

Authority: Item 9.3, Planning Committee
Report: 21-014 (PED21167)
CM: October 13, 2021
Ward: City Wide

Bill No. 174

CITY OF HAMILTON

BY-LAW NO. 21-174

To Adopt:

**Official Plan Amendment No. 155 to the
Urban Hamilton Official Plan**

Respecting:

**Updates and Modifications to the Urban Hamilton Official Plan
(City-Wide)**

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

1. Amendment No. 155 to the Urban Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 13th day of October, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

Urban Hamilton Official Plan Amendment No. 155

The following text, together with:

Volume 1

Appendix “A”	Chapter E – Urban Designations
Appendix “B”	Chapter F – Implementation
Appendix “C”	Chapter G – Glossary

Volume 2

Appendix “D”	Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan
Appendix “E”	Map B.7.3-1 – Urban Lakeshore Secondary Plan – Land Use Plan
Appendix “F”	Map B.7.4-1 – Fruitland Winona Secondary Plan – Land Use Plan
Appendix “G”	Map B.7.4-2 – Fruitland Winona Secondary Plan – Natural Heritage System

Volume 3

Appendix “H”	Chapter C – Urban Site Specific Policies
Appendix “I”	Map 2 – Site Specific Policies Key Map

attached hereto, constitutes Official Plan Amendment No. 155 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to:

- Clarify policies by correcting administrative errors (i.e. formatting, numbering, typographical and grammar);
- Add new policies and remove duplicate and/or redundant wording; and,
- Correct policy and mapping errors.

2.0 Location:

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

3.0 Basis:

The basis for permitting this Amendment is:

- The Amendment reflects existing land uses and approvals and will more accurately guide future development; and,
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

4.0 Actual Changes:

4.1 Volume 1 – Parent Plan

Text

4.1.1 Chapter E – Urban Designations

- a. That the following policy of Volume 1: Chapter E – Urban Designations be amended, as outlined in Appendix “A”, attached to this Amendment:
- E.4.3.4 d)

4.1.2 Chapter F – Implementation

- a. That the following policies of Volume 1: Chapter F – Implementation be amended, as outlined in Appendix “B”, attached to this Amendment:
- F.1.12.11
 - F.1.14.3.9
 - F.1.17.1
 - F.1.17.2
 - F.1.20.1

4.1.3 Chapter G – Glossary

- a. That Volume 1: Chapter G – Glossary be amended by revising one definition and adding one definition as outlined in Appendix “C”, attached to this Amendment.

4.2 Volume 2 – Secondary Plans

Maps and Appendices

4.2.1 Maps

- a. That Volume 2: Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan be amended, as shown on Appendix “D”, attached to this Amendment.
- b. That Volume 2: Map B.7.3-1 – Urban Lakeshore Secondary Plan – Land Use Plan be amended, as shown on Appendix “E”, attached to this Amendment.
- c. That Volume 2: Map B.7.4-1 – Fruitland Winona Secondary Plan – Land Use Plan be amended, as shown on Appendix “F”, attached to this Amendment.
- d. That Volume 2: Map B.7.4-2 – Fruitland Winona Secondary Plan – Natural Heritage System be amended, as shown on Appendix “G”, attached to this Amendment.

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

Text

4.3.1 Chapter C – Urban Site Specific Policies

- a. That Volume 3: Chapter C – Urban Site Specific Policies be amended to add two new policies, as outlined in Appendix “H”, attached to this Amendment:
- UHC-9
 - UHC-10

Maps and Appendices

4.3.2 Maps

- a. That Volume 2: Map 2 – Site Specific Policies Key Map be amended, as shown on Appendix “I”, attached to this Amendment.

5.0 Implementation:

An implementing Zoning By-Law Amendment will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule "1" to By-law No. _____ passed on the ____th day of ____, 2021.

**The
City of Hamilton**

F. Eisenberger
MAYOR

A. Holland
CITY CLERK

Appendix “A” – Volume 1, Chapter E – Urban Designations

Proposed Change	Proposed New / Revised Policy
Grey highlighted strikethrough text = text to be deleted	Bolded text = text to be added
E.4.3.4 d) Notwithstanding Policy E.4.6.9 Mixed Use – Medium Density Designation, only 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.	E.4.3.4 d) Notwithstanding Policy E.4.6.9 Mixed Use – Medium Density Designation, only commercial uses shall 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.

Appendix "B" – Volume 1, Chapter F – Implementation

Proposed Change	Proposed New / Revised Policy
Grey highlighted strikethrough text = text to be deleted	Bolded text = text to be added
<p>Add new policy F.1.12.11:</p> <p>F.1.12.11 Where the Province has passed a Minister's Zoning Order under the <u>Planning Act, R.S.O., 1990 c. P.13</u>, the use of the property shall be deemed to comply with the policies and land use designations of this Plan.</p>	<p>F.1.12.11 Where the Province has passed a Minister's Zoning Order under the <u>Planning Act, R.S.O., 1990 c. P.13</u>, the use of the property shall be deemed to comply with the policies and land use designations of this Plan.</p>
<p>Add new policy F.1.14.3.9:</p> <p>F.1.14.3.9 Severances shall not be granted for dwellings created as Secondary Dwelling Units – Detached.</p>	<p>F.1.14.3.9 Severances shall not be granted for dwellings created as <i>Secondary Dwelling Units – Detached</i>.</p>
<p>F.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 <u>Planning Act, R.S.O., 1990 c. P.13</u>, the City shall choose the most appropriate method of communication. Communication may be in the form of:</p> <ul style="list-style-type: none"> a) Direct mail outs; b) Public notice signs; c) Surveys, electronic or mail out; d) Public information open houses held virtually or in person; e) Public meetings held virtually or in person; f) City web site; or g) Workshops. 	<p>F.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 <u>Planning Act, R.S.O., 1990 c. P.13</u>, the City shall choose the most appropriate method of communication. Communication may be in the form of:</p> <ul style="list-style-type: none"> a) Direct mail outs; b) Public notice signs; c) Surveys, electronic or mail out; d) Public information open houses held virtually or in person; e) Public meetings held virtually or in person; f) City web site; or g) Workshops.
<p>F.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, draft plan of condominium as required by the <u>Planning Act</u>, 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 <u>Planning Act, R.S.O., 1990 c. P.13</u> regulations.</p>	<p>F.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, draft plan of condominium as required by the <u>Planning Act</u>, 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 <u>Planning Act, R.S.O., 1990 c. P.13</u> regulations.</p>

Proposed Change	Proposed New / Revised Policy
Grey highlighted strikethrough text = text to be deleted	Bolded text = text to be added
<p>F.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, in accordance with the City's Cash-in-Lieu of Parking Policy. Such funds shall be used for the following purposes, acquisition of lands and/or the provision of off-street parking as deemed appropriate by the City:</p> <p>a) The acquisition of lands and/or the provision of off-street parking; b) Support for measures that reduce or shift the demand for parking through outreach, education and targeted programs; and, c) Provision of infrastructure and services that support micro-mobility including bicycles, shared bicycles, E-scooters and electric bicycles.</p>	<p>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, in accordance with the City's Cash-in-Lieu of Parking Policy. Such funds shall be used for the following purposes, as deemed appropriate by the City:</p> <p>a) The acquisition of lands and/or the provision of off-street parking; b) Support for measures that reduce or shift the demand for parking through outreach, education and targeted programs; and, c) Provision of infrastructure and services that support micro-mobility including bicycles, shared bicycles, E-scooters and electric bicycles.</p>

Appendix "C" – Volume 1, Chapter G – Glossary

Proposed Change	Proposed New Policy
<p>Grey highlighted strikethrough text = text to be deleted</p> <p>Secondary Dwelling Unit: means a separate and self-contained dwelling unit that is accessory to and located on the same lot as within the principal dwelling and shall be physically located within the principal dwelling, or located within an accessory building to the principal dwelling.</p>	<p>Bolded text = text to be added</p> <p>Secondary Dwelling Unit: means a separate and self-contained dwelling unit that is accessory to and located within the principal dwelling.</p>
<p>Add definition of Secondary Dwelling Unit - Detached to Chapter G – Glossary.</p>	<p>Secondary Dwelling Unit - Detached: means a separate and self-contained detached dwelling unit that is accessory to and located on the same lot as the principal dwelling.</p>

Appendix D
APPROVED Amendment No. 155
to the Urban Hamilton Official Plan

Remove "Pedestrian Focus"
identification from the lands

(350 King Street East)

Date:
Sept. 21, 2021

Revised By:
LV/NB

Reference File No.:
OPA-U-155(H)

★ Lands Under Appeal

- 215, 217, 219, 221, 225 and
231 Main Street West,
67 & 69 Queen Street South,
and 62 & 64 Hess Street South

Legend

Residential Designations

Downtown Residential

Commercial and Mixed Use
Designations

Downtown Mixed Use

Parks and Open Space Designations

General Open Space

Community Park

City Wide Park

Other Designations

Utility and Transport

Institutional

Other Features

Pedestrian Focus

Gateway

Area or Site Specific Policy

Secondary Plan Boundary

Urban Hamilton Official Plan
Downtown Hamilton
Secondary Plan
Land Use Plan
Map B.6.1-1

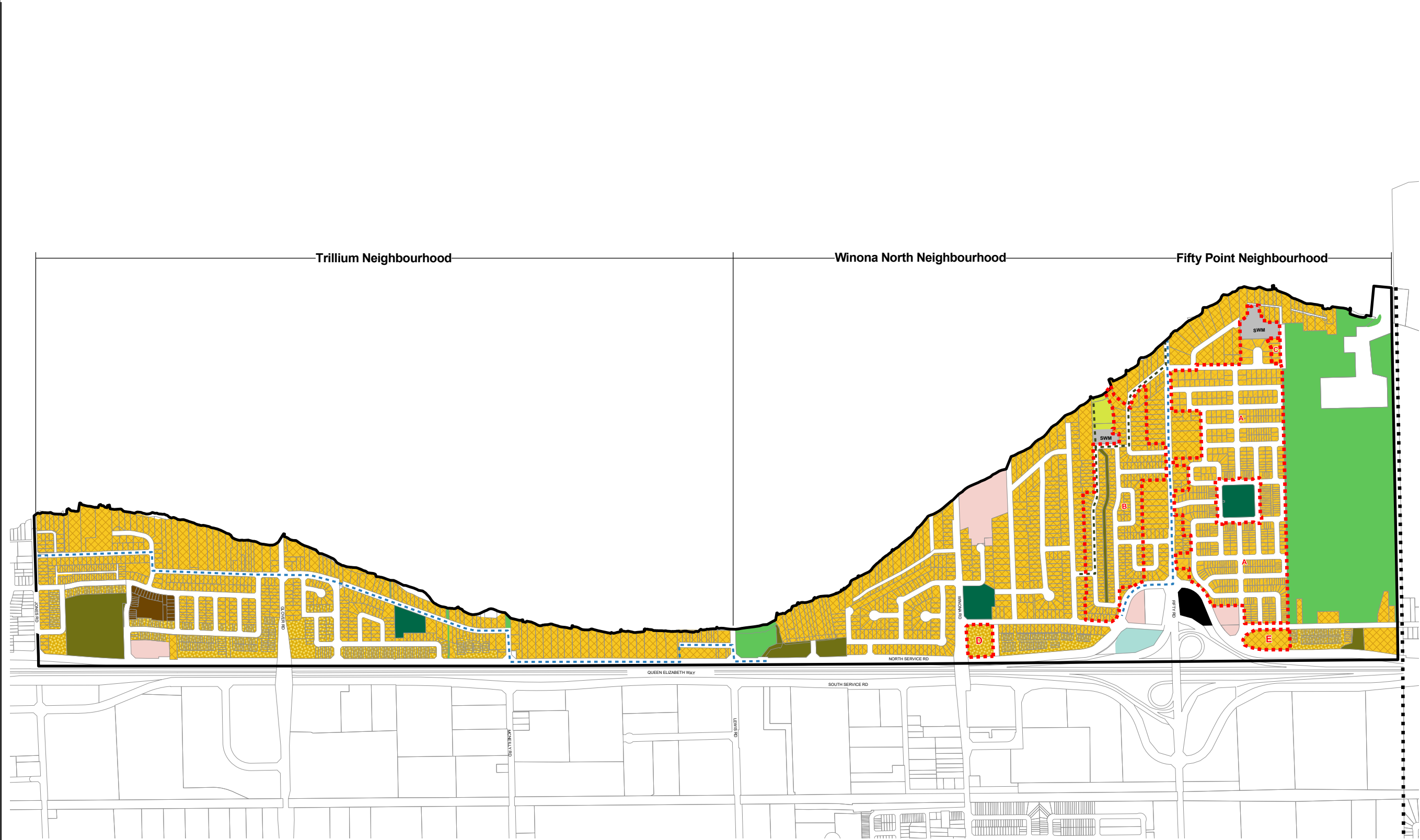
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Date: April 2020

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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Hamilton



Legend

Residential Designations

Low Density Residential 2b

Low Density Residential 2e

Low Density Residential 3c

Medium Density Residential 3

Parks and Open Space Designations

Parkette

Neighbourhood Park

City Wide Park

General Open Space

Natural Open Space

Other Designations

Local Commercial

Institutional

ES Elementary School

SWM Storm Water Management

Utility

Other Features

Area or Site Specific Policy

On Street Bikeway

Off Street Bikeway / Walkway

Municipal Boundary

Secondary Plan Boundary

Appendix F
APPROVED Amendment No. 155
to the Urban Hamilton Official Plan

Lands to be redesignated from "Natural Open Space" to "Low Density Residential 2"

Lands to be redesignated from "Natural Open Space" to "Low Density Residential 3"

(188, 192, 218, 222, 224, 226 and 230 Fruitland Road and 669 Highway No. 8)

Date:
Sept. 21, 2021

Revised By:
LV/NB

Reference File No.:
OPA-U-155(S)

The map displays the Fruitland-Winona area with various land use designations. A large area on the left is outlined in red, indicating a specific policy area. This area includes several blocks of land with different colors representing designations: yellow for Low Density Residential 1, orange for Low Density Residential 2, brown for Low Density Residential 3, and dark brown for Medium Density Residential 2. There are also green areas for Parks and Open Space, and blue areas for Commercial and Mixed Use. Specific features like 'ES' (Elementary School) and 'SWM' (Storm Water Management) are marked. Roads shown include Barton St, Highway No. 8, and various collector roads. The map also shows the CN Railway and Lake Ontario to the north.

APPEALS

Lands Under Appeal

- 238, 252 Jones Road
- 820, 822 Barton Street East
- 212 Fruitland Road
- 228, 244 McNeilly Road
- 667, 1069 Highway No. 8

Legend

Residential Designations

Low Density Residential 1

Low Density Residential 2

Low Density Residential 3

Medium Density Residential 2

Commercial and Mixed Use Designations

Local Commercial

District Commercial

Arterial Commercial

Parks and Open Space Designations

Neighbourhood Park

Community Park

General Open Space

Natural Open Space

Other Designations

Employment Area - Business Park

Institutional

ES
Elementary School

Utility

SWM
Storm Water Management

Other Features

Area or Site Specific Policy

Major Gateway

Minor Gateway

Proposed Roads

Secondary Plan Boundary

Urban Hamilton Official Plan
Fruitland-Winona
Secondary Plan
Land Use Plan
Map B.7.4-1

Not To Scale

Date: Aug. 21, 2020

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Hamilton

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Appendix G
APPROVED Amendment No. 155
to the Urban Hamilton Official Plan

Remove "Core Areas" from following properties: 188, 192, 218, 222, 224, 226 and 230 Fruitland Road and 669 Highway No. 8

Remove "Vegetation Protection Zone" from following properties: 186, 188, 192, 216, 218, 222, 224, 226, 230 and 236 Fruitland Road and 661, 663 and 669 Highway No. 8

Remove "Restoration Area" from following properties: 218, 224, 226, 230 and 236 Fruitland Road

Date:
Sept. 21, 2021

Revised By:
LV/NB

Reference File No.:
OPA-U-155(S)

The map displays the Fruitland-Winona area, showing various land designations and roads. Key features include:

- Core Areas:** Shaded in dark green, located primarily along Fruitland Road and Highway No. 8.
- Linkages:** Shaded in light green, connecting different land areas.
- Restoration Areas:** Outlined in red, located near the Fruitland Road corridor.
- Vegetation Protection Zone:** Shaded in orange, following the course of a waterway on the right side of the map.
- Streams:** Represented by blue lines, flowing through the landscape.
- Roads:** Labeled roads include Queen Elizabeth Wy, Barton St, Highway No. 8, Fruitland Rd, Jones Rd, Glover Rd, McNelly Rd, Lewis Rd, West Ave, Sonoma Ln, Pinot Cr, Zinfandel Dr, Park Manor Dr, Silverace Ct, Winona Rd, Helena Ave, Glenholme Ave, and South Service Rd.
- Other Features:** The CN Railway runs horizontally across the upper middle. A large grey-shaded area represents lands in the rural area. A thick black line indicates the secondary plan boundary.

APPEALS

Lands Under Appeal

- 238, 252 Jones Road

- 820, 822 Barton Street East

- 212 Fruitland Road

- 228, 244 McNeilly Road

- 667, 1069 Highway No. 8

Legend

Core Areas

Linkages

Restoration Areas

Vegetation Protection Zone

Streams

Other Features

Lands in the Rural Area

Secondary Plan Boundary

Urban Hamilton Official Plan
Fruitland-Winona
Secondary Plan
Natural Heritage System
Map B.7.4-2

Not To Scale

Date: July 22, 2018

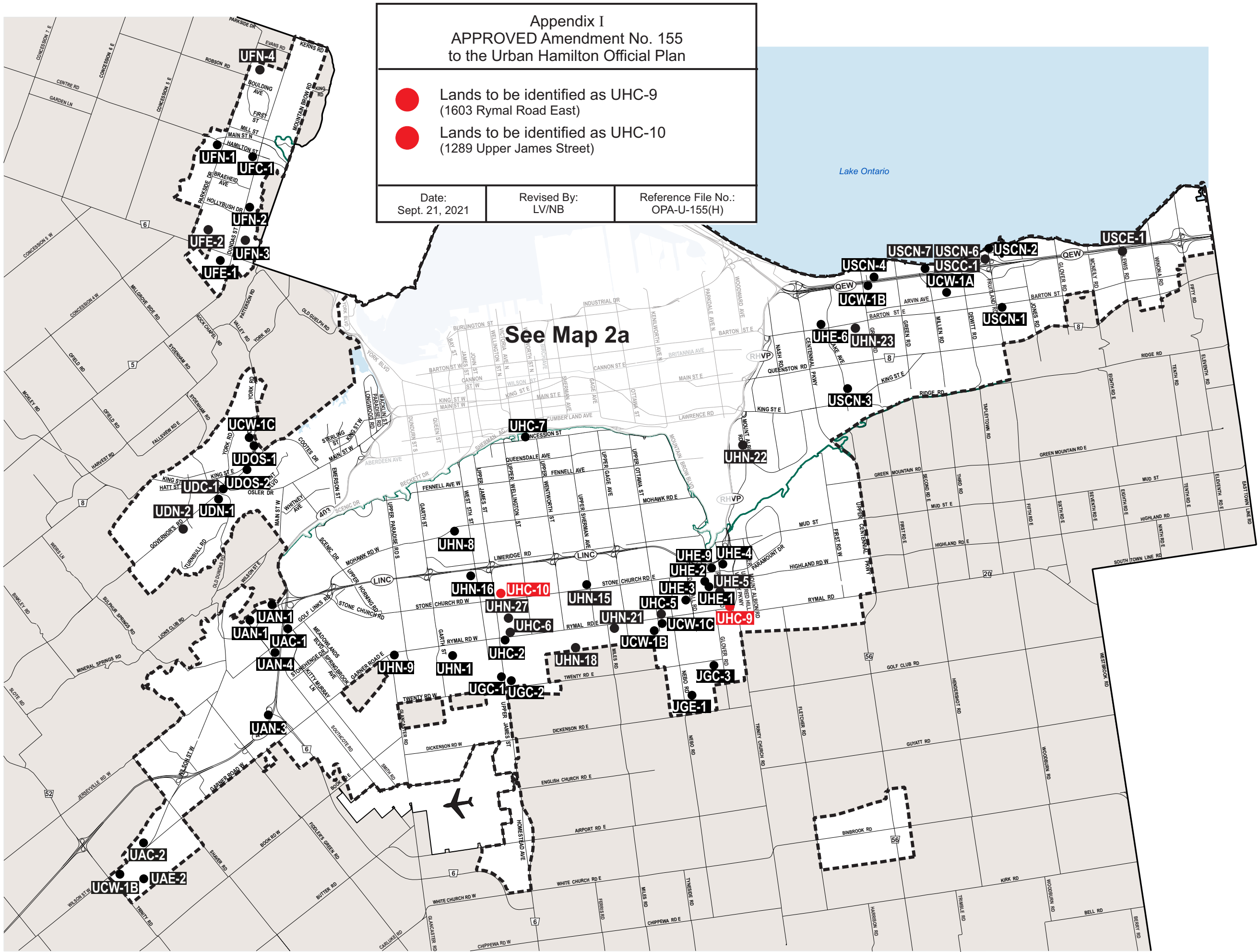
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Appendix “H” – Volume 3, Chapter C – Site Specific Policies

Proposed Change	Proposed New / Revised Policy
Grey highlighted strikethrough text = text to be deleted	Bolded text = text to be added
Add Site Specific Policy UHC-9	<p>UHC-9 Lands located at 1603 Rymal Road East, former City of Hamilton</p> <p>1. In addition to the permitted uses of Policy E.4.8.2 of Volume 1, and notwithstanding Policy E.4.8.3 a), b), and d) of Volume 1, for the lands located at 1603 Rymal Road East, designated Arterial Commercial, the following uses are permitted:</p> <ul style="list-style-type: none"> a) retail uses b) personal service uses c) office uses d) financial establishments e) medical clinics f) day nursery <p>2. The scale of the permitted uses shall be regulated by the Zoning By-law.</p>
Add Site Specific Policy UHC-10	<p>UHC-10 1289 Upper James Street, former City of Hamilton</p> <p>In addition to the permitted uses of Policy E.4.8.2 of Volume 1, and notwithstanding Policy E.4.8.3 b) and d) of Volume 1, for the lands located at 1289 Upper James Street, designated Arterial Commercial, the following uses shall be permitted within the existing building:</p> <ul style="list-style-type: none"> a) Office uses; b) Retail stores; and, c) Food stores, including a food store with restaurant.



Appendix I
APPROVED Amendment No. 155
to the Urban Hamilton Official Plan

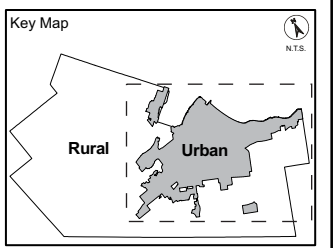
Lands to be identified as UHC-9
(1603 Rymal Road East)

Lands to be identified as UHC-10
(1289 Upper James Street)

Date:
Sept. 21, 2021

Revised By:
LV/NB

Reference File No.:
OPA-U-155(H)



Note: For Rural Site Specific Areas, refer to Volume 3: Appendix A of the Rural Hamilton Official Plan.

APPEAL

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal – see illustration on Schedules E and E-1, Volume 1

Legend

- Site Specific Areas (SSA)
- U- Refers to Urban Site Specific Area #, Volume 3, Chapter B

Other Features

- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary

Council Adoption: July 9, 2009
Ministerial Approval: March 16, 2011
Effective Date: August 16, 2013

Urban Hamilton Official Plan
Volume 3: Map 2
Urban Site Specific Key Map

Not To Scale

Hamilton

Date: May 18, 2021

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