



**City of Hamilton**  
**WEST HARBOUR DEVELOPMENT**  
**SUB-COMMITTEE**

**Meeting #:** 19-004  
**Date:** December 18, 2019  
**Time:** 9:00 a.m.  
**Location:** Room 264, 2nd Floor, City Hall  
71 Main Street West

Tamara Bates, Legislative Coordinator (905) 546-2424 ext. 4102

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	<b>Pages</b>
<b>1. CEREMONIAL ACTIVITIES</b>	
<b>2. APPROVAL OF AGENDA</b>	
(Added Items, if applicable, will be noted with *)	
<b>3. DECLARATIONS OF INTEREST</b>	
<b>4. APPROVAL OF MINUTES OF PREVIOUS MEETING</b>	
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<b>5. COMMUNICATIONS</b>	
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<b>8. PUBLIC HEARINGS / DELEGATIONS</b>	
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11. MOTIONS
12. NOTICES OF MOTION
13. GENERAL INFORMATION / OTHER BUSINESS
14. PRIVATE AND CONFIDENTIAL
15. ADJOURNMENT



## Hamilton

### **West Harbour Development Sub-Committee Minutes 19-003**

1:00 p.m.

Tuesday, October 22, 2019  
Room 264, 2<sup>nd</sup> Floor, City Hall  
71 Main Street West  
Hamilton, Ontario

**Present:** Mayor F. Eisenberger  
Councillors J. Farr (Chair), M. Wilson (Vice-Chair), C. Collins, and  
J.P. Danko

#### **THE FOLLOWING ITEMS WERE REFERRED TO THE GENERAL ISSUES COMMITTEE FOR CONSIDERATION:**

**1. Increase of 0.13% for Capital Financing of West Harbour Development (Item 10.1)**

**(Collins/Danko)**

That the matter of a 0.13% increase for capital financing of West Harbour Development (WH) for a total of 1.3% tax increase, be received.

**CARRIED**

**2. Piers 6 and 7 Commercial Village Activation Plan (PED19191(a)) (Ward 2) (Item 10.2)**

**(Wilson/Danko)**

(a) That staff report back to the West Harbour Development Sub-Committee with draft sale documents for approval, including recommendations on the disposition phasing and conditions of sale that seek to ensure that development of any disposed lands happens in a timely fashion, contributes to the success and vibrancy of the public space on Piers 6 and 7, **and** provides a high quality of design, **and recognises Hamilton's declared climate emergency by adhering to environmentally sustainable building principles;**

(b) That staff from the Tourism and Culture Division be directed to prepare and execute an agreement with an external entity to a maximum value of

\$40,000 for the implementation of operating and programming temporary animation of the Piers 5 to 8 lands, with nominal cost for leasing of the lands, for the period beginning in the Spring season of 2020 to approximately the end of the Fall season 2020, to be funded through Project 4411606003 (West Harbour Community Engagement) in a manner and on conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, and in a form acceptable to the City Solicitor.

**Result: Main Motion, as Amended CARRIED by a vote of 5 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
 YES - Ward 5 Councillor Chad Collins  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Chair - Ward 2 Councillor Jason Farr  
 YES - Mayor Fred Eisenberger

**3. West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works (PW19090) (Ward 2) (Item 10.3)**

**(Collins/Farr)**

- (a) That staff be authorized to direct the Hamilton Waterfront Trust to proceed with tenders for 100% of the previously approved Capital works, in the amount of \$13.5M, on Piers 5-7 for the following projects in 2019:
- (i) Project ID 4411506107 – Piers 5-7 Marina Shoreline Rehab (Approved Budget \$10.2M); and
  - (ii) Project ID 4411606102 – Piers 5-7 Boardwalk (Approved Budget \$3.3M);
- (b) That staff be directed to make necessary modifications to the West Harbour Capital program to re-direct funding allocated to future projects to the Piers 5-7 Public Realm Project with the intent to not increase the overall program budget in years 2020-2022.
- (c) ***That construction of the permanent Macassa Bay Police Marine Unit facility be deferred to 2022+ in order to allow the City to optimize the value of the investment made in the temporary structure.***

**Result: Motion, as Amended CARRIED by a vote of 3 to 1, as follows:**

NO - Ward 1 Councillor Maureen Wilson  
 YES - Ward 5 Councillor Chad Collins  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Chair - Ward 2 Councillor Jason Farr  
 NOT PRESENT - Mayor Fred Eisenberger

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

The Committee Clerk advised that there were no changes to the Agenda.

**(Collins/Wilson)**

That the Agenda for the October 22, 2019 meeting of the West Harbour Development Sub-Committee be approved, as presented.

**Result: Motion CARRIED by a vote of 3 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
 YES - Ward 5 Councillor Chad Collins  
 NOT PRESENT - Ward 8 Councillor John-Paul Danko  
 YES - Chair - Ward 2 Councillor Jason Farr  
 NOT PRESENT - Mayor Fred Eisenberger

**(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES (Item 4)**

**(i) September 9, 2019 (Item 4.1)**

**(Collins/Wilson)**

That the Minutes for the September 9, 2019 meeting of the West Harbour Development Sub-Committee be approved, as presented.

**Result: Motion CARRIED by a vote of 3 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
 YES - Ward 5 Councillor Chad Collins  
 NOT PRESENT - Ward 8 Councillor John-Paul Danko  
 YES - Chair - Ward 2 Councillor Jason Farr  
 NOT PRESENT - Mayor Fred Eisenberger

**(d) DISCUSSION ITEMS (Item 10)**

**(i) For the Consideration of the West Harbour Development Sub-Committee: 0.13% Increase for Capital Financing of West Harbour Development (Item 10.1)**

**(Collins/Wilson)**

That consideration of Item 10.1, For the Consideration of the West Harbour Development Sub-Committee: 0.13% Increase for Capital Financing of West Harbour Development, be deferred until following the consideration of Item 10.3.

**Result: Motion CARRIED by a vote of 3 to 0, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
 YES - Ward 5 Councillor Chad Collins  
 NOT PRESENT - Ward 8 Councillor John-Paul Danko  
 YES - Chair - Ward 2 Councillor Jason Farr  
 NOT PRESENT - Mayor Fred Eisenberger

**(ii) Piers 6 and 7 Commercial Village Activation Plan (PED19191(a))  
(Ward 2) (Item 10.2)**

**(Wilson/Danko)**

That sub-section (a) of Report PED19191(a), respecting Piers 6 and 7 Commercial Village Activation, be amended to include among the conditions of sale, adherence to sustainable building principles in keeping with the climate emergency, as follows.

- (a) That staff report back to the West Harbour Development Sub-Committee with draft sale documents for approval, including recommendations on the disposition phasing and conditions of sale that seek to ensure that development of any disposed lands happens in a timely fashion, contributes to the success and vibrancy of the public space on Piers 6 and 7, **and** provides a high quality of design, **and adheres to sustainable building principles in keeping with the climate emergency;**

**Result: Amendment CARRIED by a vote of 4 to 1, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
 YES - Ward 5 Councillor Chad Collins  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Chair - Ward 2 Councillor Jason Farr  
 NO - Mayor Fred Eisenberger

For further disposition of this matter, see Item 2.

**(iii) West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works (PW19090) (Ward 2) (Item 10.3)**

**(Collins/Farr)**

That a new sub-section (c) be added to Report PW19090, respecting West Harbour Strategic Initiatives Piers 5-7 Public Realm Capital Works, as follows:

- (c) ***That construction of the permanent Macassa Bay Police Marine Unit facility be deferred to 2022+ in order to allow the***

*City to optimize the value of the investment made in the temporary structure.*

**Result: Motion CARRIED by a vote of 3 to 1, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
YES - Ward 5 Councillor Chad Collins  
NO - Ward 8 Councillor John-Paul Danko  
YES - Chair - Ward 2 Councillor Jason Farr  
NOT PRESENT - Mayor Fred Eisenberger

**(e) ADJOURNMENT (Item 15)**

**(Wilson/Collins)**

That, there being no further business, the West Harbour Development Sub-Committee be adjourned at 11:16 a.m.

**CARRIED**

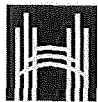
Respectfully submitted,

Councillor J. Farr, Chair  
West Harbour Development  
Sub-Committee

Tamara Bates  
Legislative Coordinator  
Office of the City Clerk








Hamilton

## INFORMATION REPORT

<b>TO:</b>	Chair and Members West Harbour Development Sub-Committee
<b>COMMITTEE DATE:</b>	December 18, 2019
<b>SUBJECT/REPORT NO:</b>	Piers 6-8 Interim Parking (PW17076(a)) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>PREPARED BY:</b>	Gavin Norman (905) 546-2424 Ext. 4812
<b>SUBMITTED BY:</b>	Gord McGuire Director, Engineering Services Public Works Department
<b>SIGNATURE:</b>	

### COUNCIL DIRECTION

N/A

### INFORMATION

The purpose of this report is to advise Council how vehicle parking on Piers 6 - 8, to be displaced as a result of the Piers 5-7 Public Realm project and development of Pier 8, is being accommodated through construction and in the longer term.

The West Harbour Waterfront Recreation Master Plan (WHWRMP), approved in April 2010, contains a set of public realm improvements to the West Harbour's recreational waterfront intended to enhance public spaces and opportunities for the public to access the water's edge. Implementation of the plan for Piers 5-7 (boardwalk and commercial village) results in the elimination of approximately 115 off-street parking on Piers 6 and 7 used by the Hamilton-Oshawa Port Authority's (HOPA) Harbour West Marina and its customers.

To address both the loss of parking and need for additional parking expected through planned increases in recreational uses, development of Pier 8 and visitors to the area, both the WHWRMP (2010) and the West Harbour Parking Strategy (2017) recommended a parking garage. This parking garage forms an integral component of the West Harbour Redevelopment Strategy and capital budget and is necessary if the

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**SUBJECT: Piers 6-8 Interim Parking (PW17076(a)) (City Wide) - Page 2 of 3**

City intends to realize its redevelopment goals. The parking garage with a capacity for 500-600 vehicles is currently planned for the 2024+ timeframe. Its final location has not been determined and is subject to additional study.

In the interim, to address the changes in parking needs including the elimination of parking at Harbour West Marina, the West Harbour Parking Strategy identified opportunities to provide temporary parking on Pier 8 for both existing uses (i.e. Harbour West patrons) and the expected increase in parking demand as redevelopment of the waterfront proceeds.

#### Interim Temporary Surface Parking on Pier 8

The development of Pier 8 will be phased over time so there is an opportunity to utilize undeveloped land parcels for surface parking in the interim. This will defer the need to implement the planned parking garage to 2024+.

It is estimated that up to approximately 1,000 surface parking spaces can be accommodated on Pier 8 within the undeveloped land parcels in the short term. As development proceeds and land parcels become unavailable, the number of spaces available will diminish; however, it is projected that in the 2024+ timeframe up to approximately 600 surface spaces could still be available on Pier 8. The pace of development and the change in parking needs will ultimately drive when the parking garage will need to be built.

#### Short Term Needs – Piers 6 and 7

Although 115 parking spaces on Piers 6 and 7 will be eliminated with development of the Piers 5-7 project, documented utilization of this parking area peaks at approximately 50% during peak times in the summer (i.e. up to 60 spaces needed).

The supply for up to 60 spaces during peak periods to accommodate Harbour West patrons include 338 existing spaces in the adjacent Leander Drive area (Pier 4 and 5) and up to 1,000 temporary spaces that will be created on the undeveloped land parcels on Pier 8. In the short term, the creation of temporary spaces on Pier 8 could lead to an overall increase in parking supply for the area.

In addition to Pier 8, staff is investigating opportunities for on-street parking along Guise Street to provide additional supply. Adding on-street parking would be beneficial to the area during peak times in the summer; e.g. sailing regattas and special events at Pier 4 Park and may reduce pressure on adjacent streets to the south.

Exhibit 1, included in Appendix "A" to Report PW17076(a) illustrates the interim parking supply for Piers 6 through 8 in the short term.

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**SUBJECT: Piers 6-8 Interim Parking (PW17076(a)) (City Wide) - Page 3 of 3**

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**APPENDICES AND SCHEDULES ATTACHED**

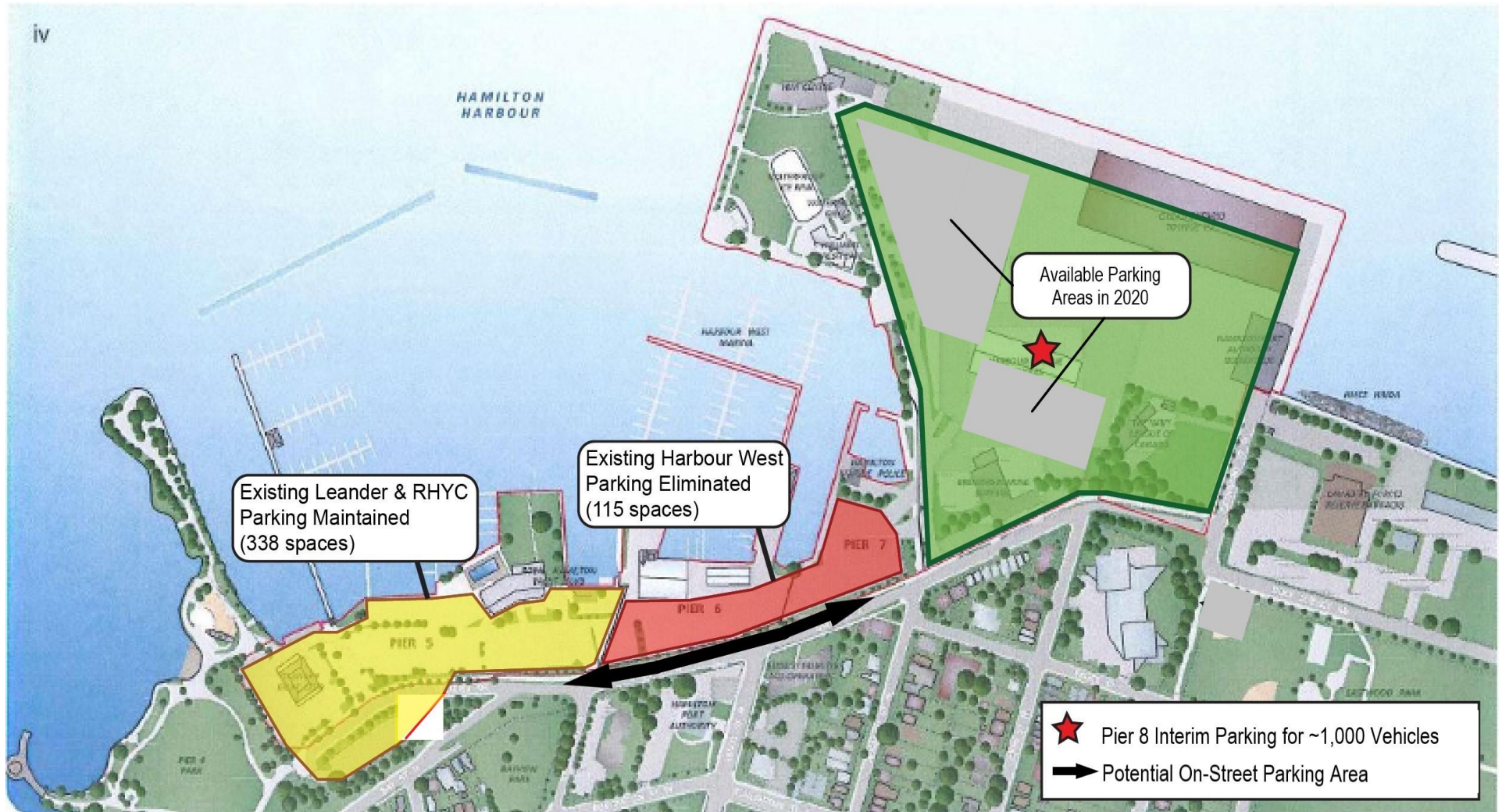
Appendix "A" to Report PW17076(a) Exhibit A - Interim Parking Supply for Piers 6 - 8

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Exhibit 1 - Interim Parking Supply for Piers 6 - 8








Hamilton

**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT**  
**General Manager's Office**

<b>TO:</b>	Chair and Members West Harbour Development Sub-Committee
<b>COMMITTEE DATE:</b>	December 18, 2019
<b>SUBJECT/REPORT NO:</b>	Pier 6 and 7 Land Disposition Plan (PED19191(b)) (Ward 2)
<b>WARD(S) AFFECTED:</b>	Ward 2
<b>PREPARED BY:</b>	Chris Phillips 905-546-2424 Ext. 5304 Ray Kessler 905-546-2424 Ext. 7019 David McCullagh (905) 546-242 Ext.1647
<b>SUBMITTED BY:</b>	Jason Thorne General Manager Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That Area 1 comprised of approximately 1,066.00 square meters; Area 2 comprised of approximately 1,483.38 square meters; Area 3 comprised of approximately 1,221.29 square meters; and Area 4 comprised of approximately 1,342.50 square meters be individually severed from the portion of the lands commonly known as Piers 5, 6 & 7 comprising part of the West Harbour and more specifically all part of PIN 175790165 (LT) as depicted in Appendix "A" attached to Report PED19191(b), (final property limits to be determined by survey) and declared surplus to the requirements of the City of Hamilton in accordance with the "Procedural By-law for the Sale of Land", being By-law No. 04-299;
- (b) That staff from the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department be authorized and directed to sell the lands known as Areas 1 to 4 of Pier 6 and 7, in accordance with the "Procedural By-law for the Sale of Land", being By-Law 04-299, and include the proposed terms and conditions of a structured transactional offering as outlined in Report PED19191(b);
- (c) That the General Manager, Planning and Economic Development Department, or designate, be authorized and directed to negotiate and enter into the relevant real estate agreements (e.g. Agreement of Purchase and Sale), on terms and

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**SUBJECT: Pier 6 and 7 Land Disposition Plan (PED19191(b)) (Ward 2) - Page 2 of 8**

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conditions consistent with those outlined in Report PED19191(b), including the imposition of covenants and contractual performance obligations, and such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development;

- (d) That the net proceeds of the sale of each of the lands known as Area 1 to 4 of Pier 6 and 7 be deposited in capital project 4411606002 entitled "West Harbour Real Estate Disposition" and that all associated legal costs, appraisal fees, real estate and legal fees, environmental and geotechnical studies (if required), survey and property maintenance costs related to each of the subject properties be sourced from this account;
- (e) That the City Solicitor be authorized to complete the transactions for the disposition of the lands known as Area 1 to 4 of Pier 6 and 7 on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable;
- (f) That Mayor and Clerk be authorized to execute any resultant necessary documents associated to the disposition of the lands known as Area 1 to 4 of Pier 6 and 7 as contemplated in this Report PED19191(b), in a form satisfactory to the City Solicitor.

## **EXECUTIVE SUMMARY**

On October 9, 2019, Council approved the General Issues Committee (GIC) Report which included the following motion from the West Harbour Development Sub-Committee Report 19-002:

"That staff be directed to immediately market the individual development blocks for Piers 6 and 7 for sale to the private sector".

Staff Report PED19191(a) identified the general strategy to implement this Council direction to immediately market the individual development blocks for sale to the private sector; specified a work plan and timelines for the execution; highlighted several key background elements that are required prior to marketing the properties; and, committed to reporting back to the West Harbour Development Sub-Committee with recommendations for the conditions of sale prior to going to market.

Subsequently, on November 27, 2019, Council approved GIC Report 19-024 including the Report PED19191(a) entitled Piers 6 and 7 Commercial Village Activation Plan, which include the following direction:

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**SUBJECT: Pier 6 and 7 Land Disposition Plan (PED19191(b)) (Ward 2) - Page 3 of 8**

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“That staff report back to the West Harbour Development Sub-Committee with draft sale documents for approval, including recommendations on the disposition phasing and conditions of sale that seek to ensure that development of any disposed lands happens in a timely fashion, contributes to the success and vibrancy of the public space on Piers 6 and 7, provides a high quality of design, and recognizes Hamilton’s declared climate emergency by adhering to environmentally sustainable building principles.”

Report PED19191(b) addresses the Council direction for staff to report back to the West Harbour Development Sub-Committee for approval on a recommended disposition phasing and conditions of sale for the identified City-owned properties. Appendix “A” to Report PED19191(b) is a Site Map of the Pier 6 and 7 development-blocks.

The real estate land disposition approach will involve a structured offering process whereby the best valued offer in both monetary and developmental value to the City, that meets the prescribed conditions will be chosen to negotiate towards entering into an Agreement of Purchase and Sale.

Specifically, staff recommends the following non-monetary conditions be incorporated as part of the structured offering process:

- i. Construction must have commenced within three years from real estate transaction closing;
- ii. Limitation of the purchaser to sell or transfer the property/properties for a period of 10-years;
- iii. Block-by-block disposition will take place in a singular process;
- iv. Land-use and curation of uses will be controlled by current planning framework; and,
- v. Within the defined structured offering process, notable consideration will be given to bids that commit to design and construction techniques which demonstrate a consideration for environmental impacts and sustainable development.

Staff believe the phasing plan and conditional elements places the City in a position to maximize value that may be realized from the disposition of these properties depicted in Appendix “A”, completing transactions that reflect fair market-value, while addressing other key non-financial elements as detailed in the Analysis and Rationale for Recommendation section of Report PED19191(b).

**Alternatives for Consideration – N/A**

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**SUBJECT: Pier 6 and 7 Land Disposition Plan (PED19191(b)) (Ward 2) - Page 4 of 8**

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**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** There are no operational or capital financial implications related to the recommendations in this Report PED19191(b). Any costs related to the undertaking of these recommendations in Report PED19191(b) will be recovered from the proceeds of sale.

**Staffing:** There are no additional staffing implications arising from these recommendations.

It is anticipated that the recommendations will be implemented by existing West Harbour staff and staff from the Real Estate Section of the Economic Development Division of the Planning and Economic Development Department.

**Legal:** Legal Services Division will work with Real Estate in the preparation of any required documents.

**HISTORICAL BACKGROUND**

On October 9, 2019, Council approved General Issues Committee (GIC) Report which included the following motion from the West Harbour Development Sub-Committee Report 19-002:

“That staff be directed to immediately market the individual development blocks for Piers 6 and 7 for sale to the private sector.”

On November 27, 2019, Council approved GIC Report 19-024 including the Report PED19191(a) entitled Piers 6 and 7 Commercial Village Activation Plan, with direction as follows:

- (i) That staff reports back to the West Harbour Development Sub-Committee with draft sale documents for approval, including recommendations on the disposition phasing and conditions of sale that seek to ensure that development of any disposed lands happens in a timely fashion, contributes to the success and vibrancy of the public space on Piers 6 and 7, provides a high quality of design, and recognizes Hamilton’s declared climate emergency by adhering to environmentally sustainable building principles; and,
- (ii) That staff from the Tourism and Culture Division be directed to prepare and execute an agreement with an external entity to a maximum value of \$40 K for the implementation of operating and programming temporary animation of the Piers 5 to 8 lands, with nominal cost for leasing of the lands, for the period beginning in

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**SUBJECT: Pier 6 and 7 Land Disposition Plan (PED19191(b)) (Ward 2) - Page 5 of 8**

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the Spring season of 2020 to approximately the end of the Fall season 2020, to be funded through Project 4411606003 (West Harbour Community Engagement) in a manner and on conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, and in a form acceptable to the City Solicitor.

Report PED19191(a) identified several steps to be taken to prepare the lands for disposition, including the following due-diligence components expectations:

- (a) Completion of a Reference Plan and survey of the four development blocks;
- (b) Identification of any environmental, soil stability, servicing and any other issues that may affect the constructability of the site;
- (c) Land appraisal of the four development blocks; and,
- (d) Establishment of the conditions to be incorporated into an agreement of purchase and sale.

The expected timeframes are as follows:

i.	Undertake Due Diligence: -Survey -Studies -Appraisal -APS	Nov. 2019–Feb. 2020
ii.	Preparation of Conditions of Sale	Oct. 2019-Dec. 2019
iii.	Report to WHD Sub-Committee	Dec. 2019
iv.	Develop Real Estate Marketing Documents	Feb. 2020
v.	Real Estate Listing Open Period	Feb. 2020-March 2020
vi.	Selection of Purchaser	April 2020
vii.	Purchaser Due Diligence Period	April-2020-July 2020
viii.	Property Closing Date	Dec. 2020

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

City Council, at its meeting of November 24, 2004, adopted the City's Portfolio Management Strategy Plan, which established a formalized process to be consistently applied across all areas of the City to guide the management of the City's real property. In accordance with the City's Portfolio Management Strategy, By-law 14-202, property

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**SUBJECT: Pier 6 and 7 Land Disposition Plan (PED19191(b)) (Ward 2) - Page 6 of 8**

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no longer required for municipal programs is declared surplus by Council and is disposed of in accordance with this policy. Properties are to be sold at fair market value in accordance with "Procedural By-Law for the Sale of Land", being By-Law 04-299.

**RELEVANT CONSULTATION**

N/A

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

The West Harbour Waterfront Recreation Master Plan (WHWRMP) envisioned four new development blocks to be created within the Pier 6 and 7 lands, as identified in Appendix "A". The identified individual development blocks have specific land use designations and zoning requirements, are self-contained within a relatively small area, will be adjacent to city-owned public space, and are limited by both density and height restrictions.

The real estate land disposition approach will involve a structured offering process with the purpose of achieving the following objectives:

- Maximize public exposure and awareness to respond to the real estate development opportunity;
- Achieve the highest net proceeds;
- Secure key performance outcomes by the use of restrictive covenants and contracted performance.

The framework will include the following elements:

1. Development and physical construction must have commenced within three years from real estate transaction closing date on Area 1 and Area 4 or eight years for Area 2 and Area 3 (as identified in Appendix "A"), with extension on reasonable grounds. Failure to meet these time-frames, at the City's option, may result in the property reverting to City ownership;
2. So as to discourage speculation, if a purchaser has not progressed with the development and physical construction within the prescribed time frame from the real estate closing date, a purchaser may not otherwise sell or transfer ownership of a property without first obtaining the City's approval, which may be arbitrarily withheld; and the City shall then, at its option, have the right to purchase back the property at its original transacted purchase price;
3. Development plans must address and demonstrate alignment with the WHWRMP and design guidelines;

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**SUBJECT: Pier 6 and 7 Land Disposition Plan (PED19191(b)) (Ward 2) - Page 7 of 8**

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4. Properties are being sold “as is”. A purchaser will be responsible for managing and funding the entire cost of all development and site conditions requirements, including, but not limited to, any environmental studies and issues, geotechnical studies and issues, site conditions and servicing, development charges and related fees;
5. Block-by-block Disposition will take place in a singular process. All four development-blocks will be offered at same time, either together or as stand-alone individual parcels.
6. Land-use will be controlled by current planning framework. There will be no further restrictions on land-use, aside from the approved planning framework (i.e. Secondary Plan, Zoning, Urban Design Study, Site Plan);
7. The marketing process will promote the City’s “vision” of the Piers 6 and 7 Commercial Village, as described within the WHWRMP. Restriction will be established by covenant respecting any proposed application to seek revisions to any Planning instruments (e.g. zoning, density limits, building heights etc.) either by consent or appeal. The properties are to remain as open space and unencumbered, until development occurs; and,
8. Restrictive covenants will be placed on the lands committing to design requirements that promote sustainable site and building designs that address building energy efficiency, to be based on the current City of Toronto Green Standards which requires 15% improvement over the Ontario Building code (OBC).

**ALTERNATIVES FOR CONSIDERATION – N/A**

**ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

**Economic Prosperity and Growth**

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

**Healthy and Safe Communities**

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

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**SUBJECT: Pier 6 and 7 Land Disposition Plan (PED19191(b)) (Ward 2) - Page 8 of 8**

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**Built Environment and Infrastructure**

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

**Culture and Diversity**

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

**Strategic Priority and Objective**

- 1.1 Continue to grow the non-residential tax base.
- 1.2 Provide opportunity for private sector investment and partnership towards the envisioned West Harbour re-development consistent with WHWRMP, Minutes of Settlement, Local Planning Appeal Tribunal PL140314, and Appendix "B" to Report PED19191(b).
- 1.3 Promote economic opportunities with a focus on Hamilton's downtown core, all downtown areas and waterfronts.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PED19191(b) – Pier 6 and 7 Site Map

Appendix "B" to Report PED19191(b) – Blocking Land Use Brief

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*OUR Vision: To be the best place to raise a child and age successfully.*

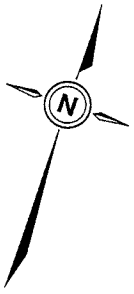
*OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.*

*OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.*

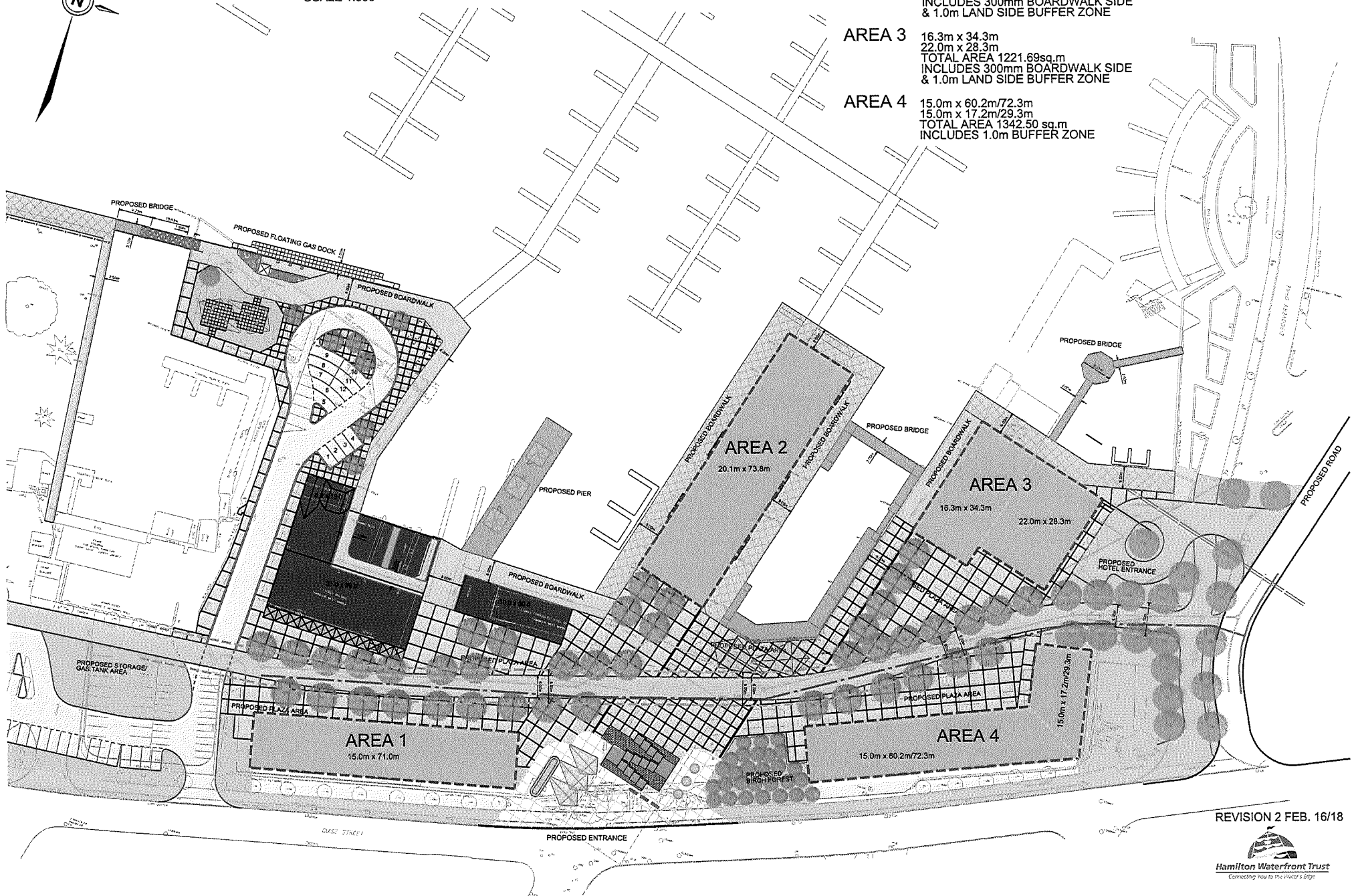
PLAN SHOWING

# PROPOSED BUILDING ENVELOPES FOR PIER 5, 6 & 7

SCALE 1:600



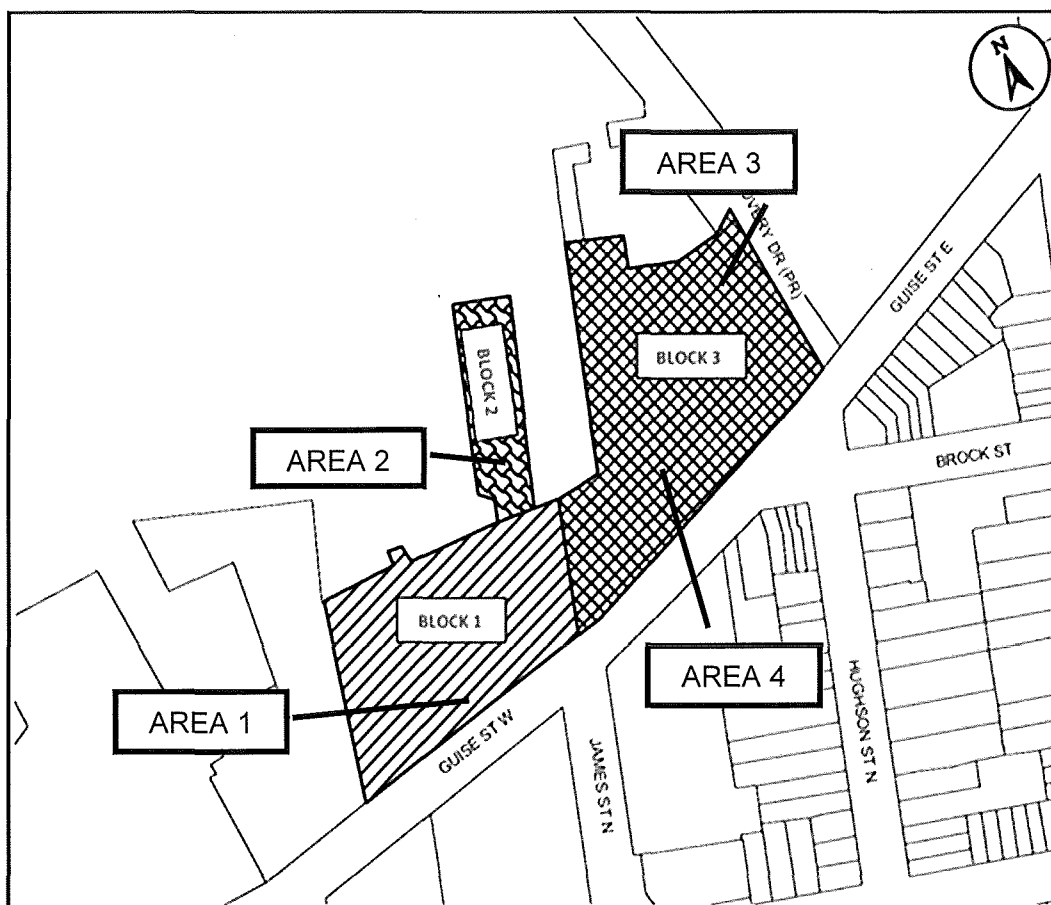
- AREA 1 15.0m x 71.0m  
 TOTAL AREA = 1065.00sq.m  
 INCLUDES 1.0m BUFFER ZONE
- AREA 2 20.1m x 73.8m  
 TOTAL AREA 1483.38sq.m  
 INCLUDES 300mm BOARDWALK SIDE  
 & 1.0m LAND SIDE BUFFER ZONE
- AREA 3 16.3m x 34.3m  
 22.0m x 28.3m  
 TOTAL AREA 1221.69sq.m  
 INCLUDES 300mm BOARDWALK SIDE  
 & 1.0m LAND SIDE BUFFER ZONE
- AREA 4 15.0m x 60.2m/72.3m  
 15.0m x 17.2m/29.3m  
 TOTAL AREA 1342.50 sq.m  
 INCLUDES 1.0m BUFFER ZONE



REVISION 2 FEB. 16/18



**Block Land Use Brief**



**SECONDARY PLAN & GUIDELINES:**

Official Plan Amendment No. 233 – respecting West Harbour Secondary Plan

Local Planning Appeal Tribunal – Minutes of Settlement PL140314



**Appendix “B” to Report PED19191(b)**  
**Page 2 of 2**

Zoning By-law	Block 1: F-S/1641-H	Block 2: F-S/1642-H	Block 3: F-S/1641-H
<b>Permitted Uses</b>	<ul style="list-style-type: none"> <li>- Residential (above the ground floor only, a non-residential use must be at grade level)</li> <li>- Offices (above the ground floor only)</li> <li>- Retail store</li> <li>- Bank machine</li> <li>- Photographer’s/artist’s studio</li> <li>- Restaurant, tavern or refreshment stand</li> <li>- Outdoor patio</li> <li>- Sailing, boating or navigational school (and ancillary small-scale commercial uses such as marine supply stores, boat service and repair shops)</li> <li>- Establishment for the sale of bait, the sale and rental of recreational equipment</li> <li>- Transient / visitor docks</li> </ul>	Same uses as Block 1 <u>except</u> offices are <u>not</u> permitted	Same uses as Block 1 plus the following: <ul style="list-style-type: none"> <li>- one hotel is permitted</li> <li>- Personal services only if accessory to a hotel</li> <li>- Offices above the ground floor are only permitted within a building that has frontage on Guise St.</li> </ul>
<b>Prohibited Uses</b>	<ul style="list-style-type: none"> <li>- Drive through facilities</li> <li>- Dry docks, dry sail, on-land boat storage</li> </ul>	Same as Block 1	Same as Block 1
<b>Height</b>	2 storeys (11.0 m) measured from the front façade facing Guise St., or 3 storeys (14.0m) measured from the rear façade facing Hamilton Harbour	3 storeys	3 storeys (14.0m) measured from the front façade facing Guise St., or 4 storeys (19.0m) measured from the rear façade facing Hamilton Harbour
<b>Holding Provision</b>	Holding provision can be removed conditional upon the implementation of the NEN Traffic Management Plan and the completion and approval of a servicing study.		