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**Ministère des
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Wednesday, March 16, 2011

Rose Caterini, City Clerk
City Hall
City of Hamilton
71 Main Street West, 1st Floor
Hamilton ON L8P 4Y5

Dear Ms. Caterini.

Subject. **New Urban Hamilton Official Plan
MMAH File No. 25-OP-2009**

Please find attached a copy of the Decision for the new Urban Hamilton Official Plan ("Urban Plan") for the City of Hamilton. Following the 20-day appeal period under the *Planning Act*, the Ministry of Municipal Affairs and Housing will notify you of whether any appeals were lodged.

Ministry staff congratulates City planning staff and Council of the City of Hamilton for creating a progressive and sustainable land use planning document that can act as a model for single-tier official plans

The Ministry is pleased to approve the Urban Plan, as the policies in the Plan that the Ministry is modifying and approving are consistent with the Provincial Policy Statement, 2005 and conform with the Growth Plan for the Greater Golden Horseshoe, 2006.

The Decision approves, with some modifications, the majority of the Urban Plan. These approvals are noted in Parts A, B and C of the Decision. The majority of the modifications were developed in consultation and concurrence with City staff. Parts D, E and F of the Decision identifies parts of the official plan where a decision is withheld as certain matters are before the Ontario Municipal Board and where site-specific appeals have been filed to the Urban Plan. The Ministry will await the outcome of the Board proceedings before issuing a further decision on those outstanding matters

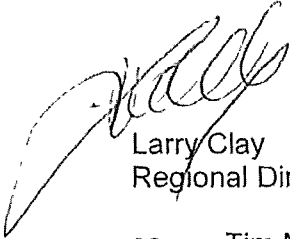
A Decision is withheld on the publicly owned lands in the Eramosa Karst area within the Trinity neighbourhood, in particular lands located south of Highland Road, north of Rymal Road, and west of Second Road in the former City of Stoney Creek to allow the Province the opportunity to work with the City and the local Conservation Authority to ensure the most appropriate long-term land uses for these publicly owned lands.

We understand that the City of Hamilton has adopted an official plan amendment to designate these lands as open space, and the Ministry of Municipal Affairs and Housing has not appealed that official plan amendment

The Decision also includes extensive City requested technical modifications to the Urban Plan for Volumes 2 and 3, the majority of which are changes to correct mapping errors, provide clarity and updates from the approval of site-specific applications.

If you have any questions, please do not hesitate to contact Mr Mark Christie, Manager, Community Planning and Development at 416-585-6063.

Yours truly,

A handwritten signature in black ink, appearing to read 'Larry Clay', is written over the typed name and title.

Larry Clay
Regional Director

cc Tim McCabe, General Manager, City of Hamilton

File No : 25-OP-2009
Municipality: City of Hamilton
Subject Lands: Urban Hamilton (lands within the
Urban Area)

Date of Decision: March 16, 2011
Date of Notice: March 16, 2011
Last Date of Appeal: April 5, 2011

NOTICE OF DECISION

With respect to an Official Plan
Subsection 17(34) of the Planning Act

A decision was made on the date noted above to approve and to approve and modify parts of the new Urban Hamilton Official Plan for the City of Hamilton as adopted by By-law No. 09-150. A decision on parts of the official plan has yet to be rendered.

Purpose and Effect of the Official Plan

The Urban Hamilton Official Plan is intended to bring the City of Hamilton's Official Plan into conformity with the Province's Growth Plan for the Greater Golden Horseshoe and to develop a new Official Plan for the restructured City as it applies to lands within the urban area. A copy of the decision is attached.

When and How to File An Appeal

Any appeal to the Ontario Municipal Board must be filed with the Minister of Municipal Affairs and Housing no later than 20 days from the date of this notice as shown above as the last date of appeal.

The appeal should be sent to the attention of the Planner, at the address shown below and it must,

- (1) set out the specific part of the proposed official plan to which the appeal applies,
- (2) set out the reasons for the request for the appeal, and
- (3) be accompanied by the fee prescribed under the Ontario Municipal Board Act in the amount of \$125.00 payable by certified cheque to the Minister of Finance, Province of Ontario

Who Can File An Appeal

Only individuals, corporations or public bodies may appeal a decision of the approval authority to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf

No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written

submissions to the council or, in the opinion of the Ontario Municipal Board, there are reasonable grounds to add the person or public body as a party

When the Decision is Final

The decision of the Minister of Municipal Affairs and Housing is final if a Notice of Appeal is not received on or before the last date of appeal noted above

Other Related Applications:

N/A.

Getting Additional Information

Additional information about the application is available for public inspection during regular office hours at the Ministry of Municipal Affairs and Housing at the address noted below or from the City of Hamilton.

Mailing Address for Filing a Notice of Appeal

Ministry of Municipal Affairs and Housing
Municipal Services Office - Central Ontario
777 Bay St , 2nd Floor
Toronto ON M5G 2E5

Submit notice of appeal to the attention of
Louis Bitonti, Senior Planner
Tel: (416) 585-6563
Fax: (416) 585-6882

DECISION
With respect to an Official Plan
Subsection 17(34) of the Planning Act

I hereby approve and modify, in part, the new Urban Hamilton Official Plan for the City of Hamilton adopted by By-law No. 09-150, subject to the following:

PART A: Volume 1, Parent Plan, Chapters A through G, save and except for the parts set out in part “D”, “E” and “F” of this decision, with the following modifications:

1. **Section A.2.3, Growth Management – Provincial**, is hereby modified:

(a) in subsection **A.2.3.1**, by the deletion of the word, “targets” in this section and replacing it with the word, “forecasts” in all instances;

(b) in subsection **A.2.3.2**, by the deletion of the word, “targets” in this section and replacing it with the word, “forecasts” in all instances;

(c) in subsection **A.2.3.3.3**, by the deletion of the last sentence in its entirety and replacing it with the following:

“On non-employment lands, densities will need to achieve a minimum average density of 70 persons and jobs per hectare to meet the overall density target.”

(d) in subsection **A.2.3.3.4**, by the addition of the words, “occurring annually” after the words “residential *development*”.

2. **Section A.2.5.4, The Parkway Belt West Plan**, is hereby modified by deleting the words, “In the Rural Hamilton Official Plan” and replacing with the following that reads:

“ The Parkway Belt West Plan was created in 1978 for the purposes of creating a multi-purpose utility corridor, urban separator and linked open space system. It is a system of linked natural areas and projected utility corridors which extends from Dundas through the Regions of Halton, Peel and York.”

3. **Section A.2.5.5 Growth Plan for the Greater Golden Horseshoe**, is hereby modified by deleting the word, “adopted” and replacing with the word,

“released” in the first line.

4. **Section B.2.2, Urban Boundary Expansions**, is hereby modified by:
 - (a) the deletion of subsection **B.2.2.1** in its entirety and renumbering the proceeding subsections accordingly;
 - (b) in subsection **B.2.2.4 a)**, the addition of the words, “to determine if sufficient opportunities to accommodate forecasted growth contained in Policy A.2.3.1 and Policy A.2.3.2 are not available” at the end;
 - (c) the deletion of subsection **B.2.2.4 d)** in its entirety and replacing with the following that reads:
 - “d) in prime agricultural areas, the lands do not comprise specialty crop areas, there are no reasonable alternatives that avoid prime agricultural areas and there are no reasonable alternatives on lower priority agricultural lands”;**
 - (d) the addition of the following new subsection after subsection **B.2.2.4 e) iii)** that reads:
 - “iv) the timing of the *urban boundary* expansion and the phasing of development within the *greenfield areas* shall not adversely affect the achievement of the *residential intensification target* and *Greenfield density targets*”;**
 - (e) the addition of the following new subsection after **B.2.2.4 g)** that reads:
 - “h) the *urban boundary* expansion makes available sufficient lands for a time horizon not exceeding 20 years, based on the analysis provided for in Policy B.2.2.4 a)”.**
5. **Section B.2.3, Future Airport Employment Growth District**, is hereby modified by:
 - (a) the deletion of the word, “Future” in the title;
 - (b) deletion of subsection **B.2.3.1** in its entirety and replacing with the following that reads:
 - “2.3.1 The City shall undertake a *municipally initiated***

comprehensive review and secondary plan for an Airport Employment Growth District, identified as Special Policy Area C in the Rural Hamilton Official Plan, generally bounded by the existing urban boundary adjacent to Upper James Street to the east, White Church and Fiddler’s Green Roads on the south, Garner Road on the west and Glancaster Road, and Twenty Road West on the north.”

(c) in subsection **B.2.3.2 b)**, the deletion of the words, “Policy B.2.2.1 a)” and replacing with the words, “Policy B.2.3.1”;

(d) the deletion of subsection **B.2.3.2 c)** in its entirety and the addition of the following new subsection after subsection **B.2.3.2** that reads:

“2.3.3 The City recognizes the long-term economic importance of the John C. Munro International Airport and associated highway infrastructure for its unique role as a catalyst for airport related and other employment uses. These future employment lands shall be subject to Policies B.2.2.1 to B.2.2.4 – Urban Boundary Expansions. Lands in the vicinity of the John C. Munro International Airport should be designated for employment purposes that rely on this infrastructure.”

6. **Section B.2.4.5**, is hereby modified by deleting the words, “investigate opportunities to” and adding the words, “generally throughout the *built-up area*” after the words, “*residential intensification*”.

7. **Section B.3.6.3.7 c)**, is hereby modified by deleting the words, “as identified on Appendix B – Major Transportation Facilities”.

8. **Section B.3.6.5.9 a)**, is hereby modified by adding the words, “in those exceptional situations” at the beginning and adding the following new sentence at the end of the subsection that reads:

“The designation of a floodplain *Special Policy Area*, and any change or modification to the site-specific policies or boundaries applying to a floodplain *Special Policy Area*, must be approved by the Province prior to the City approving such changes or modifications.”

9. **Section B.3.7, Energy and Environmental Design**, is hereby modified by:

- (a) the deletion of the sentence, "These policies may be amended once the Green Energy Act is adopted." in the preamble;
- (b) in subsection **B.3.7.4 a)**, the deletion of the words, "*renewable energy systems* and" in the second line;
- (c) the addition of the following new subsection after subsection **B.3.7.4 b)** that reads:

"c) Working jointly with the Province to investigate the need, feasibility, implications and suitable locations for solar, wind, and bio-energy projects and to promote local clean energy generation, where appropriate, and in accordance with the Green Energy and Green Economy Act, 2009.";

- (d) in subsection **B.3.7.5**, the deletion of the words, "*Renewable energy systems* and" in the first line of,;
- (e) in subsection **B.3.7.6**, the deletion of the words, "*Renewable energy systems* and" in the first line;
- (f) the addition of the following new subsection after subsection **B.3.7.6**, that reads:

"3.7.7 Renewable energy undertakings are exempted from Planning Act approvals in accordance with Schedule K of the Green Energy and Green Economy Act, 2009. These undertakings shall be subject to the Green Energy and Green Economy Act, 2009 and other provincial approvals."

10. **Section C.1.1, Niagara Escarpment Plan**, is hereby modified by:

- (a) the deletion of the second paragraph in its entirety and replacing with the following that reads:

"The Niagara Escarpment Plan provides for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment and to ensure only such development occurs as is compatible with that natural environment.";

(b) in subsection **C.1.1.1**, the addition of the words, “and Section 3.3 of the Greenbelt Plan after the words, “Niagara Escarpment Plan” in the fourth line.

11. **Section C.1.3, Parkway Belt West Plan**, is hereby modified by deleting the words, “In Rural Hamilton Official Plan” and replacing with the following that reads:

“The Parkway Belt West Plan provides a system of linked natural areas and protected utility corridors which extends from Dundas through the Regions of Halton, Peel and York.

1.3.1 The provisions of the Parkway Belt West Plan shall apply to *development* of lands that are identified as Parkway Belt West Plan Area on Schedule A – Provincial Plans, of this Plan. In the case of discrepancy between the Parkway Belt West Plan and this Plan, the most restrictive policies shall apply prevail provided that they are consistent with its intent and purpose.”

12. **Section C.2.0, Natural Heritage System**, is hereby modified by:

(a) the deletion of the words, “the Greenbelt Natural Heritage System, the Greenbelt Protected Countryside” after the words, “Schedule B – Natural Heritage System, consists of ” in the third paragraph of the preamble;

(b) the deletion of the second sentence of the fourth paragraph of the preamble and replacing with the following that reads:

“The systems approach involves delineating a Natural Heritage System which includes *Core Areas*, as well as supportive features (*Linkages*) that maintain the ecological functionality and connectivity of the natural system.”;

(c) in subsection **C.2.1**, the addition of the word, “Urban” before the word, “Hamilton” in the second line;

(d) the deletion of subsection **C.2.2.2** in its entirety and the proceeding subsections renumbered accordingly;

(e) in subsection **C.2.2.3**, the addition of the words, “and Schedules B1-8 – Detailed Natural Heritage Features” after the words, “Schedule B –

Natural Heritage System” in the sixth line;

- (f) in subsection **C.2.2.5**, the deletion of the first sentence in its entirety and replacing it with the following that reads:

“Areas of *significant habitat of threatened or endangered species, fish habitat, significant valley lands, significant wildlife habitat, vegetation protection zones, groundwater seepage areas and springs*, and additional *Core Areas* are not mapped on Schedule B – Detailed Natural Heritage Features, at this time.”;

- (g) in subsection **C.2.2.6**, the addition of the words, “and *Linkages*,” after the words, “Core Areas identified by provincial policy” in the second line;

- (h) in subsection **C.2.3.1**, the deletion of this subsection in its entirety and replacing with the following that reads:

“2.3.1 In accordance with the policies of this Plan, Schedule B – Natural Heritage System, identifies *Core Areas* to include *key natural heritage features* and *key hydrologic features*. *Core Areas* of the City’s Natural Heritage System also include other locally and provincially significant natural areas. Schedule B – Natural Heritage System shall be amended when new *Core Areas* are identified.”

- (i) in subsection **C.2.3.2**, the deletion of the first sentence in its entirety and replacing with the following that reads:

“*Core Areas* include *key natural heritage features, key hydrologic features* and provincially significant and *local natural areas* that are more specifically identified by Schedules B1-8 – Detailed Natural Heritage Features.”;

- (j) in subsection **C.2.5.1**, the deletion of the preamble in its entirety and replacing with the following that reads:

“Permitted uses within *Core Areas* as identified on Schedule B – Natural Heritage System are established through the designations and policies of Chapter E – Urban Systems and Designations and Volume 3 of this Plan. Boundaries of *Core Areas* and associated *vegetation protection zones* may be further

refined by the completion of an Environmental Impact Statement. Generally, permitted uses in Core Areas shall include:”

(k) in subsection **C.2.5.9 b)**, the deletion of the word, “*native*”;

13. **Section C.2.5.10**, is hereby modified:

(a) in subsection h), by the addition of the word, “Significant” before the word, “Valleylands”;

(b) the addition of a new subsection after subsection h) that reads:

“i) Significant Habitat of Threatened or Endangered Species and Significant Wildlife Habitat: the minimum *vegetation protection zone* shall be determined through Environmental Impact Statements, dependent on the sensitivity of the feature.”

14. **Section C.2.5.14**, is hereby modified by adding the word, “Generally,” at the start of the first sentence and adding the following new sentence at the beginning of this subsection:

“Permitted uses within a *vegetation protection zone* shall be dependent on the sensitivity of the feature, and determined through approved studies.”

15. **Section C.2.7.5**, is deleted in its entirety and replaced with the following that reads:

“Since linkages are best enhanced and protected through larger-scale planning processes, Secondary Plans shall identify and evaluate Linkages in greater detail, including Linkages currently identified in Schedule B – Natural Heritage System and those that may be newly identified through the planning process. Linkages shall be mapped in Secondary Plans and policies for their protection and enhancement included.”

16. **Section C.2.9.1**, is hereby modified by deleting the words, “native indigenous vegetation” and replacing with the words, “*natural self-sustaining vegetation*” in the third line.

17. **Section C.2.11.3**, is hereby modified by adding the words, “excluding trees that are listed as *threatened or endangered species*” after the words,

- “infrastructure works to destroy any trees,” in the third line.
18. **Section C.3.2, Urban Area General Provisions (Policies)**, is hereby modified by:
- (a) in subsection **C.3.2.1 b)**, the deletion of the word, “wind turbines” in the second line;
 - (b) the deletion of subsection **C.3.2.3** in its entirety and replacing with the following that reads:

“3.2.3 Renewable energy undertakings are exempted from Planning Act approvals as per Schedule K of the Green Energy and Green Economy Act, 2009. These undertakings shall be subject to the Green Energy and Green Economy Act, 2009 and other provincial approvals.”;
 - (c) the deletion of subsection **C.3.2.4** in its entirety.
19. **Section C.3.4, Utility Designation**, is hereby modified by:
- (a) the deletion of subsection **C.3.4.3** in its entirety and the proceeding subsections renumbered accordingly;
 - (b) in subsection **C.3.4.9**, the addition of the words, “and in accordance with the Green Energy and Green Economy Act, 2009” at the end.
20. **Section C.4.2**, is hereby modified by adding the following new subsection after subsection C.4.2.16 that reads:
- “4.2.17 The City shall plan for and protect corridors and rights-of-way for transportation, transit and infrastructure facilities to meet current and projected needs and not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.”**
21. **Section C.4.8.5**, is hereby modified by adding the following new subsection after subsection c) that reads:
- “d) *development* that is noise or land use sensitive to airport operations or will limit the opportunities for expansion of airport operations are restricted.”**

22. **Policy C.4.8.8, Table C.4.8.1: Requirements for Development in the Vicinity of John C. Munro International Airport**, is hereby modified by replacing the bullets with sequential numbering in Table C.4.8.1.
23. **Section C.5.5**, is hereby modified by adding the words, “*waste management system*” before the word, “methods” in the second line.
24. **Section E.2.7.5**, is hereby modified by adding the words, “; however they shall be restricted in function and scale.”
25. **Section E.3.8.2 a)**, is hereby modified by deleting the words, "business office" in the third line and by deleting the word "retail" in the fourth line.
26. **Section E.3.8.2 c)**, is hereby modified by deleting the words, “Policy E.3.8.9” and replacing with the words, “Policy E.3.8.10”.
27. **Section E.3.8.3**, is hereby modified by deleting the words, “Policy E.3.8.15” and replacing with the words, “Policy E.3.8.17”.
28. **Section E.3.8.8 a)**, is deleted in its entirety and the proceeding subsections renumbered accordingly.
29. **Section E.3.8.14**, is hereby modified by deleting the words, “Policy E.3.8.11” and replacing with the words, “Policy E.3.8.13”.
30. **Section E.3.8.16**, is hereby modified by deleting the words, “Policy E.3.8.14” and replacing with the words, “Policy E.3.8.15”.
31. **Section E.4.3.1, Table E.4.3.1: Pedestrian Predominant Streets** is hereby modified by:
 - (a) deleting the word “**Viking**” and replacing it with the word “**Windwood**”;
 - (b) deleting the word “**Mountain**” and replacing it with the word “**Faircourt**”; and
 - (c) deleting the word “**Lake**” and replacing it with the word “**Applewood**”.
32. **Section E.4.4.4 d)**, is hereby modified by adding the words, “conference and convention centres” after the word, “motels”.

33. **Section E.4.5.5 d)**, is hereby modified by adding the words, “conference and convention centres” after the word, “hotels”.
34. **Section E.4.8**, is hereby modified by adding the following new subsection after subsection E.4.8.7 that reads:

“Other Policies

4.8.8 Mineral aggregate resources are present in the Ancaster Business Park/Wilson-Garner area. The City supports and encourages the recovery of these resources through the sequential use of the developable land in this area, whereby mineral aggregate resources are extracted prior to, or in conjunction with, development of the area.”

35. **Section E.4.5.14**, is hereby modified by adding the words, “where applicable,” after the words “*pedestrian predominant street*”.
36. **Section E.4.5.18**, is hereby modified by adding the words, “or the designation of *pedestrian predominant streets*” after the words, “secondary plan”.
37. **Section E.4.5.18 a)**, is hereby modified by deleting the words, “the policies for a *pedestrian predominant street* and” at the beginning of the section.
38. **Section E.4.6.23**, is hereby modified by adding the words, “or the designation of *pedestrian predominant streets*” after the words “secondary plan”.
39. **Section E.4.6.23 a)**, is hereby modified by deleting the words, “the policies for a *pedestrian predominant street* and” at the beginning of the section.
40. **Section E.4.8.2 c)**, is hereby modified by adding the words “commercial entertainment uses,” after the words “commercial recreational uses,”.
41. **Section E.5.1.4**, is hereby modified by deleting the word, “functions” and replacing with the word, “uses” in the first line.
42. **Section E.5.2.5**, is hereby modified by:

(a) the deletion of Clause a) in its entirety and replacing with the following new clause that reads:

“a) In addition to the requirements of Sections E.5.3.5 and E.5.4.7 – Design, sites located on the exterior of the Employment Area or at or along strategic entrance points to the Employment Area shall be required to meet additional design standards, such as enhanced landscaping and screening of outdoor storage and assembly areas, which shall be implemented through the Zoning By-law. Outdoor storage in the front yard shall be discouraged.”; and

(b) the deletion of Clause b) in its entirety

43. **Section E.5.2.6**, is hereby modified by adding the words, “and other *sensitive land uses*” at the end.

44. **Section E.5.3.2 a)**, is hereby modified by adding the words, “*building and lumber supply establishments,*” after the words, “*building or contracting supply establishments*”.

45. **Section E.5.3.2 c)**, is hereby modified by deleting the words, “health and recreational facilities” and replacing with the words, “fitness centres”.

46. **Section E.5.4.3 a)**, is hereby modified by adding the words, “*building and lumber supply establishments,*” after the words, “*building or contracting supply establishments*”.

47. **Section E.5.4, Employment Area – Business Park Designation**, is hereby modified by the addition of a new subsection after subsection E.5.4.8 that reads:

“Other Policies

5.4.9 Mineral aggregate resources are present in the Ancaster Business Park/Wilson-Garner area. The City supports and encourages the recovery of these resources through the sequential use of the developable land in this area, whereby mineral aggregate resources are extracted prior to, or in conjunction with, development of the area.”

48. **Section F.1.0, Planning Act Implementation Tools**, is hereby modified by:

(a) the addition of the following new subsection after subsection F.1.2.8 that reads:

“1.2.9 Secondary plans shall be reviewed and when such plans are updated, opportunities for achieving the growth management targets of Policy A.2.3.3 shall be considered as part of the secondary plan process.”;

(b) in subsection F.1.6, the addition of the words, “and minor variance” after the words, “site plan control” in the fourth line;

(c) in subsection F.1.7.5 a), the addition of the word, “sustainable” before the words, “design features of buildings” in the third line;

(d) the addition of the following new subsections after subsection F.1.14.1.5 that reads:

“1.14.1.6 If approval of a draft plan of subdivision lapses, opportunities for achieving the growth management targets of Policy A.2.3.3 may be considered as part of the *development* review process.

1.14.1.7 If a plan of subdivision or part thereof has been registered for eight years or more and does not conform to the policies of this Plan, the City may use its authority under the Planning Act to deem it not to be a registered plan of subdivision.”

49. **Section F.3.1.6.2**, is hereby modified by deleting the words, “wherever possible” in the third line of the preamble.

50. **Section F.3.2.1.4**, is hereby modified by deleting the first paragraph of this subsection in its entirety and replacing with the following that reads:

“An EIS shall be required for *development* and *site alteration* proposed within or adjacent to a Core Area. Adjacent lands for features are defined in Table F.3.2 below. The distances for adjacent lands provided in Table F.3.2 are guidelines only and the City may require an EIS for development proposed outside of the adjacent area if it is anticipated that impacts may be far-reaching.”

51. Table **F.3.2**, is hereby modified by adding the words, “(For lands outside the Greenbelt Plan Area)” to the end of the title to the table.
52. **Chapter G – Glossary**, is hereby modified by the addition of the following new definitions:
- (a) **Planned Corridors:** means corridors identified through provincial plans or preferred alignment(s) determined through the *Environmental Assessment Act* process which are required to meet projected needs (PPS, 2005).
- Waste Management System:** means sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots (PPS, 2005).”;
- (b) the deletion of the definition for the Growth Plan for the Greater Golden Horseshoe and replacement with the following that reads:
- “Growth Plan for the Greater Golden Horseshoe:** means a Provincial plan prepared under the *Places to Grow Act, 2005*. It is a framework for implementing the Government of Ontario’s vision for building stronger, prosperous communities by better managing growth in this region to 2031.”;
- (c) the deletion of the definition for Significant Habitat of Threatened, Endangered, and Special Concern Species and replacement with the following that reads:
- “Significant Habitat of Threatened or Endangered Species:** means that habitat, as approved by the Ministry of Natural Resources, that is necessary for the maintenance survival and/or recovery of naturally occurring or reintroduced populations of species at risk and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle. To identify which species are threatened or endangered, the City will refer to the Species at Risk in Ontario list that is prepared and updated by the Ministry of Natural Resources. The City may collaborate with the Province during the early stages of the planning process, to ensure that the significant habitat of threatened or endangered species on lands affected by or contiguous to any proposed *development* or *site alteration* is properly evaluated and identified.”;

- (d) in the definition for Environmentally Significant Areas (ESAs), the deletion of subsection f) and replacing it with the following that reads:

“f) the site contains a regionally significant earth science Area of Natural and Scientific Interest (ANSI);”;

- (e) in the definition for Alternative Energy Systems, the addition the following new sentence at the end that reads:

“Alternative Energy Systems undertakings do not include renewable energy undertakings as defined in the Green Energy and Green Economy Act, 2009.”;

- (f) in the definition for Renewable Energy Systems, the addition of the following new sentence at the end that reads:

“These systems have the same meaning as a renewable energy undertaking under the Green Energy and Green Economy Act, 2009.”

Placeholder References to the Rural Hamilton Official Plan

53. All subsections and references to “In Rural Hamilton Official Plan” in the Urban Hamilton Official Plan document are hereby deleted and the proceeding subsections renumbered accordingly.

Volume 1, Schedules A, B, B-1, B-2, B-4 to B-8, C, C-2, E, E-1, and G save and except for those matters set out in part “D”, “E” and “F” of this decision, with the following modifications:

54. **Schedules A, B-1, B-2, B-4, B-5, C, G**, are modified by amending the Urban Boundary to include the parcels of land known as 970 Barton Street, 1361 Barton Street and, 347 Fifty Road within the Urban Area in accordance with an Ontario Municipal Board Decision and Order issued on September 9, 2010.
55. **Schedule B – Natural Heritage System**, is hereby deleted and replaced with a revised map to correct a mapping error which overlaid the “Parks & General Open Space” data on top of some “Core Areas”, and to reflect the following specific changes:

- (a) removal of the "Linkage" designation from the property at 560 Grays Road;
- (b) designate lands "Core Areas" in the vicinity of Pritchard Road and Governor's Road;
- (c) addition of a "Stream" in the vicinity of Mountain Brow Road in South Waterdown;
- (d) removal of the "Area Specific Policy - USC-2" hatching from the lands north of Highland Road (Eramosa Karst);
- (e) amending the Urban Boundary to include the parcels of land known as 970 Barton Street, 1361 Barton Street and, 347 Fifty Road within the Urban Area in accordance with an Ontario Municipal Board Decision and Order issued on September 9, 2010;
- (f) Modification deleted;
- (g) lands to be identified as "Parks & General Open Space" (Mud Street W., North Side).

56. **Schedule B-6 – Detailed Natural Heritage Features – Local Natural Area – Environmentally Significant Areas**, is hereby modified by the following:

- (a) removing the Environmentally Significant Areas designation from lands that have been developed;
- (b) amending the Urban Boundary to include the parcels of land known as 970 Barton Street, 1361 Barton Street and, 347 Fifty Road within the Urban Area in accordance with an Ontario Municipal Board Decision and Order issued on September 9, 2010.

57. **Schedule B-7 – Detailed Natural Heritage Features, Local Natural Area Earth Science ANSI**, is hereby modified by the following:

- (a) Modification deleted;
- (b) amending the Urban Boundary to include the parcels of land known as 970 Barton Street, 1361 Barton Street and, 347 Fifty Road within the Urban Area in accordance with an Ontario Municipal Board Decision and Order issued on September 9, 2010;

(c) lands to be deleted from Area Specific Policy USC-2.

58. **Schedule B-8 – Detailed Natural Heritage Features, Key Hydrologic Feature, Streams**, is hereby modified by the following:

- (a) adding a “Stream” identified through a watershed study in the vicinity of Mountain Brow Road in south Waterdown;
- (b) amending the Urban Boundary to include the parcels of land known as 970 Barton Street, 1361 Barton Street and, 347 Fifty Road within the Urban Area in accordance with an Ontario Municipal Board Decision and Order issued on September 9, 2010.

59. **Schedule C-2 – Future Road Widenings**, is hereby modified by the following:

- (a) Changing the ROW width for West 5th Street from Mohawk to 90 m south of Stone Church Road from “26.213 m” to “30.48 m”;
- (b) Changing the ROW width for West 5th Street from “90 m south of Stone Church to Rymal” from “30.48m” to “26.213m”; and
- (c) Adding a new line in the table as to read as follows:

“King Street, East Wellington Street North, Victoria Avenue North 26.213m”;

- (d) Deleting the following lines from the “Roads With Offset Road Allowances Section”:

Road	From	To	Survey Plan
Bay Street	Main Street	Cannon Street	P-600 Surveys
	Cannon Street	Barton Street	P-749(A) Surveys
James Street	Hunter Street	Main Street	P-817(A) Surveys
	Main Street	Rebecca St	P-579 Surveys
	Rebecca Street	Barton Street	P-818(A) Surveys
King Street West	Dundurn Street	Queen Street	P-909(A) Surveys

	Queen Street	Bay Street	P-752(A) Surveys
	Bay Street	James Street	P-593 Surveys
King Street East	Mary Street	Victoria Avenue	P-823(A) Surveys

60. **Schedule E – Urban Structure**, is hereby modified by the following:
- (a) the redesignation of lands from “Neighbourhoods” to “Employment Areas” for the property municipally known as 35 Brant Street;
 - (b) the redesignation of lands from “Neighbourhoods” to “Employment Areas” for the property underlying the highway interchange;
 - (c) the redesignation of lands from “Open Space” to “Neighbourhoods” for the area south of Highland Road West of Second Road West;
 - (d) amending the Urban Boundary to include the parcels of land known as 970 Barton Street, 1361 Barton Street and, 347 Fifty Road within the Urban Area in accordance with an Ontario Municipal Board Decision and Order issued on September 9, 2010.
61. **Schedule E-1 – Urban Land Use Designations**, is hereby modified by the following:
- (a) the redesignation of lands from “Neighbourhoods” to “Industrial Land” for the property municipally known as 35 Brant Street;
 - (b) the redesignation of lands from “Neighbourhoods” to “Mixed Use – Medium Density” for lands on the north side of Dundas Street, east of Spring Creek Drive In Waterdown;
 - (c) the redesignation of lands from “Neighbourhoods” to “Mixed Use - Medium Density” for the fairgrounds in Binbrook;
 - (d) the redesignation of lands from “Arterial Commercial” to “District Commercial” for lands on the west side of Dundurn Street South, south of Main Street West;
 - (e) the redesignation of lands from “Neighbourhoods” to “District Commercial” for lands municipally known as 499 Mohawk Road East;

- (f) the redesignation of lands from “Mixed Use - Medium Density” to “Neighbourhoods” for lands municipally known as 845 King Street West;
- (g) the redesignation of lands from “Arterial Commercial” to “Employment Area – Business Park” for the property underlying the highway interchange;
- (h) the redesignation of lands from “Open Space” to “Neighbourhoods” for the area south of Highland Road and west of Second Road West;
- (i) amending the Urban Boundary to include the parcels of land known as 970 Barton Street, 1361 Barton Street and, 347 Fifty Road within the Urban Area in accordance with an Ontario Municipal Board Decision and Order issued on September 9, 2010;
- (j) the redesignation of lands in the north-west quadrant of the First Road West and Mud Street intersection from “Neighbourhoods” to “Open Space”;
- (k) the redesignation of lands located on Pritchard between Highland Road West and Rymal Road from “Business Park” to “Open Space”.
- (l) lands to be redesignated from “Neighbourhoods” to “Mixed Use Medium” (Trinity Secondary Plan – modifications are shown on accompanying schedule and not on modified schedule E-1 – see Detail Inset)
- (m) lands to be redesignated from “Open Space” to “Mixed Use Medium” (Trinity Secondary Plan – modifications are shown on accompanying schedule and not on modified schedule E-1 – see Detail Inset)
- (n) lands to be redesignated from “Neighbourhoods” to “Open Space” (Trinity Secondary Plan – modifications are shown on accompanying schedule and not on modified schedule E-1 – see Detail Inset)

Volume 1, Appendix A, B, D, E, F, F-1 to F-4, and G, save and except or those parts set out in part “D”, “E” and “F” of this decision, with the following modifications:

- 62. **Appendix A, B, D, E, F, F-3 a), and G**, are modified by amending the Urban Boundary to include the parcels of land known as 970 Barton Street, 1361 Barton Street and, 347 Fifty Road within the Urban Area in

accordance with an Ontario Municipal Board Decision and Order issued on September 9, 2010.

62. (a) **Section B.3.4.2.5**, is hereby modified by the addition of the words, “buildings or structures located on” before the words, “*cultural heritage properties*”.

62. (b) **Section B.3.4.3**, is hereby modified by the addition of the following new subsection after subsection B.3.4.3.9 that reads:

“Waterfront Development

3.4.3.10 In considering applications for *development adjacent to and on the City’s waterfront*, the City shall ensure that *cultural heritage resources both on shore and partially or fully submerged under water are appropriately conserved and managed*. The City shall require appropriate measures to mitigate any harmful effects on *significant cultural heritage resources*.”

62. (c) **Section B.3.4.4.5**, is hereby modified by deleting the words, “the Province and” before the words, “the City,” in the third line.

62. (d) **Section B.3.4, Cultural Heritage Resources Policies**, is hereby modified by the addition of the following new subsection after subsection B.3.4.6 that reads:

“3.4.7 Barrier Free Design and Heritage Conservation

3.4.7.1 In addition to Section B.3.3.11 – Barrier Free Design, standardized designs for barrier free design for *built heritage resource* shall ensure that alterations do not adversely affect the heritage attributes.”

PART B: Volume 2, Chapter B, Secondary Plans, save and except for the parts set out in part “D”, “E” and “F” of this decision, with the following modifications:

63. **Proposed and Unopened Roads**

Proposed and unopened roads that currently do not show connectivity with existing roads as part of the road network on the Secondary Plan maps shall be revisited to ensure connectivity and may require an official plan amendment and draft plan of subdivision to implement a revised road network.

64. **Ancaster – Meadowlands Mixed Use Secondary Plan**, is hereby modified by:

- (a) in Policy **2.4.5.1 b) iv**), deleting the word, “three” and replacing with the word, “six”;
- (b) in Policy **2.4.5.1 c) ii) 1.**, deleting the word, “three” and replacing with the word, “six” after the words, “hectare and”.

65. **Ancaster – Meadowlands Neighbourhood III Secondary Plan**, is hereby modified by:

- (a) in **Policy 2.5.1.2 b) ii**), replacing the number “5” with the number “15”;
- (b) adding a new **Section 2.5.7 -Area and Site Specific Policies** and a new **Sub-Section 2.5.7.1** that reads:

“2.5.7.1 Notwithstanding Subsection B.2.5.1.2 c) ii) of this secondary plan, for lands located north of Garner Road East and west of Kitty Murray Lane, and identified on Map B.2.5-1 - Meadowlands Neighbourhood III Secondary Plan – Land Use Plan as Area Specific Policy – Area A, the lot frontages shall be a minimum of 9.0 metres.”

66. **Ancaster – Meadowlands Neighbourhood V Secondary Plan**, is hereby modified:

- (a) in **Policy 2.7.1.3 b) ii**), adding the words, “for single detached dwellings” after the words, “lot frontages”;

- (b) in **Policy 2.7.1.3 c i)**, adding the words “, low rise apartments,” after the words “courtyard townhouses”;
- (c) **Policy 2.7.1.3 c ii)**, is deleted in its entirety, add the word “and,” to the end of the previous subsection i) and reletter the subsequent subsection.

67. **Glanbrook - Rymal Road Secondary Plan**, is hereby modified by:

- (a) in **Policy B.5.2.3.3 b)**, deleting the words, “Medium-high density residential” and replacing with the words, “Medium Density Residential 2c”;

- (b) adding a header and a new “**Area Specific Policy – Area B**” as **Policy B.5.2.14.2** that reads:

“B.5.2.14.2 In addition to the uses permitted on the lands identified on `Map B.5.2-1– Rymal Road– Land Use Plan as Area Specific Policy–Area B, live-work units containing grade-related commercial uses shall be permitted on lands abutting Trinity Church Road and Dakota Boulevard subject to provision of an acceptable site plan and building elevations which illustrate the nature and function of the development and demonstrate compatibility with adjacent development and adequate provisions for on-street parking. Permitted commercial uses within the live-work units shall include retail, personal services, and offices.”;

- (c) adding a header and a new “**Area Specific Policy – Area C**” as **Policy B.5.2.14.3** that reads:

“B.5.2.14.3 Notwithstanding Policy B.5.2.2.4 b) iii), for the lands identified on Map B.5.2-1 – Rymal Road - Land Use Plan as Area Specific Policy – Area C, the minimum density shall be 48 units per net residential hectare.”

68. **Glanbrook - North-West Glanbrook Secondary Plan**, is hereby modified:
- (a) in **Policy B.5.3.2.3**, adding a new subsection b) that reads as follows and renumbering the proceeding subsections accordingly:
 - “**b) Notwithstanding Policy E.3.4.3 of Volume 1, the permitted uses on lands designated Low Density Residential 2 shall primarily consist of single detached dwellings, duplex, semi-detached and triplex dwellings.**”
69. **Glanbrook - Mount Hope Secondary Plan**, is hereby modified:
- (a) in **Policy B.5.4.9.1**, adding a new subsection d) that reads:
 - “**d) Notwithstanding Policy C.4.8.8, Table C.4.8.1, Subsection 2) of Volume 1, for lands at or above the 28 NEF Contour and at or below the 30 NEF Contour designated Institutional or Residential on Map B.5.4-1 – Mount Hope Secondary Plan – Land Use Plan, the provisions of Table C.4.8.1, Subsection 3) shall apply.**”;
 - (b) Deleting the word, “and,” at the end of subsection b), and adding it to the end of subsection c).
70. **Glanbrook - Binbrook Village Secondary Plan**, is hereby modified by:
- (a) renumbering **Policies B.5.1.8.2 to B.5.1.8.7** as follows:
 - “~~B.5.1.8.2~~ to **B.5.1.10.2**
 - ~~B.5.1.8.3~~ to **B.5.1.10.3**
 - ~~B.5.1.8.4~~ to **B.5.1.10.4**
 - ~~B.5.1.8.5~~ to **B.5.1.10.5**
 - ~~B.5.1.8.6~~ to **B.5.1.10.6**
 - ~~B.5.1.8.7~~ to **B.5.1.10.7**”;
 - (b) adding a new site-specific **Policy B.5.1.13.5** for lands located at 2660-2668 Binbrook Road East and 2651 Regional Road 56 to permit drive thrus that reads:
 - “**5.1.13.5 Notwithstanding Sections E.4.3.4 d) and E.4.6.6 a) of Volume 1 and Section B.5.1.5.1 i), as it applies to drive-through uses in pedestrian predominant areas, for lands**

located at 2660-2668 Binbrook Road East and 2651 Regional Road 56, a maximum of one drive-through facility accessory to a restaurant shall be permitted subject to the following:

- a) The development of the building containing a restaurant and drive-through facility shall not precede the development of the principle two storey building;
- b) Prior to the approval of a site plan for the subject lands, an Urban Design Report shall be submitted indicating how the proposed site plan implements the design policies set out in the Binbrook Village Secondary Plan, the Binbrook Urban Design Guidelines and the design provisions contained in Volume 1, Section E.4.3.4 and how the proposed development contributes to a high quality of design in the Binbrook Community Core;
- c) The development of the subject lands shall incorporate proper traffic control measures, including signage; and,
- d) The stacking lanes, order stations and pick up windows shall not be located between the building and the road allowance of the public street. The stacking lanes shall also be appropriately screened from view of the municipal parkette at the north east corner of Regional Road 56 and Binbrook Road East. Drive-through stacking lanes shall not be located to impede pedestrian movement toward the main door.”

71. **Hamilton – Chedmac Secondary Plan**, is hereby modified:

- (a) in **Policy B.6.3.2.3 b)**, adding the letter “a)” after the words “Policy B.6.3.2.3”.

72. **Hamilton – West Hamilton Innovation District Secondary Plan**, is hereby modified:

- (a) in **Policy B.6.4.3.2**, deleting the word, “Arterial” and replacing it with the word, “District” in both the subtitle and policy;
- (b) in **Policy B.6.4.3.2**, deleting the words, “Policy E.4.8 – Arterial” and replacing with the words, “Section E.4.7 – District”.

73. **Stoney Creek – Western Development Area Secondary Plan**, is hereby modified:
- (a) in **Policy B.7.1.1.3 a)**, deleting the words “, row houses, stacked and block townhouses and innovative forms of attached housing” and replacing with the words, “and town house dwellings”.
74. **Stoney Creek - Old Town Secondary Plan**, is hereby modified:
- (a) in **Policy B.7.2.4.2 a)** is hereby modified by deleting the words, “ **B.7.1.1 – Western Development Area - Land Use Plan**” and replacing it with the words, “**B.7.2-1 Old Town - Land Use Plan**”.
- 75 **Stoney Creek – Urban Lakeshore Area Secondary Plan**, is hereby modified:
- (a) in **Policy B.7.3.1.1**, adding the words, “Low Density Residential 2,” after the word, “designated” in the first line and adding the words “Low Density Residential 3,” after the word, “2e” in the second line;
 - (b) the addition of a new **Policy B.7.3.1.2- Low Density Residential 2 Designation** that reads as follows and renumbering the subsequent subsections in Section B.7.3.1:

“B.7.3.1.2 Low Density Residential 2 Designation

Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 2 on Map B.7.3-1 – Urban Lakeshore Area - Land Use Plan:

 - a) the permitted uses shall include a wide variety of dwelling types such as single detached, semi-detached and townhouse dwellings; and,
 - b) the density shall not exceed 32 units per net residential hectare.”

- (c) the addition of a new Policy B.7.3.1 5 that reads as follows and renumbering the subsequent subsections in Section B.7.3.1:

“B.7.3.1.5 Low Density Residential 3 Designation

Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, the following policies shall apply to the lands designated Low Density Residential 3 on Map B.7.3-1 – Urban Lakeshore Area - Land Use Plan:

- a) **the permitted uses shall be single detached, semi-detached, and townhouses; and,**
- b) **the density shall range from 40 to 60 units per net residential hectare.”**
- (d) in **Policy B 7.3.1.4 a) (Policy B.7.3.1.6 a) with new numbering**), deleting the words “, row houses, stacked and block townhouses and innovative forms of attached housing” and replacing with the words, “town house dwellings”;
- (e) in **Policy B.7.3.3.2**, deleting the words “Old Town” and replacing with the words, “Urban Lakeshore”;
- (f) deleting **Section 7.3.6 - Area and Site Specific Policies** in its entirety and replacing with new text that reads:

“7.3.6 Area and Site Specific Policies

Area Specific Policy – Area A

7.3.6.1 Fifty Point Neighbourhood – East of Fifty Road

To maintain the unique character of the Fifty Point Neighbourhood, special design features shall be provided on lands designated Low Density Residential 3 west of Fifty Road. These lands are shown as an Area Specific Policy – Area A on Map B.7.3 -1 – Urban Lakeshore Area – Land Use Plan and the following policies shall apply:

- a) **Notwithstanding Policy 7.3.1.5 b) of this secondary plan, a maximum of 637 dwelling units shall be permitted within the lands shown as Area Specific Policy – Area A on Map B.7.3-1–Urban Lakeshore Area – Land Use Plan.**
- b) **A geographic gradation of densities and lot sizes shall be established the lowest densities located closer to Lake Ontario and the higher densities interspersed throughout the area, but with a greater concentration closer to the Queen Elizabeth Way.**
- c) **To create a strong neighbourhood identity along the edge of the neighbourhood, a minimum frontage of 18 metres for single detached lots along McCollum Road and 15 metre lots along Fifty Road shall be required. In no case shall lots with a lot frontage less than 15 metres be permitted. A lot having less than 18 metres of frontage shall only be permitted within 500 metres of Baseline Road.**
- d) **An open space landscaped buffer shall be provided between the boundary of the Fifty Point Conservation Area and lands designated Area Specific Policy Area – Area A. In this regard, a minimum 9.0 metre wide landscaped buffer strip of which at least 4.5 metres shall be situated on Conservation lands and at least 4.5 metres on residential lands shall be implemented. Further, a landscaped buffer strip having a minimum width of 4.5 metres shall be provided on commercial designated lands when abutting residential uses.**
- e) **Design features shall include but not be limited to decorative street lamps, enhanced boulevard landscaping, special**

intersection treatments, entrance features, and traffic circle islands with pedestrian amenities, decreased front yards, front porches, and recessed or detached garages. The actual yard requirements shall be determined by the City at the time of its review of zoning and subdivision applications.

- f) Provisions shall be made to incorporate cultural heritage resources within the overall design of the Fifty Point Neighbourhood to minimize adverse effects that may detract from these resources and provide for their preservation.**
- g) Architectural and urban design guidelines shall be prepared by a “qualified architectural consultant”. The guidelines are intended to achieve and attractive and coordinated built form and community design with features to enhance the neighbourhood and create architecturally complementary streetscapes.**
- h) The architectural and urban design guidelines shall address but not be limited to the prescription of architectural designs and forms to ensure distinctive and high quality buildings and a strong neighbourhood character, and provision of appropriate architectural and landscape design concepts along and at key intersections of entry roads with McCollum Road, Fifty Road, and Baseline Road to ensure proper streetscaping and landscape buffers to create an identifiable prestige gateway into this neighbourhood.**

Area Specific Policy – Area B

Section 7.3.6.2 Fifty Point Neighbourhood – West of Fifty Road

The following policies shall apply to the lands designated Low Density Residential 2 and shown as Area Specific Policy – Area B on Map B.7.3-1 – Urban Lakeshore Area – Land Use Plan:

- a) **Architectural and Urban Design Guidelines shall be required for any Plan for Development and shall be prepared to the satisfaction of the City.**
- b) **Design features shall include but not be limited to decorative street lamps and increased front yards. A variety of house styles with different architectural details shall be encouraged and reviewed during the draft plan of subdivision process. Actual yard requirements shall be determined by the City at the time of its review of zoning and subdivision applications.**
- c) **Provisions shall be made to incorporate cultural heritage resources within the overall design of the Fifty Point Neighbourhood to minimize adverse effects that may detract from these resources and provide for their preservation.”**

76. **Stoney Creek – Nash Neighbourhood Secondary Plan**, is hereby modified:

- a) in **Policy 7.5.11.3**, deleting the words “and the Province” from the last line of this policy;
- b) in **Policy 7.5.14.2 b)**, adding the words, “the existing licence to extract mineral aggregate resource issued under the Aggregate Resources Act” after the words, “Section 14 of the Environmental Assessment Act dated July 15, 1996;”;
- c) in **Policy 7.5.14.2 c)**, adding the words “and surrender of the Aggregate Resources Act licence” at the end;
- d) the deletion of **Policy 7.5.14.2 d)** in its entirety and replacing it with:
 - “d) **Recreational and open space uses, when approved by the Minister of Environment, can occur without**

amendment to this Plan subject to the surrender of the Aggregate Resources Act licence and any necessary Site Plan and Development Agreements being approved by the City.”;

- e) the addition of new policies for **Site Specific Policy - Area D** and the addition of a new **Site Specific Policy – Area E** as follows:

“7.5.14.4 Site Specific Policy – Area D

For lands shown as Site Specific Policy - Area D on Map B.7.5-1 – Nash Neighbourhood – Land Use Plan, the following policies shall apply:

- a) **The development of lands designated Low Density Residential 2h and Medium Density Residential 2 shall be subject to the following specific provisions:**
- i) **future development approval shall provide for full municipal servicing connection and vehicular access to the Low Density Residential 2h lands east of the flood plain;**
 - ii) **the location of such connection and access shall be to the satisfaction of the Hamilton Conservation Authority and the City of Hamilton; and,**
 - iii) **the said vehicular access shall be aligned with the crossing of the flood plain approved by the Hamilton Conservation Authority.**

7.5.14.5 Site Specific Policy – Area E

For lands shown as Site Specific Policy – Area E on Map B.7.5-1 – Nash Neighbourhood – Land Use Plan, the following policies shall apply:

- (a) **In addition to the uses permitted in Section E.4.8 of Volume 1, District Commercial uses shall also be permitted in accordance Policy E.4.7 of Volume 1.”**

77. **Stoney Creek - West Mountain (Heritage Green) Secondary Plan, is hereby modified:**

- (a) in **Policy 7.6.1.3**, deleting the words “and the Province” from the last line of this policy;
- (b) in **Policy 7.6.2.2 b) ii)**, deleting the words, “not exceed 29” and replacing with the words, “be approximately 30 to 49”;
- (c) in **Policy 7.6.3.2**, deleting the words, “ Local Commercial” after the word “designated” and deleting the words, “,and Arterial Commercial” after the word, “Medium” and adding the word “Density” after the word, “Medium”;
- (d) in **Policy 7.6.3.4 a)**, deleting the words, “ Local Commercial” after the word “designated” and deleting the words, “,and Arterial Commercial” after the word, “Medium” and adding the word “Density” after the word, “Medium”;
- (e) the addition of a new **Site Specific Policy – Area C** that reads as follows:

“Site Specific Policy – Area C

7.6.8.19 For land located north of Highland Road West, on the west side of Upper Centennial Parkway and shown as Site Specific Policy – Area C on Map B.7.6-1 – West Mountain Area (Heritage Green) – Land Use Plan, the following policies shall apply:

- a) **In addition to the uses permitted in Section E.4.8 of Volume 1, District Commercial uses shall also be permitted in accordance with Policy E.4.7 of Volume 1.”**

- (f) the addition of a new **Site Specific Policy – Area D** that reads as follows:

“Site Specific Policy – Area D

7.6.8.20 The lands south of the West Mountain Core Area, located on the south side of Stone Church Road

East, east of the Trinity Church Road Extension, west of Upper Mount Albion Road, and on the north side of Highland Road West, are shown as Site Specific Policy - Area D on Map B.7.6-1 West Mountain Area (Heritage Green) – Land Use Plan.

Notwithstanding Section E.4.6 – Mixed Use - Medium Density of Volume 1, policies B.7.6.8.20 through B.7.6.8.25 inclusive shall apply to the lands south of the West Mountain Core Area shown as Site Specific Policy –Area D.

7.6.8.21 The lands south of the West Mountain Core Area as shown on Map B.7.6-1 West Mountain Area (Heritage Green) – Land Use Plan as Site Specific Policy – Area D, shall contribute to the evolution of the *Core Area* as an urban centre that is human in scale, pedestrian friendly and transit supportive. The following development principles shall apply:

- a) The interface with the West Mountain Core Area should consist primarily of mixed land uses.
- b) The mixed use and residential areas shall have a high degree of connectivity internally and to the West Mountain Core Area, with interconnecting pedestrian/bicycle linkages between the residential and the commercial uses and transit facilities.
- c) Residential frontages shall include high quality pedestrian features, including but not limited to, sidewalks, trees and benches.
- d) Buildings shall generally range from 2 storeys to 9 storeys, though some single storey buildings may be permitted subject to minimum height requirements as set out in the Zoning By-law, and compliance with urban design requirements.
- e) Medium Density Residential 3 uses fronting Highland Road West shall include features such as wide boulevards, street trees, and pedestrian amenities.

f) On street parking shall be encouraged, where possible.

7.6.8.22 Residential

In addition to policy B.7.6.2.3, townhouses and maisonettes shall be permitted.

7.6.8.23 Mixed Use – Medium Density Policies

Notwithstanding Section E.4.6 – Mixed Use – Medium Density of Volume 1, the following policies shall apply to those lands south of the West Mountain Core Area:

- a) Commercial, Residential, and Institutional uses shall be permitted in the Mixed Use – Medium Density designation. Mixed Use buildings shall permit commercial uses on the ground floor only, with the exception of hotels, financial institutions and office uses.**
- b) Commercial uses permitted in the Mixed Use – Medium Density designation are limited to offices, local commercial, retail stores, personal services, financial institutions, day nurseries, restaurants and hotels.**
- c) Stand alone commercial buildings shall not be permitted, with the exception of stand alone office, hotel, financial institution and restaurant uses.**
- d) Residential uses permitted within the Mixed Use – Medium Density designation are limited to apartment dwellings.**
- e) Ground floor commercial and institutional uses are permitted in residential buildings.**
- f) Institutional uses shall be permitted.**
- g) It is the intent of the Official Plan to achieve a minimum density of 50 residents and jobs per gross hectare for all development within the Mixed Use - Medium Density**

designation. This shall be achieved through the application of appropriate minimum density provisions in the implementing Zoning By-law.

- h) The density of residential development shall be consistent with the Medium Density Residential 3 ranges detailed in Section B.7.6.2.3 b) of this plan.
- i) Multi-storey buildings with grade related commercial and institutional uses with residential/office above are encouraged.

7.6.8.24

Urban Design Policies

Mixed Use – Medium Density designated areas shall be developed in accordance with the following:

- a) Buildings should be located close to the street to provide definition to the street edge, screen large areas of parking from the boundary roads, and create a pedestrian oriented environment.
- b) Development along Upper Mount Albion Road should contribute to a strong community image, providing a 'central street' character and a pedestrian friendly environment.
- c) Building facades should be varied by use to provide visual interest for pedestrians.

7.6.8.25

Gateways shall be developed for the land south of the West Mountain Core Area in accordance with the following:

- a) The intersections of Stone Church Road East and Upper Mount Albion Road, Trinity Road Extension and Highland Road West, and Trinity Road Extension and Stone Church East, shall have distinct architectural and landscape gateway treatments. Gateway markers can consist of built-form or landscape features and provide an opportunity for community landmarks.

- b) **Buildings at corner gateways should be appropriately positioned at the intersection and parallel to public streets to create a publicly accessible space of high quality in terms of design and materials, as well as ensure adequate sight lines.**

Volume 2, Chapter B, Secondary Plan Maps and Appendices, save and except for the parts set out in part “D”, “E” and “F” of this decision, with the following modifications:

- 78. **Volume 2, Appendix A, Secondary Plans Index Map**, is modified by amending the Urban Boundary to include the parcels of land known as 970 Barton Street, 1361 Barton Street and, 347 Fifty Road within the Urban Area in accordance with an Ontario Municipal Board Decision and Order issued on September 9, 2010.
- 79. **Map B.2.5-1 Ancaster – Meadowlands Neighbourhood III Secondary Plan** is hereby modified to delete and replace the identified area which gives effect to OPA129 (A) effective July 9, 2009.
- 80. **Map B.5.2-1 Glanbrook - Rymal Road Secondary Plan** is modified by adding a new Area Specific Policy “B”, adding a new Area Specific Policy “C”, and redesignating lands from “Medium Density 2b” to “Medium Density 2C”.
- 81. **Map B.5.1-1 Binbrook Village Secondary Plan** is modified by adding a new Site Specific Policy “E”.
- 82. **Map B.6.2-1 Hamilton - Ainslie Wood Westdale Secondary Plan** is modified by redesignating certain of lands from “Local Commercial” to “District Commercial”.
- 83. **Map B.6.4-1 Hamilton – West Hamilton Innovation District Secondary Plan** is modified by redesignating lands on the west side of Dundurn Street South, south of Main Street West from “Arterial Commercial” to “District Commercial”.
- 84. **Map B.7.1-1 Stoney Creek - Western Development Area Secondary Plan** is modified by redesignating lands in the vicinity of Highway No.8 and Millen Road from “Low Density Residential 2b” to “District Commercial”.

85. **Map B.7.2-1 Stoney Creek – Old Town Secondary Plan** is modified by redesignating lands in the vicinity of Centennial Parkway North from “Local Commercial” to “Medium Density Residential 3”.
86. **Map B.7.3-1 Stoney Creek – Urban Lakeshore Secondary Plan** is modified to reflect the following:
- (a) the redesignation of lands in the vicinity of Fifty Road from “Low Density Residential 2b” to “Low Density Residential 2”;
 - (b) the redesignation of lands in the vicinity of Fifty Road from “Low Density Residential 2b” to “Low Density Residential 3”;
 - (c) the revision of the boundary of Area Specific Policy Area – Area A;
 - (d) the revision of the boundary of Area Specific Policy Area – Area B.
87. **Map B.7.5-1 Stoney Creek – Nash Neighbourhood** is modified to reflect the following:
- (a) the redesignation of lands in the vicinity of Mud Street West from “Arterial Commercial” to “District Commercial”;
 - (b) the addition of a new Area Specific Policy - Area “E” to permit “District Commercial” uses in the “Arterial Commercial” designation;
 - (c) the deletion of the symbol “Subject to future OMB Hearing” from the map and the corresponding legend item;
 - (d) the extension of the eastern boundary of Site Specific Policy - Area D to include a portion of the “Medium Density Residential 2” designation.
88. **Map B.7.6-1 Stoney Creek – West Mountain Area (Heritage Green) Secondary Plan** is modified to reflect the following:
- (a) the redesignation of lands in the vicinity of Upper Centennial Parkway from “Institutional” to “Arterial Commercial”;

- (b) the deletion and replacement of the identified area with Inset 1 and Inset 2 to give effect to OPA 151(S) adopted September 16, 2009;
- (c) add a new Area Specific Policy – Area C;
- (d) the deletion of lands from the West Mountain Area (Heritage Green) Secondary Plan (Trinity West Secondary Plan OPA).

New Item:

- 89. The addition of a new Stoney Creek Secondary Plan - **Trinity West Secondary Plan**, as new **Subsection B.7.7**, as attached to this decision as **Attachment “1”**.

PART C: Volume 3, Chapter B and C, Urban Site and Area Specific Policies, save and except for the parts set out in part “D”, “E” and “F” of this decision, with the following modifications:

90. **Chapter B, Area Specific Policy UF-1,** is modified as follows:
- (a) in subsection **1.0**, deleting the word, “Notwithstanding” and replacing it with the words, “**In addition to**” in the first line;
 - (b) the deletion of **subsection 1.0 a)** in its entirety and replacing it with the following:
 - “a) a combined maximum of 118,354 square metres of gross floor area shall be permitted in areas A, B and C excluding a hotel and motel for area C of UF-1; and, ”;
 - (c) in subsection **1.1**, the addition of the words, “**In addition to Policy E.4.7.2 but**” before the word, “notwithstanding” in the first line and deleting the reference to “E.4.7.2” in the first line;
 - (d) in subsection **1.1 a)**, the addition of the word, “additional” before the words, “uses shall be permitted.”;
 - (e) in subsection **1.2**, the addition of the words, “**In addition to Policy E.4.7.2 but**” before the word, “notwithstanding” in the first line and deleting the reference to “E.4.7.2” in the first line;
 - (f) in subsection **1.2 a)**, the addition of the word, “additional” before the words, “uses shall be permitted.”;
 - (g) in subsection 1.2 a), the addition of a new **subsection vii)** that reads:
 - “vii) **Business, professional, and administrative offices in stand alone buildings.**”
91. **Chapter B Policy UF 1.1, subsection c)** is modified by deleting this subsection in its entirety.
92. **Chapter B Policy UF 1.2, Subsection b) i)** is modified by deleting the existing text and replacing it with:

“The maximum gross floor area for all combined retail establishments, shall generally be 52,000 square metres and shall generally be distributed in an equitable manner between B-1 and B-2;”

93. **Chapter B Policy UF 1.3** is modified by adding the words **“In addition to Policy E.4.7.2 but”** before the word **“notwithstanding”** and deleting the reference to Policy E.4.7.2 in the first line of the preamble.
94. **Chapter B Policy UF 1.3 , Subsection a)**, is modified by:
- a) adding the word **“ additional”** after the word **“following”**; and
 - b) adding a new subsection **viii)** that reads”
“viii) Business, professional, and administrative offices in stand alone buildings.”
95. **Chapter B, Policy USC 1.0 Subsection c)** is modified by;
- (a) revising the title and first paragraph of Section 1.0 to describe the entire Feeder Area as identified in Figure 2 to the Eramosa Karst ANSI report (Buck, Worthington, and Ford, 2003); and
 - (b) adding the words **“the Province”** after the word **“City”** in the third line;
96. **Chapter B Policy USC- 3 Subsection 1.1 a)** is modified by
- (a) the addition of the number **“1)”** before the words **“the lands between Barton Street and the CNR tracks”**
 - (b) adding the words **“including 1361 Barton Street (0.96 ha.) and 347 Fifty Road (2.95 ha.)”** after the words **“ identified as Parcel A on Map SC-2”**;
 - (c) the addition of the number **“2)”** before the words **“the area between Winona Road”**.
97. **Policy USC- 3 Subsection 1.1 b) iii) (1)** is modified by
- (a) deleting the number **“14,00”** after the words **“department store shall be”** and replacing it with the number **“7,000”** ;

- (b) adding the words “of which a maximum gross floor area of 4,180 square metres for the sale and display of food shall be permitted after the words “**square metres**”;
98. **Policy USC- 3 Subsection 1.1 e)** is hereby modified by
- (a) adding the words “**and identified as Parcel C on Map SC-2**’ after the words “the lands located at” in the fifth line
- (b) deleting the words “**identified as Parcel C on Map SC-2**” in subsection i);
- (c) adding three new subsections i), ii) and iii) that reads:
- “i) **970 Barton Street (0.788 ha)**”;
- “ii) **1361 Barton Street (0.96 ha.)**”; and,
- “iii) **347 Fifty Road (2.95 ha.)**”.
99. **Chapter C Policy UDOS-1- 1.0 a) v)** is modified by: deleting all the words after “primary uses”
100. **Chapter C UDOS- 1- 1.0 b)** is modified by adding a new subsection **b)** to Policy 1.0 which reads as follows and renumbering the subsequent subsections accordingly:
- “b) Permitted uses listed in Subsection a) shall not destroy the essentially open space nature of the land.”**
101. **Chapter C, Policy UHC-4,** is modified by deleting the existing policies in their entirety and replacing with the following new policies that read as follows:
- “UHC-4 Lands Located at 480 and 500 Centennial Parkway North and 20 Warrington Street, former City of Hamilton**
- 1.0 In addition to the uses permitted in Policy E.4.7.2 – District Commercial of Volume 1, the lands designated District Commercial, located at 480 and 500 Centennial Parkway North and 20 Warrington Street as Parcel A in Urban Site Specific Area UHC-4, shall be developed with a mix of retail and non-retail uses and serve as a mixed**

use gateway into the City. The following uses shall also be permitted:

- a) one department store;
- b) hotel and convention centre;
- c) entertainment uses; and,
- d) arts and cultural uses.

1.1 Notwithstanding Policies E.4.7.2 b) and E.4.7.8 - District Commercial of Volume 1, main floor offices and stand alone office buildings shall be permitted in accordance with the Zoning By-law.

1.2 Notwithstanding Policy E.4.7.2 c) - District Commercial of Volume 1, no residential uses shall be permitted.

1.3 Notwithstanding Policies E.4.7.3 c) and E.4.7.7 – District Commercial of Volume 1, the maximum amount of gross floor area for one department store shall not exceed 18,581 square metres for the lands identified as Parcel A in Urban Site Specific Area UHC-4.

2.0 Notwithstanding the uses permitted in Policy E.5.4.3 of Business Park, located at 480 and 500 Centennial Parkway North and 20 Warrington Street, shown as Parcel B in Urban Site Specific Area UHC-4, the following uses shall not be permitted:

- a) retail establishments as ancillary uses, except as provided in Policy 2.1;
- b) *waste processing facilities and waste transfer facilities.*

2.1 Notwithstanding Policies E.5.4.5 and E.5.4.6 of Volume 1, on the lands designated Employment Area-Business Park, located at 480 and 500 Centennial Parkway North and 20 Warrington Street, shown as Parcel B in Urban Site Specific Area UHC-4, the following provisions shall apply:

- a) office buildings with a minimum gross floor area of 2,000 sq. m and a maximum gross floor area of 9,999 sq.m. shall be permitted; and,
- b) limited ancillary uses and convenience retail, as defined in the Zoning By-law, shall be permitted on the ground floor of an office building with a minimum gross floor area of 2,000 sq. m and a maximum gross floor area of 9,999 sq.m.

3.0 Notwithstanding Policies E.4.7.3 c) and E.4.7.7 – District Commercial and Section E.5.4.6 and E.5.4.7-Employment Area-Business Park Designation of Volume 1, the following provisions shall apply to Parcels A and B in Urban Site Specific Area UHC-4:

- a) The maximum gross floor area for all development shall not exceed 45,058 square metres.
- b) Development of the site shall be completed in a phased manner consisting of an initial permitted development of 23,226 square metres of retail and service uses. An additional 1 square metre of retail and service uses shall be permitted on Parcel A for every 1 square metres of non-retail, employment and service uses, as identified in the Zoning By-law for Parcels A and B, for which construction has substantially commenced on the site.

Urban Design Guidelines

4.0 Prior to development of 480 and 500 Centennial Parkway North and 20 Warrington Street, shown as UHC-4, the proponent shall complete urban design guidelines for the development of the site, to the satisfaction of the City. Urban design guidelines shall be in accordance with the Urban Design Principles and Policies in Policies 4.1 and 4.2 of UHC-4:

4.1 Urban Design Principles

The Centennial Parkway North site is a gateway location

in the City of Hamilton, arriving from the Queen Elizabeth Way along Centennial Parkway North. The site shall evolve as a mixed-use area with a physical form that is human-scaled, pedestrian-friendly, and transit-supportive. The following urban design principles shall direct the development of the site:

- a) **Notwithstanding Section B.3.3–Urban Design and Policies E.4.7.11 to E.4.7.17-District Commercial Design, the site shall:**
 - i) **Have a high quality form of urban design including streetscapes, views and vistas, gateways, walkways, and amenity spaces;**
 - ii) **Be a “gateway” location into the City that promotes a sense of arrival;**
 - iii) **Be a mixed-use area with a range of commercial uses, employment uses, and amenity spaces;**
 - iv) **Have a concentration and arrangement of uses and buildings that encourages comfortable pedestrian activity on and surrounding the site, and which facilitates public transit ridership;**
 - v) **Have a connected circulation system internally that comfortably and efficiently links all buildings, transit facilities, parking areas, and amenity spaces to the bounding public streets;**
 - vi) **Have a prominent multi-storey building, or buildings, of high quality architectural design at the intersection of Centennial Parkway North and the South Service Road;**
 - vii) **Have a strong edge and frame facing the bounding public streets, including the placement and design of buildings and high quality landscaping;**
 - viii) **Have an incorporation of framing views and vistas**

within the site by aligning buildings and building elements to create terminus views; and,

- ix) Have an appropriate transition to surrounding properties in terms of buffering and screening.

4.2 Design Policies

The Centennial Park North site shall be developed in accordance with the following urban design policies. In the event that conditions and/or restrictions arise as a result of the Record of Site Condition, specific design solutions shall be incorporated in consultation with the City through the Site Plan approvals process.

a) Entrance Gateways

- i) Entrance Gateways are access points to a site, and provide a sense of arrival to a development. Two types of Entrance Gateways shall be provided at the site: Primary Entrance Gateways, and Secondary Entrance Gateways.
- ii) Primary Entrance Gateways identify the principal vehicular and pedestrian entry point to the site, and may include information signage for traffic circulation through the site. There should be one Primary Entrance Gateway to the site, from Centennial Parkway North.
- iii) Secondary Entrance Gateways serve as secondary vehicular and pedestrian entry points to the site. There could be multiple Secondary Entrance Gateways to the site, from South Service Road and Warrington Street.
- iv) All Entrance Gateways should be given special built form and landscape treatment, including the consideration of appropriate positioning of buildings, adequate sight lines, and the inclusion of both vertical and horizontal elements, including signage and landscape features. Given their principal function, the Primary Entrance Gateway should be more visually prominent than the Secondary Entrance Gateway(s) in terms of scale and design.

b) Built Form

i) For all buildings on the site, the following policies apply:

- 1. Buildings shall be sited and designed to enhance the public nature of streets, amenity spaces, and pedestrian routes.**
- 2. Buildings should be generally sited parallel to the public street.**
- 3. The principal building façade shall be the building wall containing the primary building entrance. The principal building façade shall be varied and articulated, through the use of elements such as bay projections, canopies and/or varied roof lines, in order to provide visual interest and to break up long walls to create the impression of smaller building units.**
- 4. Principal building entrances shall be located at grade, and shall be easily accessed from the public sidewalk on the bounding public streets and the pedestrian walkways internal to the site.**
- 5. Principal building entrances shall be emphasized on the building's façade through architectural treatments.**
- 6. Other building façades shall be designed in a similar fashion to the principal building façade, in regards to colour, material, and articulation.**
- 7. All building signage shall be designed in a manner integral to the building design in terms of size, form, material, and colour.**
- 8. Roof-top mechanical equipment shall be enclosed or screened, particularly in a manner integral with the overall building design in terms of form, material, and colour.**
- 9. Canopies over doorways, arcades and other treatments are encouraged in the design of a building façade, particularly along pedestrian routes, to provide a comfortable pedestrian environment for walking.**

10. **Stacking lanes and order stations for drive-through facilities shall not be located between a building wall and the road allowance of a bounding public street.**
- ii) **For buildings that are located abutting Centennial Parkway North and South Service Road, the following additional policies apply:**
 1. **Buildings along Centennial Parkway North shall be located close to the edge of the respective road allowance so as to frame the streetscape.**
 2. **Buildings along the South Service Road may be located further from the street edge with landscape treatment to define the street edge, which may contain a tiered design of lawn, low hedges, trees, masonry, and decorative metal fences and gates culminating in taller plantings.**
 3. **The streetscape shall create a positive community image, which may include the coordinated use of high quality paving materials, wide sidewalks, street furniture, pedestrian-scale lighting and signage, and enhanced landscaping.**
 - iii) **For buildings abutting Warrington Street, the rail line, and the hydro corridor, the following additional policies apply:**
 1. **Loading and service areas shall be adequately screened with the use of a landscaped buffer, which may contain landscape berms, evergreen and deciduous trees and shrubs, and fencing.**
 2. **Façades that face a loading area or service area shall be finished with material and architectural features consistent with the principal façade of the building.**
 - iv) **For the prominent buildings at the Centennial Parkway North and South Service Road intersection, the following policies shall apply:**
 1. **Buildings shall be placed so the tallest buildings are at the corner of Centennial Parkway North and the South Service Road.**

2. **Buildings shall have a distinct architectural appearance, including a high level of architectural detailing, given their prominence on the site. Detailing may include varied rooflines, canopies, decorative architectural details, and projecting bays. Large blank walls and a continuous, repetitive façade shall not be permitted.**
3. **Buildings shall have articulated facades facing both the bounding public streets and the interior of the site.**
4. **A high quality of landscape design along the edges of the property and within the interior shall provide a setting that is pedestrian-friendly and visually attractive.**
5. **Design of the buildings shall complement the landscape design between the building wall and the road allowances at the corner, in order to promote a sense of entry into the site and into the City from the Queen Elizabeth Way.**
6. **Loading areas and service areas shall not be located between a building's wall and the road allowance of Centennial Parkway North or South Service Road.**
7. **Buildings and their landscape features are encouraged to have feature lighting to signify and highlight these buildings during night-time.**

c) Pedestrian Realm

- i) **Pedestrian routes that connect to buildings, transit stops or facilities, and pedestrian routes in the surrounding community shall be provided. Internal walkways and linkages shall be designed as a condition of Site Plan Approval.**
- ii) **Pedestrian walkways that connect parking areas to building entrances shall be provided. These walkways shall be designed to contribute to the safety and visual continuity of the entire pedestrian system, and may include such elements as special paving materials, trees, and lighting.**
- iii) **Barrier-free design of buildings, streets, and publicly accessible exterior spaces shall be implemented.**

- (ii) A landscaped strip shall be provided between any surface parking area that abuts a public street to define the street edge and screen the parking area. The minimum width of the landscaped strip shall be set out in the implementing Zoning By-law.
- (iii) All loading zones and service lanes shall be screened and landscaped. Screens shall be designed to complement the materials and details of the associated building facades.
- (iv) Wherever possible, on-site loading zones and service lanes shall be consolidated and shared at the rear or side of buildings.
- (v) On-street parking along internal drive aisles is encouraged to provide the 'look and feel' of a public street.

f) **Vehicular Access**

- (i) The number and location of vehicular access points shall be limited so as to minimize disruption to traffic flow and to minimize the impact on local streets.”

- 102. **Volume 3, Map F-1 -Area Specific Policies** is hereby modified by deleting and replacing the existing **Volume 3: Map F-1** with a new **Volume 3: Map F-1**.
- 103. Modification deleted.
- 104. **Volume 3, Map 1 Area Specific Policies Key Map** is hereby modified by amending the Urban Boundary to include the parcels of land known as 970 Barton Street, 1361 Barton Street and, 347 Fifty Road within the Urban Area in accordance with an Ontario Municipal Board Decision and Order issued on September 9, 2010.
- 105. **Volume 3, Map 2 Urban Site Specific Key Map** is hereby modified by amending the Urban Boundary to include the parcels of land known as 970 Barton Street, 1361 Barton Street and, 347 Fifty Road within the Urban Area in accordance with an Ontario Municipal Board Decision and Order issued on September 9, 2010.
- 106. **Volume 3, Map SC-2, Area Specific Policies**, is modified by amending the Urban Boundary to include the parcels of land known as 970 Barton Street, 1361 Barton Street and, 347 Fifty Road within the Urban Area in accordance with an Ontario Municipal Board Decision and Order issued on September 9, 2010
- 107. **Site Specific Area UDOS-1**, is modified by removing certain lands from

UDOS-1.

New Item:

108. Add a new **Site Specific Area UHC-4** location map, as attached to this decision as **Attachment "2"**.

PART D: A decision is withheld on the following matters:

109. Numbering for placeholder purposes only.
110. Numbering for placeholder purposes only.
111. **Schedule E1 and Volume 2: Map B.7.6-1**, for the lands to be designated “Mixed Use-Medium Density” at the northwest corner of Highland Road West and upper Mount Albion Road in Stoney Creek (ORC lands) pending the Province and City entering into an agreement to transfer the Trinity Church Road.
112. **Schedules E, E-1 and Section B.6.4, West Hamilton Innovation District Secondary Plan and Maps B.6.4-1 and B.6.4-2** for the lands located at 606 Aberdeen Avenue, as they are subject to an OMB hearing.
113. **Schedules E, E-1 and Section B.6.5, West Harbour (Setting Sail) Secondary Plan and Maps B.6.5-1 to B.6.5-6 inclusive**, as they are subject to an OMB hearing.
114. **Schedules B, B-7, B-8, E, E-1, Volume 2: Map B.7.6-1, Volume 3: Map SC-1**, for the lands located in the West Mountain Area of the former City of Stoney Creek, south of Highland Road West, north of Rymal Road East, and west of Second Road West (Stoney Creek).

PART E: A decision is withheld on the following matters before the OMB resulting from site-specific appeals of the failure of the Minister to give notice of a decision within 180 days after the day the Urban Hamilton Official Plan was received:

115. Lands located at 56 Governor's Road (St. Joseph's Villa), as they are subject to OMB hearing and the following Volume 1 policies as they relate to 56 Governor's Road (St. Joseph's Villa):

- B.2.4* - Residential Intensification
- B.3.2* - Housing Policies
- B.3.3* - Urban Design Policies
- B.3.4 – Cultural Heritage Resource Policies
 - B.3.4.1 – Policy Goals
 - B.3.4.2 – General Cultural Heritage Policies
 - B.3.4.3 – General Cultural Heritage Policies for Urban Areas
 - B.3.4.4 – Archaeological Policies

- C.3.3* - Open Space Designations
- C.4.2* - Integrated Transportation Network
- C.4.3* - Active Transportation Network
- C.4.5* - Roads Network
- C.5.3* - Lake Based Municipal Water & Waste Water Systems
- C.5.4* - Storm Water Management Facilities

- E.2.2.1 – Urban Structure Elements
- E.2.3 – Urban Nodes
 - E.2.3.3 – Community Nodes
- E.2.6* - Neighbourhoods
- E.2.8* - Major Open Space
- E.3.0 – Neighbourhoods Designation
- E.3.2 – Neighbourhoods Designation General Function
- E.3.5 – Medium Density Residential
- E.3.6 – High Density Residential
- E.6.0* - Institutional Designation

- F.1.19* - Complete Application Requirements & Formal Consultation
- F.3.1* - Supporting Plans
- F.3.2* - Council Adopted Guidelines & Technical Studies

**Entire Policy Section appealed (i.e. E.2.6.1 to E.2.6.7)*

Volume 1 Schedules and Appendices Appeal

Schedule B – Natural Heritage Systems
Extent/limit of NHS

Schedule B-2 Detailed Natural Heritage Systems – Significant Woodlands
Extent/limit of Woodlands

Schedule B-6 – Detailed Natural Heritage Systems – Locally
Environmentally Sensitive Areas
Extent/limit of Local ESA

Schedule B-8 – Detailed Natural Heritage Systems – Hydrological
Features
Extent/limit of Hydrological Features

Schedule C – Functional Road Classification

Schedule E – Urban Structures
Extent/limit of Community Node designation

Schedule E-1 – Land Use Designations
Institutional designation

Appendix F – Cultural Heritage Resources

Appendix F-4 – Archaeological Potential
Extent/limit of lands with potential

116. Lands located at 495 Wentworth Street North (Sam's Auto Wrecking Co. Ltd.), as they are subject to OMB hearing and the following Volume 1 appeals as they relate to 495 Wentworth Street North (Sam's Auto Wrecking Co. Ltd.):

B.2.0* - Defining Our Communities
B.3.1.1 – Land Use and Infrastructure
B.3.1.2 to 3.1.4 – Employment Lands
B.3.1.5 – Brownfields
B.3.2* - Housing Policies
B.3.3* - Urban Design Policies
B.3.5* - Community Facilities/Services
B.3.6* - Health & Public Safety
B.3.7* - Energy

C.3.2* - Urban Area General Provisions (Policies)
C.3.3* - Open Space Designations
C.4.5.8 – Access Management
C.4.5.15 – C.4.5.19 – Parking & Loading

E.2.2.1 – Urban Structure Elements
E.2.6* - Neighbourhoods
E.2.7* - Employment Lands
E.2.8* - Major Open Space
E.3.0* - Neighbourhoods Designation
E.5.0* - Employment Area Designation

F.1.12 – Implementation – Existing, Non-Complying and Non-Conforming Uses

G – Glossary

**Entire Policy Section appealed (i.e. E.2.6.1 – E.2.6.7)*

Volume 1 Schedules and Appendices Appeal

Schedule E – Urban Structure
Schedule E-1 – Urban Land Use Designations

117. Lands located at 43 Lloyd Street (2243361 Ontario Inc.), as they are subject to OMB hearing and the following Volume 1 appeals as they relate to 43 Lloyd Street (2243361 Ontario Inc.):

B.2.0* - Defining Our Communities
B.3.1.1 – Land Use and Infrastructure
B.3.1.2 to 3.1.4 – Employment Lands
B.3.1.5 – Brownfields
B.3.2* - Housing Policies
B.3.3* - Urban Design Policies
B.3.6* - Health & Public Safety
B.3.7* - Energy

C.3.2* - Urban Area General Provisions (Policies)
C.4.5.8 – Access Management
C.4.5.15 – C.4.5.19 – Parking & Loading
E.2.2.1 – Urban Structure Elements
E.2.6* - Neighbourhoods

E.2.7* - Employment Lands
E.3.0* - Neighbourhoods Designation
E.5.0* - Employment Area Designation

F.1.12 – Implementation – Existing, Non-Complying and Non-Conforming Uses

G – Glossary

**Entire Policy Section appealed (i.e. E.2.6.1 – E.2.6.7)*

Volume 1 Schedules and Appendices under appeal

Schedule E – Urban Structure
Schedule E-1 – Urban Land Use Designations

117. (a) Lands located at 353 James Street North (LIUNA), as they are subject to OMB hearing and the following Volume 1 policies as they relate to 353 James Street North (LIUNA):

B.2.0* - Defining Our Communities
B.3.1.1 – Land Use and Infrastructure
B.3.1.2 to 3.1.4 – Employment Lands
B.3.1.5 – Brownfields
B.3.2* - Housing Policies
B.3.3* - Urban Design Policies
B.3.5.3* - Parkland Policies
B.3.6* - Health & Public Safety
B.3.7 * - Energy

C.2.0* - Natural Heritage System
C.3.2* - Urban Area General Provisions (Policies)
C.3.3* - Open Space
C.4.5.8 – Access Management
C.4.5.15 to C.4.5.19 – Parking & Loading

E.2.2.1 – Urban Structure Elements
E.2.6* - Neighbourhoods
E.2.7* - Employment Lands
E.3.0* - Neighbourhoods Designation
E.5.0* - Employment Area Designation

G – Glossary

**Entire Policy Section appealed (i.e. E.2.6.1 to E.2.6.7)*

Volume Schedules and Appendices under appeal

Schedule E – Urban Structures

Schedule E-1 – Land Use Designations

Volume 2

B.6.5* - West Harbour Secondary Plan


Map B.6.5-1 West Harbour Secondary Plan Land Use Plan

**Entire Policy Section appealed (i.e. B.6.5.1 to B.6.5.12.20)*

PART F: A decision is withheld on the following matters subject to appeals from municipal applications:

- 118. **Schedules E and E-1**, as it applies to 2012 Upper James Street (Living Hope Christian Fellowship).
- 119. **Volume 2: North-West Glanbrook Secondary Plan, Land Use Plan Map B.5.3-1**, as it applies to 345 Glancaster Road (Koppercreek Developments Inc.).

Dated at Toronto this 16 of March, 2011



Vincent Fabilli
Assistant Deputy Minister (A)
Ministry of Municipal Affairs and Housing