearby.

**UAN-3 Lands located north-west of the Highway 403 Interchange, south of the Hamilton Golf and Country Club, former Town of Ancaster**

1.0 Notwithstanding Section E.3.0 - Neighbourhoods Designation, for lands located north-west of the Highway 403 Interchange, south of the Hamilton Golf and Country Club, an Environmental Impact Statement, in accordance with Sections C.2.0 - Natural Heritage System and F.3.2.1 - Environmental Impact Statement, shall be required to determine if there is any development potential for the lands.

**Commercial**

**UAC-1 Lands located at 737 & 771 Golf Links Road, former Town of Ancaster**

1.0 Notwithstanding Policy E.4.6.5 - Mixed Use - Medium Density Designation of Volume 1, for the lands designated Mixed Use - Medium Density, located at 737 and 771 Golf Links Road, department stores and grocery stores shall not be permitted.

**UAC-2 Lands located at 54 Wilson Street West, former Town of Ancaster**

1.0 In addition to Section E.4.6 - Mixed Use - Medium Density Designation of Volume 1, on lands designated Mixed Use - Medium Density, lands located at 54 Wilson Street West, the following design policies shall apply to the development of lands comprised an area of approximately 2.6 hectares with a 35.4 metre flankage along Todd Street, a 166.1 metre frontage along Wilson Street West and an irregular depth:

   a) No access shall be permitted from Carrington Court to the commercial facility; and,

   b) Notwithstanding Policy B.3.3.7.3 of Volume 1, open storage of goods and materials shall not be permitted except in special cases, subject to the City's approval and regulations.

**UAC-3 Lands located at 125-139 Wilson Street West, former Town of Ancaster**

1.0 Notwithstanding Section E.4.6.7 - Mixed Use - Medium Density Designation of Volume 1, on the lands designated Mixed Use - Medium Density, located at 125-139 Wilson Street West, the permitted residential building shall not exceed a maximum height of four storeys above grade.
Employment

UAE-1 Lands located north of Wilson Street W, south of Portia Drive and west of Mason Drive, former Town of Ancaster

1.0 In addition to Section E.5.4 - Employment Area - Business Park Designation of Volume 1, on the lands designated Employment Area - Business Park, located north of Wilson Street W, south of Portia Drive and west of Mason Drive with an area of 5.39 hectares, the following uses shall be permitted:

a) automobile dealership;

b) animal hospital;

c) auctioneer establishment;

d) building supply sales in wholly enclosed buildings;

e) cold storage locker establishments;

f) establishment for retail sale of farm supplies, grain feed, and fertilizer;

g) recreational vehicles sales, service, and rental;

h) welding and sheet metal shop; and,

i) related accessory uses.
Dundas

Open Space

UDOS-1 Lands generally located north of Cootes Drive, west of Olympic Drive, along King Street East, former Town of Dundas

1.0 In addition to Section C.3.3 - Open Space Designations of Volume 1, for the lands designated as Open Space, located north of Cootes Drive, west of Olympic Drive, along King Street East, the following policies shall apply:

a) The permitted uses shall include:
   i) active and passive parks;
   ii) community centres;
   iii) public or private recreation uses;
   iv) conservation uses; and,
   v) other uses which are ancillary and support the primary uses where these uses shall not destroy the essentially open space nature of the land.

b) Appropriate urban design measures shall be implemented through the approval of site plans which recognize the proximity of the site to the adjacent and nearby wetland areas, as well as the highly visible nature of the site from Cootes Drive, Olympic Drive, King Street, and residential areas on the escarpment which generally overlook the site from the north.

c) Storm water management techniques including the use of best management practices shall be implemented through the approval of site plans to ensure that post development surface water impacts are minimized with respect to adjacent (Volunteer Marsh) and nearby (Desjardins Canal) wetland areas.

d) A landscape plan shall be prepared and implemented through the approval of a site plan for all regraded slopes adjacent to Volunteer Marsh.

e) Development of the lands within UDOS-1 for the purposes identified in a) above, shall be by means of a site specific Zoning By-law amendment to establish appropriate regulations to guide and control the development of the subject lands. The actual development of the subject lands shall be subject to site plan approval.

f) The rezoning of the subject lands for the ultimate uses shall require Holding Provisions to ensure that the requirements under b), c), d), and e) above have been met prior to the removal of the “H” symbol by by-law. The City may consider passing a by-law to remove the Holding symbol and allow development to proceed in accordance with the zoning categories.
assigned. Specifically, the conditions for removal of the Holding Provision shall include:

i) Site assessment and remediation in accordance with provincial guidelines to the satisfaction of the City; and,

ii) Review of the site plan by the Regionally Environmentally Significant Area Impact Evaluation Group (ESAIEG).

**UDOS-2 Southeast corner of Dundas Street and Cootes Drive, former Town of Dundas**

1.0 Notwithstanding Section C.3.3 - Open Space Designations of Volume 1, for lands designated Open Space, located at the southeast corner of Dundas Street and Cootes Drive, the only permitted use shall be parking.
Flamborough

Neighbourhoods

UFN-1 Lands located at 609 Hamilton Street North, former Town of Flamborough

1.0 In addition to the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 609 Hamilton Street, a bulk petroleum fuel depot with associated office and warehouse facilities and an automobile service station shall also be permitted.

UFN-2 Lands located at 132 Dundas Street East, former Town of Flamborough

1.0 Notwithstanding the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 132 Dundas Street East, only one dwelling unit or a day nursery with one dwelling unit shall be permitted.

Employment

UFE-1 Lands located at 27 Highway 5, North Wentworth Community Centre and Arena, former Town of Flamborough

1.0 In addition to the uses permitted in Section E.5.4 - Employment Area - Business Park Designation of Volume 1, on the lands designated Employment Areas - Business Park, located at 27 Highway 5, a community centre, arena and community park shall also be permitted.

Commercial and Mixed Use

UFC-1 Lands located at 61 Hamilton Street North, former Town of Flamborough

1.0 In addition to the uses permitted in Policy E.4.6.5 - Mixed Use - Medium Density Designation of Volume 1, on the lands designated Mixed Use - Medium Density, located at 61 Hamilton Street North, the existing building and lumber supply establishment shall also be permitted.
UGE-1 Lands located on the south side of Dickenson Road, between Glancaster Road and Highway No. 6, Part of Lots 2 and 3 Concession 3, former Township of Glanbrook

1.0 Notwithstanding Section E.5.5.1 - Employment Area - Airport-Industrial-Business Park Area of Volume 1, the following policies shall apply to the lands located on the south side of Dickenson Road, between Glancaster Road and Highway No. 6, being Part of Lots 2 and 3 Concession 3:

a) The development of the subject lands shall be restricted to an air cargo and aircraft maintenance facility, and accessory uses, buildings and structures.

b) Prior to development of the subject lands, the Owner shall satisfy all the requirements of the City with respect to both the provision of and the costs associated with providing proper and adequate access to the subject lands, including associated upgrading of Dickenson Road between the entrance to the subject lands and Highway No. 6, the provision of turning lanes at the entrance to the subject lands, the provision of turning lanes on Dickenson Road and Highway No. 6, and the provision of signal lights at the intersection of Dickenson Road and Highway No. 6.

c) One principal access and one emergency access to service the abutting lands to the south designated “Airport Industrial-Business Park” shall also be permitted thereon, subject to adequate separation from abutting residential uses to ensure safety and protection to these abutting lots.

d) The Owner of the subject lands shall be responsible for the provision of and the costs associated with servicing the subject lands.

e) Prior to the development of the subject lands, the Owner shall submit to the City for approval of a detailed storm drainage and grading plan(s) in accordance with the City’s requirements.

f) Prior to development of the subject lands, the Owner shall be required to satisfy all the requirements of the Province with respect to watermain and sanitary sewer extension and stormwater management systems, under the Ontario Water Resources Act.

g) All development of the subject lands shall be subject to the Minimum Distance Separation requirements from all existing buildings containing livestock operations.

h) Direct access to the John C. Munro International Airport runway shall be provided subject to approval from Transport Canada and the City.
i) Adequate landscaping and buffering shall be provided to the satisfaction of the City to protect existing residential and agricultural uses abutting the subject lands from any adverse impacts associated with the facility.

j) The subject lands containing the air cargo and aircraft maintenance facility shall be appropriately zoned in the implementing Zoning By-law. This site specific zoning in the implementing Zoning By-law shall identify the specific permitted uses and establish regulations for such matters as permitted uses; minimum frontage and area; maximum coverage; minimum setback distances from lot lines and existing residential uses; maximum building height; minimum parking and loading requirements; minimum distance separation from livestock buildings; and minimum landscape requirements.

k) Prior to development, the Owner of the subject lands shall satisfy all the requirements of the City and the Province with respect to required noise attenuation measures associated with the air cargo and aircraft maintenance facility.

l) Prior to the development of the subject lands, the Owner shall obtain all the necessary Certificates of Approval from the Province and any other pertinent agencies, with respect to noise and any other operations.

UGC-1 Lands located on the Northwest corner of the intersection of Upper James Street and Twenty Road West, former Township of Glanbrook

1.0 In addition to Section E.4.8 - Arterial Commercial Designation of Volume 1, on the lands designated Arterial Commercial, located on the northwest corner of the intersection of Upper James Street and Twenty Road West, the following policies shall apply:

a) The development of the subject lands shall proceed on the basis of approved drainage plan(s). The requirements of the City, Niagara Peninsula Conservation Authority, and the Province shall be satisfied by the developer(s).
Hamilton

Open Space

UHOS-1 Lands known as Windermere Basin, southwest of Eastport Drive - former City of Hamilton

1.0 In addition to Policies C.3.3.4 and C.3.3.5 - Open Space of Volume 1, the lands designated Open Space, known as Windermere Basin, located southwest of Eastport Drive, may also be used for the following purposes:

a) a visitor centre;
b) a museum;
c) a trail centre; and,
d) an information centre.

1.1 It is recognized that there is the potential for site contamination on the subject lands and accordingly, a Record of Site Condition shall be required to be submitted to the City and the Province prior to approval of any development.

1.2 An Environmental Impact Statement shall be required prior to any development to evaluate the impacts of the proposal on the existing Core Areas and determine the impacts of encouraging habitat given present soil and water quality concerns.

1.3 Urban design guidelines for the area shall be prepared based on the following principles:

a) Windermere Basin is a special area with wildlife and fish habitats. Accordingly, a minimum 9 metre landscape buffer should be established around the entire edge of Windermere Basin to enhance the wildlife and fish habitat and provide the potential for trails. The buffer could enhance the views of the area.

b) Structures should be designed with architectural interest and be enhanced by landscaping. Buildings should be sited to provide interesting views and, where possible, enhance vistas and focal points.

c) Street plantings and maintenance shall add to the image of the area.

Neighbourhoods

UHN-1 Lands located at 387 Rymal Road West, former City of Hamilton

1.0 In addition to the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 387 Rymal Road West, a retirement village-nursing home complex, and a banquet hall to be used in conjunction with the retirement village, shall also be permitted.
UHN-2 Lands located at 121 Augusta Street, former City of Hamilton
1.0 Notwithstanding the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 121 Augusta Street, general office uses shall be permitted only within the existing building.

UHN-3 Lands located at 1099 and 1101 Cannon Street East, former City of Hamilton
1.0 In addition to the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at Nos. 1099 and 1101 Cannon Street East, limited commercial uses and the associated manufacture of pasta products may also be permitted.

UHN-4 Lands located at 412 Charlton Avenue West, former City of Hamilton
1.0 Notwithstanding the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, the lands designated Neighbourhoods, located at 412 Charlton Avenue West, may only be used for a parking lot in conjunction with the adjacent commercial use.

UHN-5 Lands located at 39-41 Devonport Street, former City of Hamilton
1.0 In addition to the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 39 - 41 Devonport Street, a parking lot shall also be permitted.

UHN-6 Lands located at as 122 -124 Young Street, former City of Hamilton
1.0 In addition to the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 122-124 Young Street, professional offices shall also be permitted within the existing building.

UHN-7 Lands located at 122 -126 MacNab Street South and 109,111,113, 123 and 131 Charles Street, former City of Hamilton
1.0 In addition to the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, limited commercial uses shall also be permitted within the existing buildings on the following lands:

a) Nos. 122-126 MacNab Street South; and,

b) Nos. 109, 111 and 123 Charles Street.

1.1 In addition to the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 113 Charles Street, limited commercial uses shall also be permitted provided the building height, coverage, and setbacks are consistent with the existing development in the area.

1.2 In addition to the uses permitted in Section E.3.0 – Neighbourhoods Designation, on the lands designated Neighbourhoods, located at 131 Charles Street, a lawyers office shall also be permitted within the existing residential building.
UHN-8 Lands located at 245 Mohawk Road West, former City of Hamilton

1.0 In addition to the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 245 Mohawk Road West, a physiotherapy clinic within the existing building and minor additions thereto shall also be permitted.

UHN-9 Lands located at 723 Rymal Road West, former City of Hamilton

1.0 In addition to the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 723 Rymal Road West, a community/residential care access centre including limited associated commercial uses shall also be permitted to the front portion of the lands subject to the following:

a) The commercial uses shall be restricted to:

i) A restaurant, medical related commercial uses, and business and professional offices within the existing heritage dwelling only. There shall be no drive-through component and the restaurant shall not consist entirely of a take out space; and,

ii) Medical related commercial and medical offices, within the community and residential care access centre, having a maximum floor area of 1350 square metres.

b) The external appearance and character of the existing heritage dwelling shall be maintained.

UHN-10 Lands located at 505 to 537 Queenston Road, former City of Hamilton

1.0 In addition to the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 505 to 537 Queenston Road, limited commercial uses shall also be permitted within the existing buildings, subject to the following:

a) Commercial uses shall be restricted to low impact type uses, such as offices, service uses and small scale retail uses. High traffic generating uses and arterial commercial uses, such as restaurants, billiard halls, automotive uses and service stations, shall not be permitted.

b) Appropriate buffering shall be provided between commercial uses and adjacent residential uses to mitigate potential adverse impacts, such as negative visual impacts, reduced privacy, increased noise, and light from parking areas. In this regard, measures such as setbacks, landscape strips and visual barriers may be used.

c) The low profile character of the area shall be maintained. Accordingly, streetscape features and enhancements consistent with the residential character of the area shall be provided, including the provision of landscaping along Queenston Road and Woodman Drive, and the preservation of existing vegetation. Also, alterations to building façades shall be limited and business identification shall be restricted.
d) Enlargements or additions to the existing buildings may be permitted only if they are in keeping with the established built form and residential character of the area.

e) Sufficient parking and manoeuvring spaces are to be provided on-site for commercial and residential components.

**UHN-11 Lands located at 24 to 60 Sanford Avenue North, former City of Hamilton**

1.0 In addition to the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 24 to 60 Sanford Avenue North, limited light industrial and commercial uses may also be permitted.

**UHN-12 Lands located at 220 Dundurn Street South, former City of Hamilton**

1.0 In addition to Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 220 Dundurn Street South, residential uses shall be permitted within 400 metres of a heavy industrial area.

**UHN-13 Lands located at 398 King Street West, former City of Hamilton**

1.0 In addition to the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 398 King Street West, a wellness centre including limited associated commercial uses shall also be permitted subject to the following policies:

a) The wellness centre is located in the first and second storeys of a mixed use commercial/residential building; and,

b) A maximum of eight of the required parking spaces may be used for public parking in a surface parking lot on the rear portion of the lands.

**UHN-14 Lands located at 56 Frederick Avenue, former City of Hamilton**

1.0 In addition to the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 56 Frederick Avenue, limited neighbourhood commercial and professional offices may also be permitted only on the ground floor of the existing building.

**Commercial**

**UHC-1 Lands located at 448 Barton Street East, former City of Hamilton**

1.0 In addition to the uses permitted in Policy E.4.6.5 - Mixed Use - Medium Density Designation of Volume 1, on the lands designated Mixed Use-Medium Density, located at 448 Barton Street East, the manufacturing of clothing shall also be permitted.

**UHC-2 Lands located at 30 Rymal Road East, former City of Hamilton**

1.0 Notwithstanding the uses permitted in Section E.4.8 - Arterial Commercial Designation of Volume 1, on the lands designated Arterial Commercial, located at 30 Rymal Road East, high traffic generating uses shall be prohibited. Further, vehicular access onto Ryckman Street from the subject lands shall be prohibited.
**UHC-3  Lands located at 648 King Street West, former City of Hamilton**

1.0 Notwithstanding the uses permitted in Policy E.4.6.5 - Mixed Use - Medium Density Areas of Volume 1, on the lands designated Mixed Use - Medium Density, located at 648 King Street West, only limited commercial uses shall be permitted.

1.1 A manual, automatic or coin operated car wash shall not be permitted.

**UHC-4  Lands located at 480 and 500 Centennial Parkway North and 20 Warrington Street, former City of Hamilton**

1.0 In addition to the uses permitted in Policy E.4.7.2 - District Commercial of Volume 1, the lands designated District Commercial, located at 480 and 500 Centennial Parkway North and 20 Warrington Street, shall be developed with a mix of retail and non-retail uses and serve as a mixed use gateway into the City. The following uses shall be permitted:

   a) one department store;

   b) hotel and convention centre;

   c) entertainment uses; and,

   d) arts and cultural uses.

2.0 Notwithstanding Policy E.4.7.3 c) and E.4.7.7 - District Commercial of Volume 1, the following provisions shall apply to Urban Site Specific Area UHC-4:

   a) The maximum gross floor area for all commercial development shall not exceed 45,058 square metres.

   b) The maximum amount of gross floor area for one department store shall not exceed 18,581 square metres.

   c) Development of the site shall be completed in a phased manner consisting of an initial permitted development of 23,226 square metres of retail and service uses. An additional 1 square metre of retail and service uses shall be permitted for every 1 square metres of non-retail and service uses, as identified in the Zoning By-law, for which construction has substantially commenced on the site.

2.1 Notwithstanding Policy E.4.7.2 c) - District Commercial of Volume 1, no residential uses shall be permitted.

**Urban Design Guidelines**

3.0 Prior to development of 480 and 500 Centennial Parkway North and 20 Warrington Street, the proponent shall complete urban design guidelines for the development of the site to the satisfaction of the City. Urban design guidelines shall be in accordance with Section B.3.3 - Urban Design Policies, E.4.7.11 - District Commercial Designation, and UHC-3 3.1-3.5. In the event that conditions or restrictions arise as a result of the Record of Site Condition, specific design solutions will be incorporated in consultation with the City through the Site Plan approvals process.
3.1 The following urban design principles shall direct the development of the site. Urban Site Specific Area UHC-3 shall:

a) include high quality urban form and design including streetscapes, views and vistas, gateways, walkways, and amenity spaces;

b) be a "gateway" location into the City that promotes a sense of arrival;

c) be a mixed-use area with a range of commercial uses, and amenity spaces;

d) include a concentration and arrangement of uses and buildings that encourages comfortable pedestrian activity on and surrounding the site and which facilitates public transit ridership;

e) include a connected circulation system internally that comfortably and efficiently links all buildings, transit facilities, parking areas, and amenity spaces to the bounding public streets;

f) include a prominent multi-storey building, or buildings, of high quality architectural design at the intersection of Centennial Parkway North and the South Service Road; and,

g) include a strong edge and frame facing the bounding public streets including the placement and design of buildings and high quality landscaping.

3.2 In addition to Section B.3.3 - Urban Design Policies of Volume 1, two types of gateways shall be provided at the site: primary entrance gateways and secondary entrance gateways, subject to the following:

a) Primary entrance gateways identify the principal vehicular and pedestrian entry point to the site and may include information signage for traffic circulation through the site. There should be one primary entrance gateway to the site, from Centennial Parkway North.

b) Secondary entrance gateways serve as secondary vehicular and pedestrian entry points to the site. Multiple secondary entrance gateways to the site, from South Service Road and Warrington Street may be present.

c) All entrance gateways shall be given special built form and landscape treatment, including the consideration of appropriate positioning of buildings, adequate sight lines, and the inclusion of both vertical and horizontal elements, including signage and landscape features. Primary entrance gateway should be more visually prominent than the secondary entrance gateway(s) in terms of scale and design.

3.3 In addition to Section B.3.3 - Urban Design Policies of Volume 1, buildings abutting Centennial Parkway North and South Service Road, shall:

a) be located close to the edge of the respective road allowance so as to frame the streetscape;

b) be located further from the street edge with landscape treatment to define the street edge, which may contain a tiered design of lawn, low hedges,
trees, masonry and decorative metal fences and gates culminating in taller plantings for buildings along South Service Road; and,
c) create a positive community image through coordinated use of high quality paving materials, wide sidewalks, street furniture, pedestrian-scale lighting and signage and enhanced landscaping.

3.4 In addition to Section B.3.3 - Urban Design Policies of Volume 1, buildings abutting Warrington Street, the rail line, and the hydro corridor, shall:
a) adequately screen loading and service areas with the use of a landscaped buffers, which may contain landscape berms, evergreen and deciduous trees and shrubs, and fencing; and,
b) finish façades that face a loading area or service area with material and architectural features consistent with the principal façade of the building.

3.5 In addition to Section B.3.3 - Urban Design Policies of Volume 1, prominent buildings at the Centennial Parkway North and South Service Road intersection, shall:
a) be located so the tallest buildings are at the corner of Centennial Parkway North and the South Service Road;
b) have a distinct architectural appearance, including a high level of architectural detailing. Detailing may include varied rooflines, canopies, decorative architectural details, and projecting bays. Large blank walls and a continuous, repetitive façade shall not be permitted;
c) have articulated façades facing both the bounding public streets and the interior of the site;
d) include high quality landscape design along the edges of the property and within the interior shall provide a setting that is pedestrian-friendly and visually attractive;
e) ensure loading areas and service areas are not located between a building’s wall and the road allowance of Centennial Parkway North or South Service Road; and,
f) be encouraged to have feature lighting to signify and highlight these buildings during night-time.

Employment

UHE-1 Lands located at 320 Anchor Road, former City of Hamilton.

1.0 In addition to the uses permitted in Policy E.5.4.3 - Employment Area - Business Park Designation of Volume 1, on the lands designated Employment Areas - Business Park, located at 320 Anchor Road, an observation and detention home shall also be permitted.

UHE-2 Lands located at 230 Anchor Road, former City of Hamilton

1.0 In addition to the uses permitted in Policy E.5.4.3 - Employment Area - Business Park Designation of Volume 1, on the lands designated Employment Areas -
Business Park, located at 230 Anchor Road, limited commercial uses associated with a wedding centre shall also be permitted.

**UHE-3 Lands located at 10 Dartnall Road, former City of Hamilton**

1.0 In addition to the uses permitted in Policy E.5.4.3 - Employment Area - Business Park Designation of Volume 1, on the lands designated Employment Areas - Business Park, located at No. 10 Dartnall Road, a garden centre and related uses shall also be permitted.

**Institutional**

**UHI-1 Lands located at 610 York Boulevard, former City of Hamilton**

1.0 Notwithstanding Sections E.3.8 and E.6.0 - Institutional Designation of Volume 1, Dundurn Castle and Park and the Hamilton Military Museum, located at 610 York Boulevard, shall be designated Institutional on Schedule E-1 - Urban Land Use Designation of Volume 1, to protect the historic nature of this site. Only this use shall be permitted.

**Stoney Creek**

**Neighbourhoods**

**USCN-1 Lands located at 660 Barton Street, former City of Stoney Creek**

1.0 Notwithstanding the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 660 Barton Street, permitted uses shall be limited to a banquet hall facility and uses accessory and subordinate thereto.

**USCN-2 Lands located at 518 Fruitland Road, former City of Stoney Creek**

1.0 Notwithstanding the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 518 Fruitland Road, the building located on those lands shall be limited to a restaurant, a private club facility, professional offices, or any similar use provided the basic structure and character of this building are maintained.

**USCN-3 Lands located at 36 Lake Avenue, former City of Stoney Creek**

1.0 Notwithstanding the uses permitted in Section E.3.0 - Neighbourhoods Designation of Volume 1, on the lands designated Neighbourhoods, located at 36 Lake Avenue, permitted uses shall be limited to a funeral home, medical and professional offices, and uses accessory and subordinate thereto.
USCN-4 Lands located at 199-213 North Service Road, former City of Stoney Creek

1.0 Notwithstanding the uses permitted in Section E.3.0 - Neighbourhoods Designation, on the lands designated Neighbourhoods, located at 199-213 North Service Road, permitted uses shall be limited to sales and service of lawn and marine equipment, a lawn and garden centre, personal service shops, convenience commercial retail stores, offices, fruit and vegetable retail outlets, growing and retail sales of greenhouse produce, and uses accessory and subordinate to the above but expressly excluding any residential use. Furthermore, the implementing by-law shall:

a) prohibit outdoor operations and outdoor display and allow up to 310 square metres of the site for outdoor storage; and,

b) establish controls over the area intended for outdoor storage and the screening thereof.
City Wide

UCW-1A Lands located at 480 Kenilworth Avenue North, 560 Ottawa Street North, 217-223 Lottridge Street and 103 Clinton Street, 331-337 Leaside Avenue, 70 Brant Street and 6 Hillyard Street

1.0 Notwithstanding Policy E.5.3.7 - Waste Processing Facilities and Waste Transfer Facilities of Volume 1, on the lands designated Employment Area - Industrial Land, the existing waste processing facility shall be permitted on the following sites:
   a) 480 Kenilworth Avenue North; and,
   b) 560 Ottawa Street North.

2.0 Notwithstanding Policy E.5.3.7 - Waste Processing Facilities and Waste Transfer Facilities of Volume 1, on lands designated Employment Area - Business Park, located at 331-337 Leaside Avenue, the existing waste processing facility shall be permitted.

3.0 Notwithstanding Policy E.5.3.7 - Waste Processing Facilities and Waste Transfer Facilities of Volume 1, for lands designated Employment Area - Industrial Land, located at 217-223 Lottridge Street and 103 Clinton Street, a waste transfer facility shall be permitted.

4.0 Notwithstanding Policy E.5.3.7 - Waste Processing Facilities and Waste Transfer Facilities of Volume 1, for lands designated Employment Area - Industrial Land, located at 70 Brant Street and 6 Hillyard Street, a waste processing facility shall be permitted.

UCW-1B Lands located at 239 Lottridge Street, 227 Brant Street, 52 Imperial Street, 144-190 South Service Road, 1650 Upper Ottawa Street, 1574 Wilson Street West

1.0 In addition to Policies E.5.3.2 - Employment Area - Industrial Land Designation, E.5.3.6 - Waste Management Facilities - General Provisions, and E.5.3.8 - Hazardous Waste Management Facilities of Volume 1, for lands designated Employment Areas - Industrial Land the existing hazardous waste management facility shall be permitted on the following sites:
   a) 239 Lottridge Street;
   b) 227 Brant Street; and,
   c) 52 Imperial Street.

2.0 In addition to Policies E.5.4.3 - Employment Area - Business Park Designation, E.5.3.6 - Waste Management Facilities - General Provisions, and E.5.3.8 - Hazardous Waste Management Facilities of Volume 1, for lands designated Employment Area - Business Park, the existing hazardous waste management facility shall be permitted at the following sites:
   a) 1650 Upper Ottawa Street; and.
   b) 1574 Wilson Street West, Units 1, 2 and 3.

3.0 In addition to Policies E.5.4.3 - Employment Area - Business Park Designation, E.5.3.6 - Waste Management Facilities - General Provisions, and E.5.3.8 -
Hazardous Waste Management Facilities of Volume 1, for lands designated Employment Area – Business Park, a hazardous waste management facility shall be permitted at 144-190 South Service Road, units 162-178.

UCW-1C Lands located at 27 Olympic Drive, 37 Kilbride Road and 460 Kenora Avenue

1.0 Notwithstanding Policies E.5.3.7- Waste Processing and Waste Transfer Facilities and E.5.3.8- Hazardous Waste Management Facilities of Volume 1, on lands designated Utility, located at 27 Olympic Drive, the existing waste management facility shall be permitted.

2.0 Notwithstanding Policy E.5.3.8 - Hazardous Waste Management Facilities and in addition to Policy E.5.3.2 Employment Area - Industrial Land Designation of Volume 1, on lands designated Employment Area - Industrial Land, located at 460 Kenora Avenue, the existing waste management facility shall be permitted.

3.0 Notwithstanding Policy E.5.3.8 - Hazardous Waste Management Facilities and in addition to Policy E.5.4.3 Employment Area - Business Park Designation, on lands designated Employment Area - Business Park, located at 37 Kilbride Road, the existing waste management facility shall be permitted.