

**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 13<sup>th</sup> day of October, 2021.

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F. Eisenberger  
Mayor

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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 Polices 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 \_\_\_<sup>th</sup> day of \_\_\_, 2021.

**The  
City of Hamilton**

\_\_\_\_\_  
F. Eisenberger  
MAYOR

\_\_\_\_\_  
A. Holland  
CITY CLERK

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

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

Appendix “B” – Volume 1, Chapter F – Implementation

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
<p><del>Grey highlighted strikethrough text</del> = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<p>Add new policy F.1.12.11:</p> <p><b>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.</b></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><b>F.1.14.3.9 Severances shall not be granted for dwellings created as <i>Secondary Dwelling Units – Detached</i>.</b></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"> <li>a) Direct mail outs;</li> <li>b) Public notice signs;</li> <li>c) Surveys, electronic or mail out;</li> <li>d) Public information open houses <b>held virtually or in person</b>;</li> <li>e) Public meetings <b>held virtually or in person</b>;</li> <li>f) City web site; or</li> <li>g) Workshops.</li> </ul>	<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"> <li>a) Direct mail outs;</li> <li>b) Public notice signs;</li> <li>c) Surveys, electronic or mail out;</li> <li>d) Public information open houses held virtually or in person;</li> <li>e) Public meetings held virtually or in person;</li> <li>f) City web site; or</li> <li>g) Workshops.</li> </ul>
<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, <b>draft plan of condominium as required by the <u>Planning Act</u></b>, 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
<p>Grey highlighted strikethrough text = text to be deleted</p>	<p><b>Bolded text</b> = text to be added</p>
<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, <b>in accordance with the City's Cash-in-Lieu of Parking Policy</b>. Such funds shall be used for the <b>following purposes</b>, <del>acquisition of lands and/or the provision of off-street parking as deemed appropriate by the City:</del></p> <p><b>a) The acquisition of lands and/or the provision of off-street parking;</b>  <b>b) Support for measures that reduce or shift the demand for parking through outreach, education and targeted programs; and,</b>  <b>c) Provision of infrastructure and services that support micro-mobility including bicycles, shared bicycles, E-scooters and electric bicycles.</b></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><del>Grey highlighted strikethrough text = text to be deleted</del></p>	<p><b>Bolded text</b> = text to be added</p>
<p>Secondary Dwelling Unit: means a <del>separate and self-contained</del> dwelling unit that is accessory to and located <del>on the same lot as</del> <b>within</b> the principal dwelling and shall be physically located within the principal dwelling, or located within an accessory building to the principal dwelling.</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)

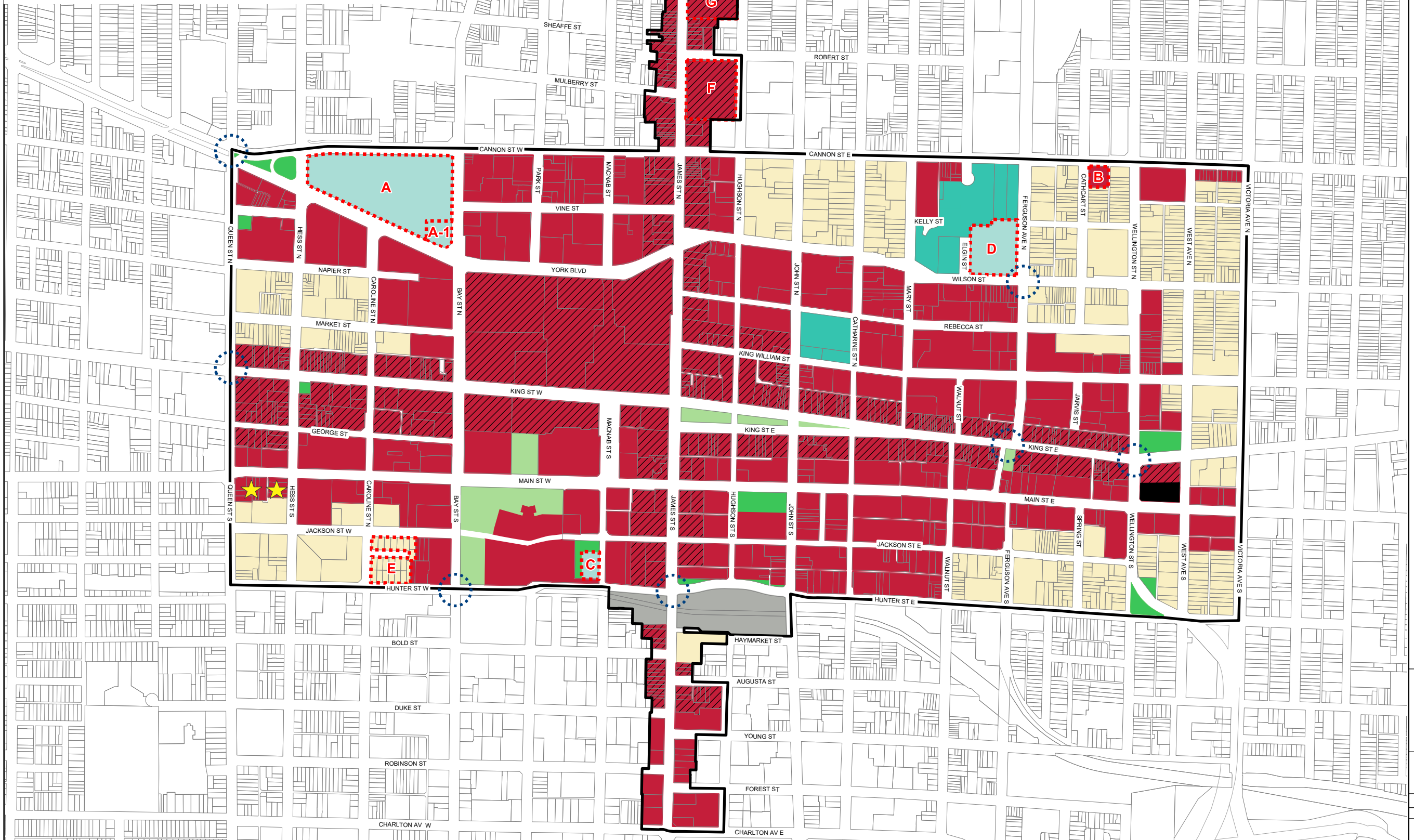
Date:  
 Sept. 21, 2021

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**

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

 Lands to be designated "Local Commercial"

(500 Fifty Road)





Date:  
 Sept. 21, 2021

Revised By:  
 LV/NB






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

**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

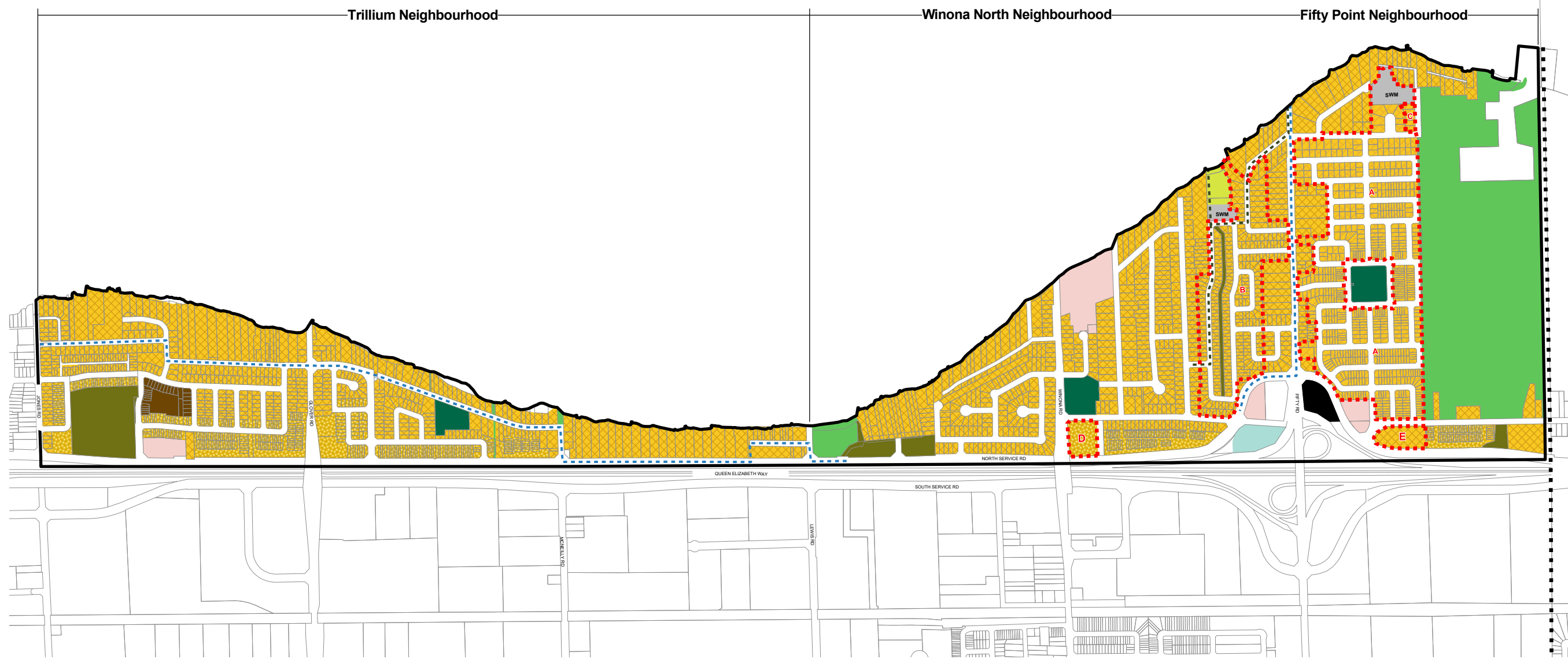
Council Adopted: July 9, 2009  
 Ministerial Approval: March 16, 2011  
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Urban Lakeshore Area**  
**Secondary Plan**  
 Land Use Plan  
 Map B.7.3-1



Date: February 2021

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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"

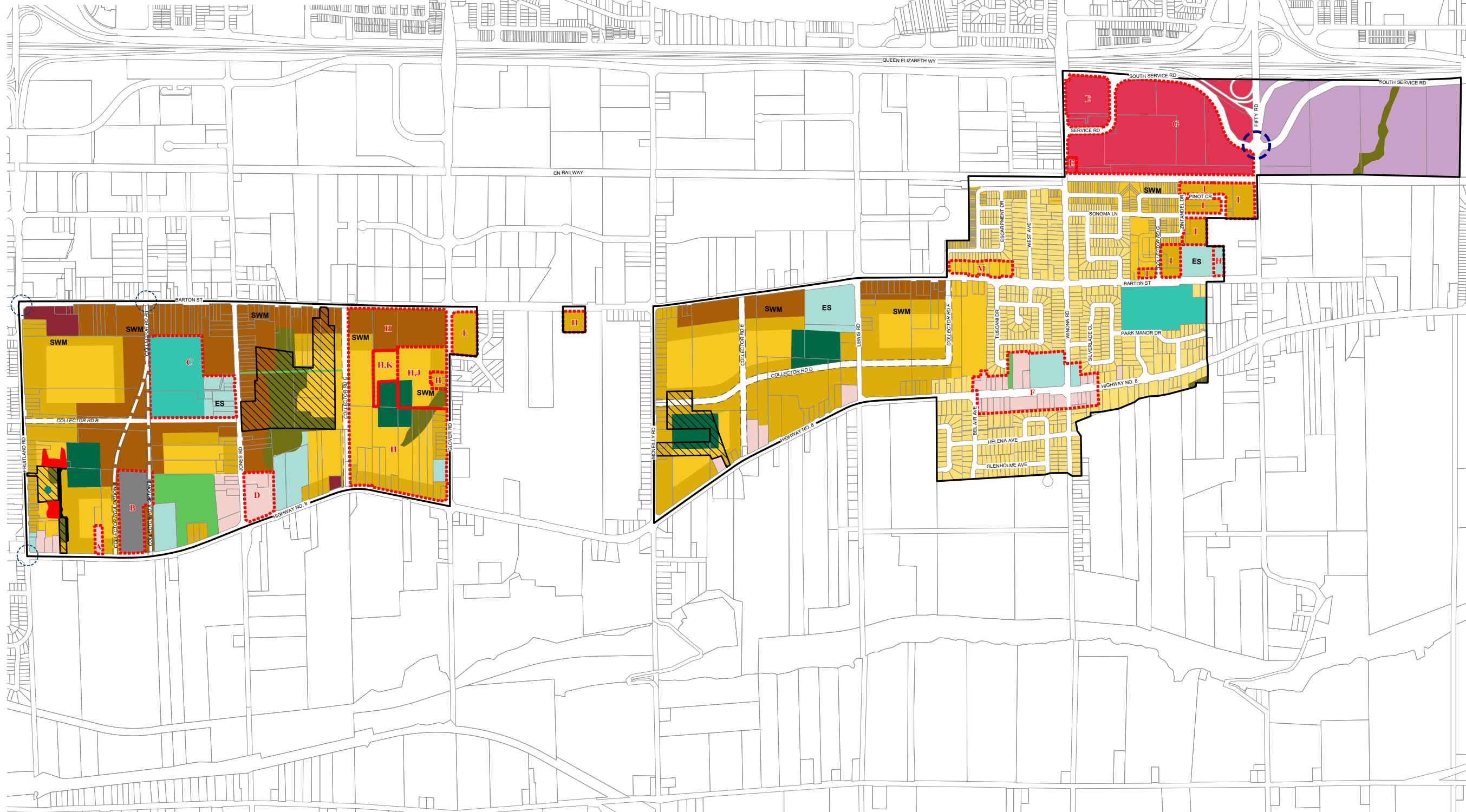
 Lands to be redesignated from "Natural Open Space" to "Low Density Residential 3"

(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)







**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
-  Elementary School
-  Utility
-  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

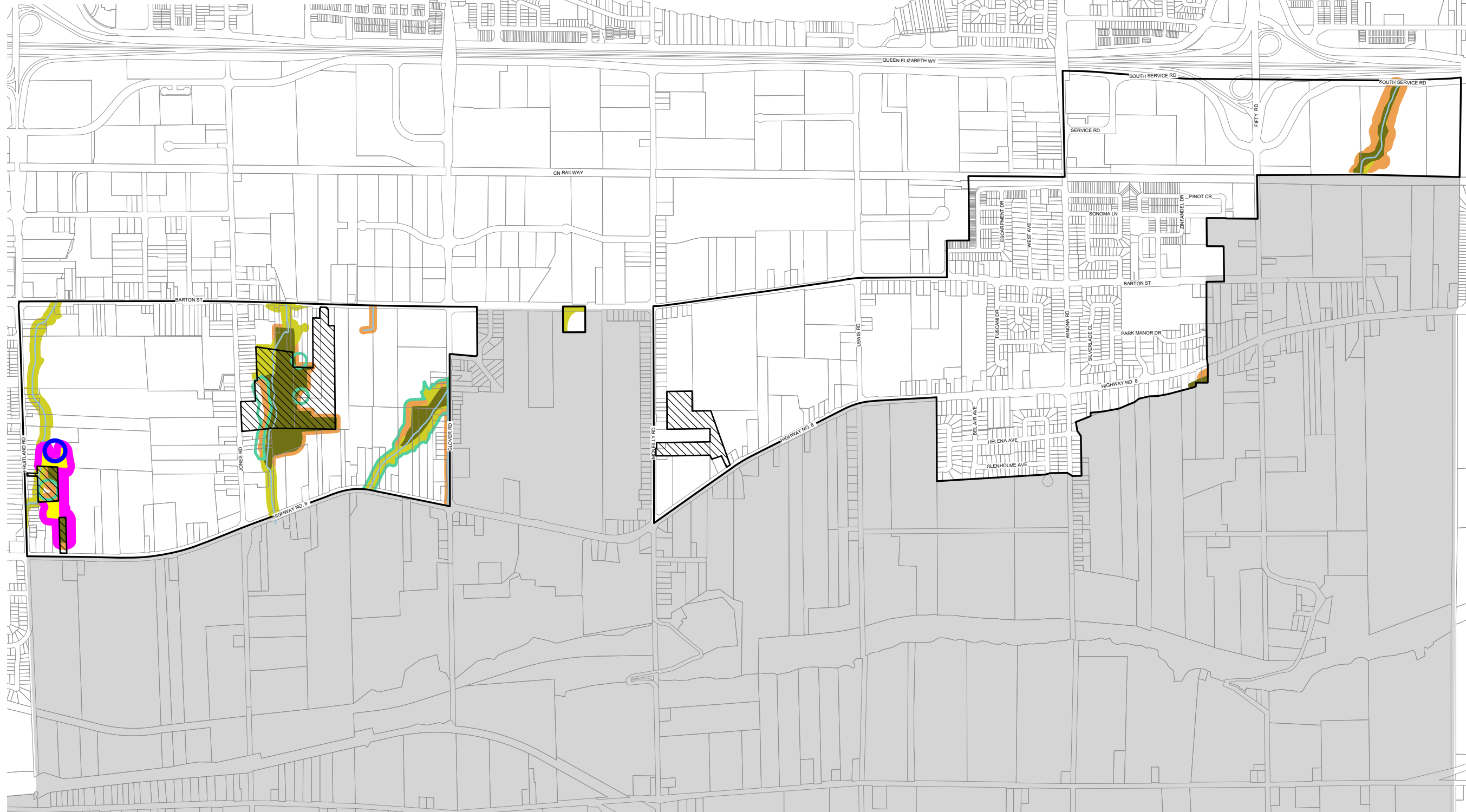


Date: Aug. 21, 2020  
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Appendix G  
 APPROVED Amendment No. 155  
 to the Urban Hamilton Official Plan

- 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)
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- 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

<b>Proposed Change</b>	<b>Proposed New / Revised Policy</b>
<del>Grey highlighted strikethrough text</del> = text to be deleted	<b>Bolded text</b> = 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"> <li>a) retail uses</li> <li>b) personal service uses</li> <li>c) office uses</li> <li>d) financial establishments</li> <li>e) medical clinics</li> <li>f) day nursery</li> </ul> <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"> <li>a) Office uses;</li> <li>b) Retail stores; and,</li> <li>c) Food stores, including a food store with restaurant.</li> </ul>

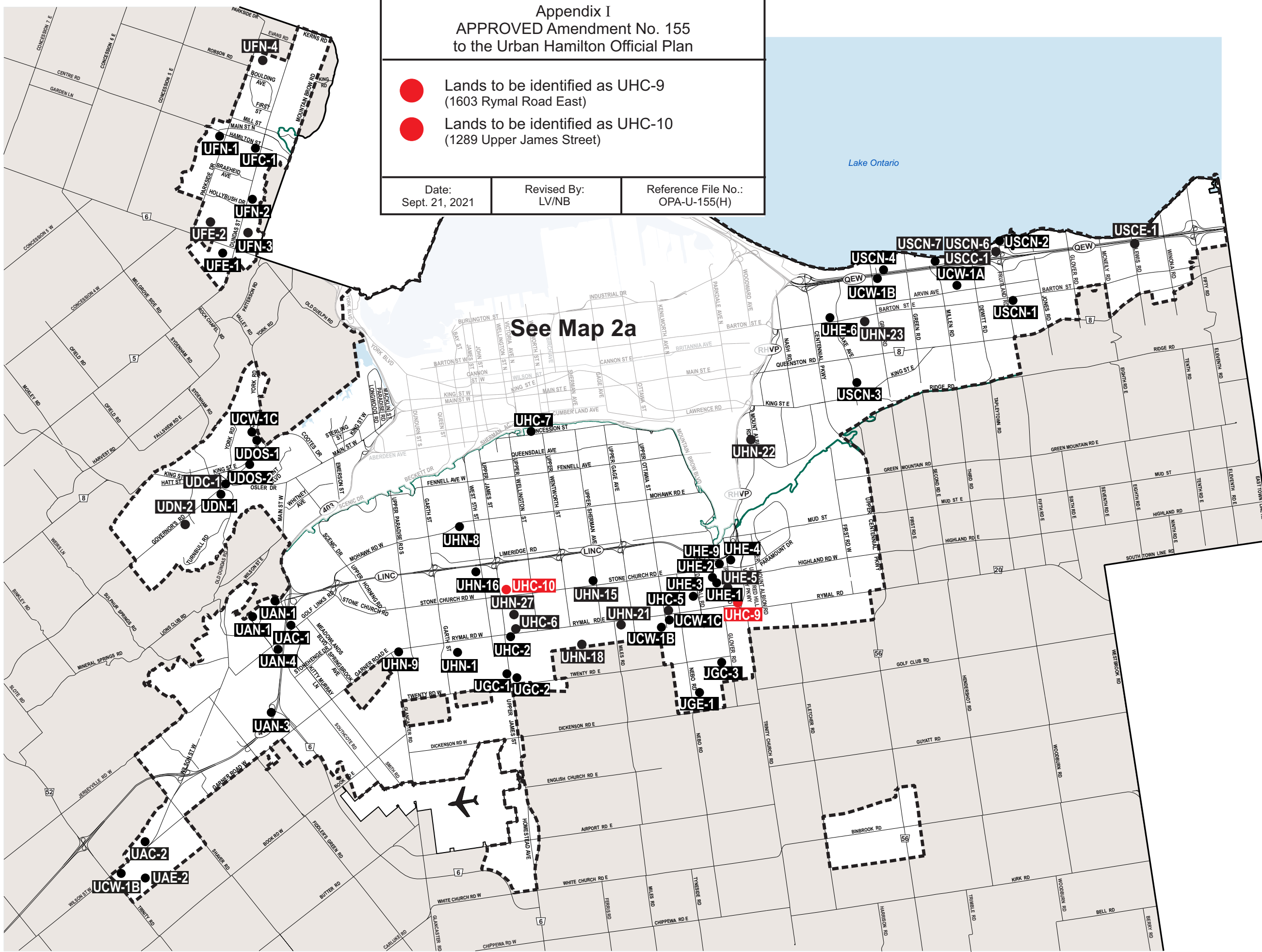
Appendix I  
 APPROVED Amendment No. 155  
 to the Urban Hamilton Official Plan

- Lands to be identified as UHC-9  
 (1603 Rymal Road East)
- Lands to be identified as UHC-10  
 (1289 Upper James Street)

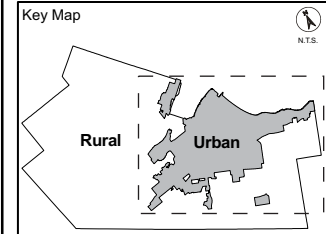
Date:  
 Sept. 21, 2021

Revised By:  
 LV/NB

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



See Map 2a



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
- 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**



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