

**Authority:** Item 25 Economic Development  
and Planning Committee  
Report: 09-015(PED09157)  
CM: July 9, 2009

**Bill No. 183**

**CITY OF HAMILTON**

**BY-LAW NO. 09-183**

**To Adopt:**

Official Plan Amendment No. 36 to the Official Plan of the former Regional Municipality of Hamilton-Wentworth; and,  
Official Plan Amendment No. 150 to the Official Plan of the former City of Stoney Creek.

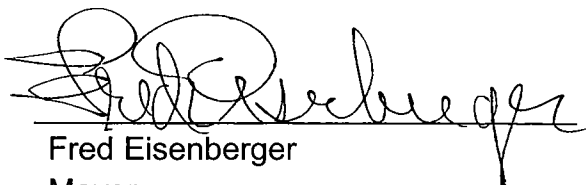
Respecting:

**1310 South Service Road, 400 Winona Road and 395 Fifty Road**

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

1. Amendment No. 36 to the Official Plan of the former Regional Municipality of Hamilton-Wentworth Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. Amendment No. 150 to the Official Plan of the former City of Stoney Creek Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED and ENACTED** this 13th day of August, 2009.

  
Fred Eisenberger  
Mayor

  
Kevin C. Christenson  
City Clerk

**Amendment Nos. 36 and 150**

**to the**

**Former Regional Municipality of Hamilton-Wentworth Official Plan and the  
Former City of Stoney Creek Official Plan**

The following text together with Schedule "A" (Schedule A - General Land Use Plan, Stoney Creek Official Plan) attached hereto, constitute:

1. Official Plan Amendment No. 36 to the former Regional Municipality of Hamilton-Wentworth Official Plan; and,
2. Official Plan Amendment No. 150 to the former City of Stoney Creek Official Plan.

**Purpose:**

The purpose of these amendments is to add site-specific policies in the Regional and local Official Plans to permit the development of a mixed use and interregional, multi-modal transportation terminal at the southwest corner of the Queen Elizabeth Way and Fifty Road

**Location:**

The Subject Property for the proposed mixed use area comprises 18 hectares, and is situated at the southwest corner of the Queen Elizabeth Way and Fifty Road, in the former City of Stoney Creek.

**Basis:**

- The uses will serve the existing residential communities to the north and south, as well as the future residential development emerging through the development of lands in the Stoney Creek Urban Boundary Expansion (Fruitland-Winona Secondary Plan) area.
- The inter-regional multi modal transportation terminal component will provide for the long range transportation needs of the surrounding area and the broader Hamilton community.
- The proposed Amendments are consistent with the Provincial Policy Statement.

- The proposed Amendments implement the resolution of the Committee of the Whole, dated June 23, 2008.

**Actual Changes:**

**1. That the former Regional Municipality of Hamilton-Wentworth Official Plan be amended as follows:**

- a) Delete and replace Policy C.3.1.3.5 with the following new policy:

“Notwithstanding Policy C.3.1.3.1, recognize the City of Stoney Creek’s plans to develop a portion of their business park (lands located from Winona Road to Fifty Road in-between the QEW and CN Railway) as a Mixed Use Centre, which could include a department store, grocery store, and inter-regional, multi modal transportation terminal utilizing special location aspects of exposure and access to the QEW. The maximum gross floor area for food oriented retail shall not exceed 4,180 square metres. The Stoney Creek Official Plan will contain detailed policies to ensure development of the areas as a Mixed Use Centre.”

**2. That the former City of Stoney Creek Official Plan be amended as follows:**

**Map Changes**

- a) Schedule “A” - General Land Use Plan, be amended by redesignating a portion of the subject lands from “Highway Commercial” to “General Commercial”, and designating the remainder of the subject lands “General Commercial” and identifying the subject lands as OPA No. 150, as shown on the attached Schedule “A” to this Amendment.
- b) Re-labelling part of Parcel B to Parcel B1.

**Text Changes**

- c) Section A.12.6 - Special Policy Area “F” be amended by adding the following new sub-section as follows:

“12.6.2 In addition to Policy 12.6.1, the lands located at the southwest corner of Queen Elizabeth Way and Fifty Road, east of Winona Road, identified as Parcel B1 on Schedule A - General Land Use Plan, shall be developed as a mixed use centre including a range of retail uses and an inter-regional, multi modal transportation terminal.

**12.6.2.1 Permitted Uses**

- a) In addition to Sections A.3.1, A.3.2 and A.3.3.2 General Commercial, the following policies shall apply:
- i) The maximum gross leasable floor area of all retail

development shall be 41,200 square metres, excluding any building area associated with the inter-regional, multi modal transportation terminal.

- ii) One department store, with a maximum gross floor area of 17,000 square metres, of which a maximum gross floor area of 4,180 square metres for the sale and display of food shall be permitted.
  - iii) The maximum gross leasable floor area of all professional or business office buildings shall be 10,000 square metres, and an individual, free-standing office building shall not exceed 2,000 square metres.
- b) An inter-regional, multi modal transportation terminal shall be permitted, subject to the following:
- i) Access to the multi modal transportation terminal shall be promoted through provision of adequate conventional and specialized transit and pedestrian and cycling facilities. Limited commuter parking facilities may be permitted, where appropriate.
  - ii) New transit service to Parcel B1 shall be subject to sufficient demand and operational feasibility.
- c) No residential uses shall be permitted.

#### **12.6.2.2 Urban Design Guidelines**

- a) Prior to development of Parcel B1 at the southwest corner of the Queen Elizabeth Way and Fifty Road, the proponent shall complete Urban Design Guidelines for development of the site, to the satisfaction of the City. Urban Design Guidelines shall be in accordance with the following urban design principles and guidelines.

##### *Development Principles*

- b) The proposed development shall function as a community focal point and gateway into the City. Pedestrian activity shall be encouraged along a “central street”. 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.
- c) Parcel B1, at the southwest corner of the Queen Elizabeth Way and Fifty Road, shall be developed in accordance with the following general urban design principles:

- i) An urban form that is compatible with the adjacent commercial and industrial land uses;
- ii) A strong development image along the highly visible portions of the site comprised of multi-storey high building forms that are architecturally superior 'showcase buildings', complemented with high quality landscaping along the edge and interior of the site.
- iii) The unique location of the site, at the head of an arterial street, shall provide a gateway into the City, which is comprised of a high quality of design.
- iv) A strong development image with an internal circulation system including an internal "central street" which is a pedestrian-friendly environment that shall provide a central gathering point and focal point around which the development shall be organized;
- v) Gateways that promote a sense of arrival and facilitate connectivity, orientation and 'way finding' to, and within, the site for both vehicles and pedestrians;
- vi) Attention shall be paid to framing views and vistas within the site by aligning buildings and building elements to create terminus views.
- vii) 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,
- viii) 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.

#### *General Built Form Design Policies*

- d) Development within Parcel B1 at the southwest corner of the Queen Elizabeth Way and Fifty Road shall be developed in accordance with the following urban design policies:
  - i) Buildings shall be sited and designed to enhance the public nature of streets, open spaces and pedestrian routes.
  - ii) Buildings shall be located close to the street line with minimal setback from the edge of the road allowance to provide for a pedestrian-friendly streetscape. Buildings along the South

Service Road can be located further from the street to achieve a 'front-yard garden' landscape treatment.

- iii) Commercial buildings and their principal entrances shall be located at grade, easily accessible from the public sidewalk.
  - iv) Building heights shall be scaled to the pedestrian.
  - v) 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.
  - vi) The main entrance of buildings shall be emphasized in the design of buildings.
  - vii) Canopies over doorways, arcades and other treatments are encouraged to provide weather-protected useable outdoor space.
  - viii) 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.
  - ix) The ground floor coverage of buildings should be maximized.
  - x) 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.
  - xi) All buildings on a public street shall be designed with windows and signage facing the street. Spandrel glass shall not be considered as windows.
  - xii) Buildings are to be generally sited to face the street.
  - xiii) All façades 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.
- e) In addition to Policy 12.6.2.2 d), buildings located along South Service Road and Winona Road:

- i) 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.
  - ii) Drive-through stacking lanes shall be located toward the side or rear of buildings, and shall not face the public street.
- f) In addition to Policy 12.6.2.2 d) buildings located along the “central street”:
  - i) Buildings shall address both sides of the street line where in a prominent fashion to create a pleasant and attractive pedestrian experience and facilitate interaction between different activities.
  - ii) Design features such as varied roof lines, building fenestration, and canopies shall be encouraged on all façades of buildings.
  - iii) On-street parking is encouraged to provide the ‘look and feel’ of a public street, while supporting pedestrian friendly urban design principles.

### *Gateways*

- g) 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 shall be integrated into parcel B1 site: Entry Gateways and Corner Gateways.
  - i) Entry Gateways clearly identify vehicular entry points in the site, and shall include information signage for traffic circulation.
  - ii) Corner Gateways shall serve as primary project indicators. Corner Gateways area given special architectural design and landscape treatment subject to the following design elements:
    1. Building entrances should open onto the corner.
    2. 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.

### *Setbacks and Building Frontage*

- h) Minimum and maximum setbacks shall be set out in the Zoning by-law according to the following:
  - i) 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.

### *Pedestrian Realm*

- i) The pedestrian realm within Parcel B1 shall be developed in accordance with the following policies:
  - i) Primary and secondary pedestrian systems that connect pedestrians to all buildings, the interior 'central street', a 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.
  - ii) 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.
  - iii) Pedestrian weather protection systems including awnings, canopies, colonnades, or front porches, along the sidewalk edge of pedestrian streets, including along the interior street.
  - iv) Barrier-free design of buildings, streets, and publicly accessible exterior spaces shall be implemented.
  - v) Crosswalks and differentiated paving materials and patterns shall be constructed to identify pedestrian routes where they cross streets and other vehicular routes.
  - vii) 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.



### *Landscape Areas and Buffers*

- j) Landscape areas and buffers within Parcel B1 shall be developed in accordance with the following policies:
  - i) Landscaping shall be used to enhance the overall aesthetic qualities of the development with a high quality design of hard and soft landscape elements and features practiced in accordance with the highest industry design standards to create pedestrian comfort, soften edges, highlight gateways, screen loading and service areas, and buffer from neighbouring uses.
  - ii) Landscape areas shall be provided as a screen or buffer to address the interface with existing industrial or rail frontages.
  - iii) Landscape buffers shall be provided to screen loading and service areas from the street.
  - iv) 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.
  - v) The Zoning By-law regulation shall identify a minimum landscaped area as a percentage of the overall property area.

### *Parking Entrances, Loading Zones and Service Lanes*

- k) Parking entrances, loading zones and service lanes within Parcel B1 shall be developed in accordance with the following policies:
  - i) 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.
  - ii) Parking entrances, loading zones and service lanes shall have the least possible impact on the streetscape and public open spaces.
  - iii) 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.

- iv) 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.
- v) 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.
- vi) Loading zones and service lanes shall be located to avoid conflict with pedestrian and vehicular traffic.
- vii) 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.
- viii) 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.

#### *Vehicular Access*

- l) Vehicular access within Parcel B1 shall be developed in accordance with the following policies:
  - i) 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.
  - ii) Shared access points shall be encouraged to reduce the number of curb cuts and facilitate pedestrian movement.

#### *Signage*

- m) Signage within Parcel B1 shall be subject to the following policies:
  - i) Signage shall comply with the Sign By-law.

- ii) Signage shall be designed in a manner integral to the building design in terms of size, form, material, and colour.
- iii) Way finding signage shall be implemented along major vehicular and pedestrian routes.
- iv) Signage along all pedestrian routes, the interior 'central street' shall be provided at pedestrian scale.
- v) Lighting on the interior 'central street', the proposed street, and other pedestrian routes shall be pedestrian scale.

### **12.6.2.3 Energy and Environmental Design Guidelines**

- a) Prior to development of Parcel B1, at the southwest corner of the Queen Elizabeth Way and Fifty Road, the proponent shall submit energy and environment design development guidelines for development of the site, to the satisfaction of the City. Energy and Environmental Design Guidelines shall address the following among others:
  - i) The use of environmental building rating systems, such as certification under the Leadership in Energy and Environmental Design (LEED), or other equivalent rating system for buildings and infrastructure.
  - ii) Design practices and features that reduce energy and resource consumption such as green/white roofs, solar energy, use of reclaimed building materials etc., where appropriate.
  - iii) Water and storm water conservation practices.
  - iv) Integration of public transit within and to the site, subject to Policy 12.6.2.1 b).
  - v) Integration of pedestrian amenities subject to Policy 12.6.2.2 i)
  - vi) Other eco-development standards/practices that encourage energy efficiency and environmental design as contained in City's approved engineering policies and standards and master planning studies, and are supported by the City's financial incentive programs."

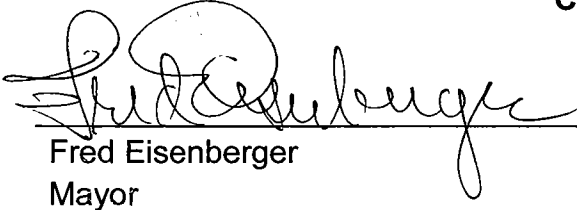
**Implementation:**

An implementing Zoning By-law Amendment will give effect to this Amendment.

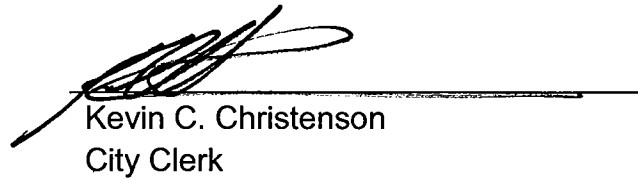
This is Schedule "1" to By-law No. 09-183, passed on the 13th day of August, 2009.

**The**

**City of Hamilton**



Fred Eisenberger  
Mayor



Kevin C. Christenson  
City Clerk

