City-Initiated Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) Applications for a 45 storey tall building located on Pier 8 Block 16, West Harbour

What is happening at Pier 8 – Block 16?

The City of Hamilton’s Municipal Land Development Office (MLDO) has initiated Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) applications on lands identified as Pier 8 Block 16 located at 65 Guise Street. Through these applications, the City is revisiting a small portion (0.35 ha) of the broader Pier 8 development site that were comprehensively planned for redevelopment in 2017 as a mixed use neighbourhood.

These development applications, submitted under the Planning Act, propose a tall building consisting of approximately 429 residential units. Notwithstanding the proposed increase in height on Block 16, there is no increase to the overall number of proposed units on Pier 8.

The proposed tall building is intended to achieve landmark status serving as a visual anchor within the waterfront that is emblematic of the revitalization of the Hamilton Harbour. The proposed building is organized around two cylindrical forms, conjoined below the 31st floor and with a singular cylindrical form rising to 45 storeys.

Development of Block 16 is part of the redevelopment plan of Pier 8 and the larger West Harbour area. Over the next several years, Hamilton’s waterfront will be transformed into a vibrant, mixed-use, pedestrian-friendly and transit-supportive destination.

What are the development applications for?

The applications submitted under the Planning Act consist of an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA). These applications propose to:

- change the Institutional land use designation to permit residential and mixed uses;
- establish a special policy permitting a maximum height of 45 storeys along with other policies and regulations to guide the form and development of the tall building; and
- include affordable housing and family-unit housing options.

Who is the developer?

The lands are currently owned by the City of Hamilton but will ultimately be transferred to the developer, Waterfront Shores Corporation (WSC), pursuant to an Agreement of Purchase and Sale. This developer and agreement are the outcome of the Pier 8 development Request for Proposal (RFP) process which concluded in 2018 when City Council approved the development concept and selected WSC as the Preferred Proponent.
Why did the City initiate these applications?

Piers 7 and 8 Ontario Land Tribunal Appeal and 2019 Minutes of Settlement

In 2017, City Council enacted zoning and approved a draft plan of subdivision for Piers 7 and 8, encompassing Block 16. These planning instruments were subsequently appealed to the Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal). An agreement was reached by way of Minutes of Settlement between the City, Waterfront Shores Corporation (WSC), and the Harbour West Neighbours Inc. (HWN) to resolve the appeal filed by HWN.

The Minutes of Settlement direct the City to bring forward, for Planning Committee and Council’s consideration, an Official Plan Amendment (OPA) to the West Harbour (Setting Sail) Secondary Plan and an implementing Zoning By-law Amendment (ZBA) that would redesignate and rezone the existing institutional block (Block 16) on Pier 8 to permit either residential or mixed use development in a mid-rise (later defined as 5-12 storeys) or high-rise (later defined as +12 storeys form). The terms of the settlement require that the City bring forward an OPA and ZBA within one year of the date of execution of the Settlement. This timeframe was subsequently extended due to the Covid-19 pandemic.

Provisions within the settlement also encourage additional family units (2 bedroom or more) within the development and specify a proportionate increase of family units relative to the proposed height.

2021 Council Approval of Pier 8 – Block 16 Urban Design Guidelines and Implementation Strategy

In order to fulfill the settlement commitments and OP policies, a review of the existing Pier 7 and 8 Urban Design Study (2016) was required. This review assessed the opportunity and design parameters required to accommodate a mid-rise or tall building on Block 16. Related to this review, was the requirement to develop urban design guidelines to evaluate any development applications for mid-rise or tall building proposals on the site.

In September 2021, Council approved Report PED21018 “Pier 8 Block 16 Urban Design Guidelines and Implementation Strategy”. Neither the approval of the urban design guidelines nor the approval of the implementation process constituted an adoption of a position on a tall building proposal by Council or by Planning staff. The urban design guidelines do not propose a height, rather they establish a framework in which to evaluate development applications.

OPA and ZBA applications on the Subject Lands must go through the same statutory planning processes as any private development proposal. Planning staff will review and make a recommendation to Planning Committee and Council, and ultimately Council will determine whether or not it supports the proposed tall building.

What is the process related to these applications?

As the next step in the Council-approved implementation process for Block 16, the Municipal Land Development Office (MLDO) within the Economic Development Division has submitted the required OPA and ZBA applications which propose a tower that is 147 metres in height or 45 storeys. The applications
include supporting technical material from WSC (e.g. architectural report, urban design brief, noise study and wind study).

The Planning Division has accepted the development applications and will be processing the applications in accordance with the Planning Act. Following the City’s standard development application review process, the Planning Division is currently completing the ‘intake’ process of the applications, including deeming the applications complete, issuing public notices and commencing the technical circulation for review and comment.

Given the significance of these lands and of the applications, the Council-approved implementation strategy also includes an enhanced public engagement process and design review process, including a special Design Review Panel, with members selected specifically to review and comment on the subject development applications. Notification of these meetings will be communicated to the public and other stakeholders through various channels within the Planning and Economic Development Department, and in accordance with Planning Act statutory Public Meeting requirements.

To facilitate community engagement with the application process, this information, along with all the background studies and files, will be prominently displayed on City of Hamilton’s West Harbour webpage. This page will be updated as the process progresses, and MLDO staff will also be communicating directly to those members of the public who have joined the West Harbour database.

Below is an illustration of the Implementation Process:
How can I stay informed and get involved?

- **Participate in the Planning Process for Official Plan Amendment and Zoning By-law Amendment Applications (Files: ZAC-22-003/UAOPA-22-001, Guise St – Pier 8):**
  The public participation process for these applications are prescribed by the *Ontario Planning Act*, R.S.O., c. P.13. For details on how to formally participate in the planning process, provide comments or submit questions related to the *Planning Act* applications, please contact:

  City of Hamilton Senior Planner, Mark Kehler  
  Email: mark.kehler@hamilton.ca  
  Phone: 905-546-2424 ext. 4148

- **Sign up to receive West Harbour updates.**

- **Contact the Municipal Land Development Office (MLDO):**  
  Email: westharbour@hamilton.ca or call (905) 546-2424 ext. 2085

- **Review technical materials related to the development applications available on City’s website:**  
  [www.hamilton.ca/pier8block16](http://www.hamilton.ca/pier8block16)  
  1. Planning Justification Report (Webb Planning Consultants)  
  2. Urban Design Brief (WND Associates)  
  3. Architectural Report (KPMB Architects)  
  4. Pedestrian Wind Assessment (RWDI)  
  5. Noise Feasibility Study (GHD Limited)  
  6. Certificate of Property Use  
  7. OPA/ZBA Application Form  
  8. Draft M-Plan

- **West Harbour Redevelopment Information:**  
  More information about redevelopment of the West Harbour can be found on the City’s website: [www.hamilton.ca/westharbour](http://www.hamilton.ca/westharbour)

- **View the Pier 8 development concept video.**