

**Draft Urban Hamilton Official Plan
Amendment No. XX**

The following text, together with:

| | |
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| Appendix “A” | Volume 1, Schedule E-1 – Urban Land Use Designations |
| Appendix “A1” | Volume 1, Schedule E-1 – Urban Land Use Designations |
| Appendix “B” | Volume 2, Waterdown North Secondary Plan – Land Use Plan – Map B.4.2-1 |
| Appendix “C” | Volume 2, Binbrook Village Secondary Plan – Land Use Plan – Map B.5.1-1 |
| Appendix “D” | Volume 2, Rymal Road Secondary Plan – Land Use Plan – Map B.5.2-1 |
| Appendix “E” | Volume 2, Western Development Area Secondary Plan – Land Use Plan – Map B.7.1-1 |
| Appendix “F” | Volume 2, Old Town Secondary Plan – Land Use Plan – Map B.7.2-1 |
| Appendix “G” | Volume 2, Urban Lakeshore Area Secondary Plan – Land Use Plan – Map B.7.3-1 |
| Appendix “H” | Volume 2, Nash Neighbourhood Secondary Plan – Land Use Plan – Map B.7.5-1 |
| Appendix “I” | Volume 2, West Mountain Area (Heritage Green) Secondary Plan – Land Use Plan – Map B.7.6-1 |
| Appendix “J” | Volume 3, Map H-5 – Area Specific Policies |

attached hereto, constitutes Official Plan Amendment XX to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose of this amendment is to include new policies and amend existing policies, schedules, and maps to ensure the new Commercial and Mixed Use zoning conforms to the UHOP.

The effect of this amendment to the Urban Hamilton Official Plan is to:

- Improve consistency between the Urban Hamilton Official Plan and the new Commercial and Mixed Use Zones to be included within the comprehensive Hamilton Zoning By-law 05-200;
- Add a new policy to allow Council to pass by-laws for certain legal non-conforming uses;

- Amend certain policies in the Pedestrian Predominant section of the Mixed Use Medium designation and change the name of “*Pedestrian Predominant Streets*” to “*Pedestrian Focus Streets*”;
- Revise mapping within the Secondary Plans to create consistency for properties with proposed Commercial and Mixed Use Zones; and,
- Amend general mapping and typographical errors to Volume 3.

2.0 Location:

The lands affected by this Amendment are located within the entire Urban Area of the City of Hamilton.

3.0 Basis:

The basis for permitting this Amendment is as follows:

- The changes allow for consistency between the policies of the Urban Hamilton Official Plan and the regulations proposed in the new Commercial and Mixed Use Zones;
- The changes allow for the amendment of Schedule E-1 and Secondary Plan, and Area Specific Policy mapping to reflect the new Commercial and Mixed Use Zones; and,
- The Amendment is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe.

4.0 Actual Text and Schedule/Map/Appendix Changes:

4.1 Volume 1 – Parent Plan

- a) That the term “*Pedestrian Predominant Streets*” be replaced with “*Pedestrian Focus Streets*” on all text, Schedules, and Appendices.

4.1.1 Chapter E – Urban Systems and Designations

Section E.4.3 - Pedestrian Predominant Street

- a) That Table 4.3.1 in Policy 4.3.1 be amended by:
- i) Adding the word “East” after “Barton Street” and replacing the phrase “Main Street East” with “Roxborough Avenue” in the following table line:

| | | |
|-------------------------|---------------|------------------|
| Kenilworth Avenue North | Barton Street | Main Street East |
|-------------------------|---------------|------------------|

and,

- ii) Adding the word “East” after “Barton Street”, adding the word “North” after “Sherman Avenue”, and adding the word “North” after “Wellington Street” in the following table line:

| | | |
|---------------|----------------|-------------------|
| Barton Street | Sherman Avenue | Wellington Street |
|---------------|----------------|-------------------|

so the table reads as follows:

| Street | From | To |
|-------------------------|----------------------|-------------------------|
| Hamilton | | |
| Kenilworth Avenue North | Barton Street East | Roxborough Avenue |
| Barton Street East | Sherman Avenue North | Wellington Street North |

- b) That Section E.4.3 be amended by adding a new policy as follows:

“4.3.5 In addition to Table E.4.3.1, lands adjoining a *Pedestrian Focus Street* may also be identified as belonging to a *Pedestrian Focus Street*, and policies under this section shall also apply.”

- c) That Policy E.4.3.4 d) be amended by:

- i) deleting the words ‘residential uses shall not be permitted on the ground floor’;
- ii) adding the words, ‘commercial uses shall only be permitted on the ground floor, and a place of worship and day nursery shall only be permitted above the ground floor’ in between ‘Designation,’ and ‘of’; and,
- iii) Deleting the words “on to” between the words “facing” and “a”, so the policy reads as follows:

“4.3.4 d) Notwithstanding Policy E.4.6.9 Mixed Use – Medium Density Designation, commercial uses shall only be permitted on the ground floor, and a place of worship and day nursery shall only be permitted above the ground floor of a building facing a *Pedestrian Focus Street*.”

Section E.4.8 - Arterial Commercial Designation

- d) That Policy E.4.8.2 a) be amended by adding the words ‘funeral home’ in between ‘halls,’ and ‘restaurants’, so the policy reads as follows:

“4.8.2 a) commercial uses including banquet halls, funeral homes, restaurants, furniture stores, building and lumber supply establishment, home improvement supply store, and retail primarily for the sale of building supplies;”

- e) That Policy E.4.8.2 c) be amended by deleting the word “theatre” and replacing it with “performing arts theatre and cinema”, so the policy reads as follows:

“4.8.2 c) commercial recreational uses, commercial entertainment uses, excluding performing arts theatre and cinema;”

4.1.2 Chapter F – Implementation

- a) That Section F.1.12 - Existing, Non-Complying and Non-Conforming Uses be amended by adding a new policy as follows:

F.1.12.10 Council may pass by-laws, in accordance with Subsection 34(1) of the Planning Act, R.S.O., 1990 c.P.13, as amended, to permit expansions or enlargements of any buildings or structures used for purposes prohibited in the applicable zoning by-law if the buildings or structures were lawfully used for the such purposes on the day of the passing of the applicable zoning by-law, provided the by-law maintains the intent and purpose of the this Plan.

4.1.2 Volume 1 – Schedules and Appendices

- a) That Schedule E-1 be amended by:

- i) redesignating the following lands from “Mixed Use – Medium Density” to “Neighbourhoods”, as shown on Appendix “A” of this amendment:

1. lands located in the general area of Dundas Street and York Road, Dundas;
2. lands located in the general area of Golf Links Road and Stone Church Road, Ancaster;
3. lands located in the general area of Highway 8 and Gray Road, Stoney Creek; and,
4. lands located in the general area of Wellington Street North and Barton Street East, Hamilton.

- ii) redesignating the following lands from “Arterial Commercial” to “Business Park”, as shown on Appendix “A” of this amendment:

1. lands located in the general area of Twenty Road and Glover Road,

Glanbrook; and

2. lands located in the general area of Pritchard Road and the Lincoln Alexander Parkway, Hamilton.
- iii) redesignating the following lands from “Neighbourhoods” to “Mixed Use – Medium Density”, as shown on Appendix “A” of this amendment:
1. lands located in the general area of Parkdale Avenue North and Queenston Road, Hamilton; and,
 2. lands located in the general area of Concession Street and Upper Wentworth Street, Hamilton.
- iv) redesignating the lands located in the general area of Highway 56 and Binbrook Road, Glanbrook from “Neighbourhoods” to “District Commercial”, as shown on Appendix “A” of this amendment.
- v) redesignating the following lands from “Neighbourhoods” to “District Commercial”, as shown on Appendix “A1” of this amendment:
1. lands located in the general area of Hamilton Street and North Waterdown Drive, Flamborough;
 2. lands located in the general area of Upper James Street and White Church Road West, Glanbrook; and,
 3. lands located in the general area of Highway 8 and Millen Road, Stoney Creek.
- vi) redesignating the lands located in the general area of Mud Street and Upper Centennial Parkway, Stoney Creek from “Arterial Commercial” to “Open Space”, as shown on Appendix “A1” of this amendment.
- vii) redesignating the lands located in the general area of Rymal Road East and Upper Wentworth Street, Hamilton from “District Commercial” to “Neighbourhoods”, as shown on Appendix “A1” of this amendment.
- viii) redesignating the lands located in the general area of Upper James Street and Rymal Road West, Hamilton from “Arterial Commercial” to “Neighbourhoods”, as shown on Appendix “A1” of this amendment.

4.2 Volume 2 – Secondary Plans

- a) That the term “*Pedestrian Predominant Streets*” be amended and replaced with “*Pedestrian Focus Streets*” on all text, Schedules, Maps, and Appendices.

4.2.1 Chapter B.7.6 – West Mountain Area (Heritage Green) Secondary Plan

- a) That Section 7.6 West Mountain Area (Heritage Green) Secondary Plan, Policy B.7.6.8 be amended by adding a new Area Specific Policy as follows:

“Area Specific Policy - Area x

B.7.6.8.x The following policy shall apply to lands known as 1050 Paramount Drive and identified as Area Specific Policy “X” on Map B.7.6-1 – West Mountain (Heritage Green) Land Use Plan:

- a) Notwithstanding the gross floor area criteria of Policy E.3.8.6 and Policy B.7.6.3.2 b), the maximum gross floor area of any individual commercial establishment shall be 500 square metres and the maximum combined gross floor areas of any grouping of local commercial uses shall be 2,000 square metres.”

4.2.2 Secondary Plan Maps

- a) That the Waterdown North Secondary Plan Land Use Plan Map B.4.2-1 be amended by redesignating lands located at the northwest corner of Wigood Drive and Centre Road from “District Commercial” to “Mixed Use – Medium Density”, as shown on Appendix “B”, attached to this Amendment.
- b) That the Binbrook Village Secondary Plan Land Use Plan Map B.5.1-1 be amended by redesignating the following lands from “Low Density Residential 2h” to “District Commercial”, as shown on Appendix “C”, attached to this amendment.
- i) lands located at the rear of lot of 2506-2520 Regional Road 56 and the rear of lot of 2544 Regional Road 56; and,
 - ii) lands located at the rear of lot of 2400 Regional Road 56.
- c) That the Rymal Road Secondary Plan Land Use Plan Map B.5.2-1 be amended by:
- i) redesignating lands located at 1890 Rymal Road East, but not including a portion of lands on the northwest corner of the subject lands, from “District Commercial” to “Low Density Residential 2h”; and,
 - ii) redesignating lands located at 1890 Rymal Road East, but only including a portion of lands on the northwest corner of the subject lands, from “District Commercial” to “Local Commercial”;

as shown on Appendix “D”, attached to this Amendment.

- d) That the Western Development Secondary Plan Land Use Plan Map B.7.1-1 be amended by:
- i) redesignating the following lands from "Low Density Residential 2b" to "Local Commercial", as shown on Appendix "E", attached to this Amendment:
 - a) 520 Highway 8;
 - b) 288 Gray Road;
 - c) 294 – 298 Gray Road;
 - d) 302 Gray Road;
 - e) 210 Barton Street;
 - f) 181 – 183 Highway 8; and,
 - g) 520 Barton Street.
 - ii) redesignating lands located at 202 and 208 Barton Street from "Local Commercial" to "Institutional", as shown on Appendix "E", attached to this Amendment.
 - iii) redesignating lands located at 16-26 Deerhurst Road from "District Commercial" to "Low Density Residential 2b", as shown on Appendix "E" attached to this Amendment.
 - iv) redesignating lands located at 350 Highway 8 from "Low Density Residential 2b" to "District Commercial", as shown on Appendix "E" attached to this Amendment.
 - v) redesignating lands located at 303 Highway 8 from "Low Density Residential 3c" to "Mixed Use Medium", as shown on Appendix "E" attached to this Amendment.
 - vi) redesignating lands located at 232 Barton Street from "Low Density Residential 3c" to "Local Commercial", as shown on Appendix "E" attached to this Amendment.
- e) That the Old Town Secondary Plan Land Use Plan Map B.7.2-1 be amended by:
- i) redesignating lands located at 30 Lake Avenue Drive from "Low Density Residential 2a" to "Local Commercial", as shown on Appendix "F" attached to this Amendment.

- ii) redesignating lands located at 74 and 92 Centennial Parkway South from "Mixed Use Medium Density" to "Local Commercial", as shown on Appendix "F" attached to this Amendment.
- f) That the Urban Lakeshore Area Secondary Plan Land Use Plan Map B.7.3-1 be amended by:
 - i) redesignating the following lands from "Low Density Residential 2b" to "Local Commercial", as shown on Appendix "G" attached to this Amendment:
 1. 1365 Baseline Road; and,
 2. lands located on the southeast corner of Palacebeach Trail and Dartmouth Gate.
 - ii) redesignating residential lands located on the southeast corner of Palacebeach Trail and Dartmouth Gate from "Local Commercial" to "Low Density Residential 2b", as shown on Appendix "G" attached to this Amendment.
- g) That the Nash Neighbourhood Secondary Plan Land Use Plan Map B.7.5-1 be amended by redesignating lands generally located on the west side of Upper Centennial Parkway between Green Mountain Road West and Mud Street West, and on the north side of Mud Street West between Upper Centennial Parkway and First Road West from "Arterial Commercial" to "General Open Space", as shown on Appendix "H" attached to this Amendment.
- h) That the West Mountain Area (Heritage Green) Secondary Plan Land Use Plan Map B.7.6-1 be amended by:
 - i) identifying certain lands located at 1050 Paramount Drive as "Area of Site Specific Area X", as shown on Appendix "I", attached to this Amendment.
 - ii) redesignating residential lands located 15 Mistywood Drive as from "Local Commercial" to "Low Density Residential 3c", as shown on Appendix "I", attached to this Amendment.

4.3 Volume 3 – Special Policy Areas, Area Specific Polices and Site Specific Policies

- a) That the term "*Pedestrian Predominant Streets*" be replaced with "*Pedestrian Focus Streets*" on all text and Maps.

4.3.1 Chapter B – Urban Area Specific Policies

- a) That Chapter B – Urban Area Specific Policies be amended by renumbering Hamilton Area Specific Policy UH-4 to UH-5 in both the title and text.

4.3.2 Chapter C – Urban Site Specific Policies

- a) That Chapter C – Urban Site Specific Policies, Policy UHC-2 be amended by deleting the phrase "E.4.6 – Arterial Commercial Designation of Volume 1, on the lands designated Arterial Commercial," and replacing it with the phrase "E.4.6 – Mixed Use Medium Designation of Volume 1, on the lands designated Mixed Use Medium," so the Policy reads as follows:

"UHC-2 Lands Located at 30 Rymal Road East, former City of Hamilton

- 1.0 Notwithstanding the uses permitted in Section E.4.6 – Mixed Use Medium Designation of Volume 1, on the lands designated Mixed Use Medium, 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."

4.3.3 Volume 3 Maps

- a) That Map H-5 – Area Specific Policies Map be amended by removing certain lands located at 135 Hester Street under Urban Area Specific Policy "UH-1g", as shown on Appendix "J" of this amendment.

5.0 Implementation:

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

This is Schedule "1" to By-law No. XX-XXX passed on the XX day of XXX, 2017.

**The
City of Hamilton**

Fred Eisenberger
MAYOR

Rose Caterini
CITY CLERK





















