

B.6.0 HAMILTON SECONDARY PLANS

6.1 Downtown Hamilton Secondary Plan (OPA 102)

Downtown Hamilton is identified as an *Urban Growth Centre* in the Province's Growth Plan for the Greater Golden Horseshoe and as such, Downtown is the City's pre-eminent node due to its scale, density, range of uses, function, and identity by residents of the City as the Downtown. Downtown shall be the location for tall buildings, and shall be planned for a range of uses appropriate to its role as the City's pre-eminent node.

The Downtown Hamilton Secondary Plan area is bounded by Cannon Street to the north, Victoria Avenue to the east, Hunter Street to the south and Queen Street to the west and includes the frontage properties along James Street North to Stuart Street and along James Street South to Charlton Avenue West. Section B.6.1 and Maps B.6.1-1 – Downtown Hamilton – Land Use Plan, B.6.1-2 – Downtown Hamilton – Building Heights, Appendix A – Downtown Hamilton – Higher Order Transit, Appendix B - Downtown Hamilton – Cultural Heritage Resources, Appendix B-1 – Downtown Hamilton – Cultural Heritage Landscapes, and Appendix C – Downtown Hamilton – Viewshed Analysis, and Appendix “D” – Niagara Escarpment Height constitute the Downtown Hamilton Secondary Plan.

6.1.1 Vision

The Downtown Hamilton of the future shall be a vibrant focus of attraction where all ages, abilities, and incomes can live, work, learn, shop, and play. The future Downtown shall be a healthy, safe, comfortable, accessible, and prosperous community that promotes a high quality of life. It will combine the best of our heritage with new concepts and designs while seamlessly linking together the Downtown, surrounding neighbourhoods, the Waterfront, and the Escarpment.

6.1.2 Principles

The following principles provide guidance for evaluating initiatives and proposals for the Downtown to ensure that the City is taking a consistent approach to Downtown *development*:

- a) *Use public realm improvements as a catalyst for revitalization.* The Downtown Hamilton Secondary Plan emphasizes the importance of streets and public spaces. By supporting streetscaping, landscaping, park enhancements, public art, pedestrian, cycling, and transit amenities, the City signals its pride and confidence in the Downtown. A focus on improved public spaces shall be used to stimulate investment on adjacent private properties.
- b) *Strengthen the connection to neighbourhoods, the Waterfront, the Escarpment and other surrounding features or attractions.* The Downtown Hamilton Secondary Plan emphasizes the importance of strengthening connections to neighbourhoods and major destinations such as the Waterfront and the Niagara Escarpment. The Downtown shall be reconnected to its neighbourhoods by developing vacant land and parking lots, and by rebalancing Downtown streets as attractive pedestrian places. This Plan supports a number of projects to foster multi-modal linkages and strengthen existing connections.

- c) *Promote Downtown living.* Creating residential neighbourhoods in the Downtown has long been recognized as key to its revitalization. Downtown residents can contribute to Downtown retailers' and service providers' viability. The ability to walk or bicycle to work, school, shopping, services, recreation, and entertainment facilities shall reduce or potentially eliminate vehicle trips and the associated demand for parking. Increased densities along major routes into the Downtown will support public *transit*. The Downtown Hamilton Secondary Plan identifies opportunities for a range of housing types catering to a variety of income levels and household characteristics. This Plan also commits the City to provide the public services and amenities required by future Downtown residents.
- d) *Build on existing strengths.* Downtown Hamilton is the location for major public and cultural facilities and functions as the cultural and institutional centre of the City. Downtown is a destination for those seeking diverse experiences, products, and services. All of these activities are set within an architecturally and historically rich area. Hamilton's legacy of historic buildings and streetscapes are its greatest distinction and worthy of enhanced restoration effort. The Downtown Hamilton Secondary Plan builds on these strengths.
- e) *Downtown is healthy and safe.* Downtown neighbourhoods will be designed and built to provide a foundation for healthy living by promoting physical activity (connected streets, active transportation, mixed land uses, parks and open space), healthy diets (farmer's markets, community gardens), and supportive environments (places to gather, cultural spaces, architecture and public art). There are many ways the built environment can impact health and this Plan recognizes the importance of improving public health and preventing disease through built form and changes to the environment.
- f) *Recognize the value of modest improvements and changes.* A desire for quick and simple solutions often nurtures "big project" responses, however, modest actions by individuals, small businesses and community organizations are also important and can have significant cumulative impacts. This Plan identifies opportunities for a range of large and small actions.
- g) *Culture is fundamental to Downtown Revitalization.* The City of Hamilton embraces the international consensus that culture is the fourth pillar of sustainable development, joining economic prosperity, environmental responsibility, and social equity. Consideration of integrating cultural vitality into all City decisions and initiatives shall be given as the City adopts a holistic approach to culture.
- h) *The Niagara Escarpment is an essential part of the character and appearance of the City; views to the Escarpment are important assets to protect.* The Niagara Escarpment meanders through the City of Hamilton providing a natural backdrop to the Downtown, access to a unique natural environment, and a home to a diverse ecosystem of international significance – a UNESCO World Biosphere Reserve. The Downtown Hamilton Secondary Plan recognizes the importance of the relationship between topography and building height and the impacts on significant views to and of the Niagara Escarpment.

- i) *Improve climate change mitigation and adaptation.* Hamilton's downtown will contribute to the emission reduction targets outlined in Hamilton's Climate Action Plan and address potential impacts of climate change through adaptation. Downtown will be a stronger, more resilient community by transitioning to a low carbon economy and by leveraging alternative forms of energy and green infrastructure opportunities to improve air quality, absorb stormwater, minimize urban heat island and expand biodiversity.

6.1.3 Objectives

The following objectives shall apply to *development* within the Downtown Hamilton Secondary Plan area:

6.1.3.1 Respect Design and Heritage

Downtown Hamilton has a rich cultural legacy. The heritage structures and spaces provide a physical history of the community. Conservation and re-use of these buildings not only enhances the Downtown but can serve as a catalyst for other public and private investments. Heritage buildings also provide living examples of design elements that can be reflected in new construction that complements rather than diminishes the surrounding streetscape. The Downtown Hamilton Secondary Plan policies call for a greater emphasis on urban design and heritage conservation as critical elements of downtown revitalization. To achieve these objectives *development* shall:

- a) *Conserve and enhance the built heritage resources and cultural heritage landscapes* of Downtown Hamilton.
- b) Ensure that new *development* is compatible with the design of surrounding *built heritage resource* buildings.
- c) *Conserve and enhance the Gore area as the primary landscaped open space and concentration of built heritage resource buildings* in Downtown Hamilton.
- d) Create new programs and planning mechanisms to ensure a higher standard of urban design in Downtown Hamilton.
- e) Ensure that public improvement projects are undertaken within an overall design and implementation program that respects these objectives.

6.1.3.2 Carve Out a Distinct Economic Role

Downtown Hamilton is identified as an Urban Growth Centre in the Province's Growth Plan for the Greater Golden Horseshoe and shall be planned to accommodate a range of economic activities including retail and services that appeal to a broad Regional market and serve residents across the City and within the Downtown as well. The Downtown shall function as a major employment centre for business, professional, and government offices. To achieve these objectives *development* shall:

- a) Support Downtown Hamilton's role as the governmental, institutional, entertainment, and cultural centre of the City.
- b) Establish a defined and compact core within the Downtown.

- c) Establish defined commercial office and retail areas within the Downtown.
- d) Promote retail areas geared to the needs of residents in the Downtown and adjacent neighbourhoods.
- e) Promote culture and the creative industries by encouraging, supporting, and ensuring there is a place for creative occupations within the Downtown.

6.1.3.3 Create Quality Residential Neighbourhoods

The Downtown Hamilton Secondary Plan supports creating new housing throughout the Downtown as well as improving the quality of the existing residential neighbourhoods. The Secondary Plan policies aim to ensure that new residential areas in the Downtown are compatible with the scale and character of nearby historical neighbourhoods. To achieve these objectives *development* shall:

- a) Improve the linkages between the Downtown and surrounding residential areas through the *development* of vacant properties. Residential and mixed use *development* on these sites shall create a transitional area on the edges of the Downtown.
- b) Create a diversified housing supply in the Downtown geared to the needs of various age groups, household size, and income levels with increased opportunities for affordable housing.
- c) Preserve and enhance the *existing* residential communities within the Downtown Hamilton Secondary Plan area.
- d) Provide and maintain neighbourhood services such as local shopping areas, community centres, parks and open spaces, educational facilities, community gardens, cooling zones, and emergency shelters.
- e) Residential *development* shall reflect urban design features compatible with a Downtown location and the heritage character of the area.

6.1.3.4 Enhance Streets and Public Spaces

The Downtown Hamilton Secondary Plan emphasizes the importance of the continued enhancement of the public realm in the Downtown, including streets and public places that knit together the individual buildings and structures. The creation of quality infrastructure through new parks, and the establishment of new landmarks shall enhance the overall image of the City and demonstrate civic pride. To achieve these objectives *development* shall:

- a) Identify priority streets for specialized urban design treatment.
- b) Enhance existing and establish new connections to the Waterfront, the Escarpment and other parts of the City.
- c) Establish new locations and policies for parks and open space directed towards increasing the overall tree canopy in the Downtown.

- d) Identify and integrate the key civic spaces through a public realm master planning process.
- e) Establish a high standard of design in public spaces as a model for private sector initiatives.

6.1.3.5 Mobility and Complete Streets

The transportation system in the Downtown includes an integrated network for pedestrians, cyclists, transit users and drivers. The Downtown benefits when these integrated networks collectively provide a range of safe and sustainable travel choices to ensure mobility and accessibility for all people, contributing to the creation of *complete communities*. To achieve these objectives *development* shall:

- a) Establish an overall plan that appropriately allocates safe space for all users of the street including pedestrians, cyclists, motorists, people with disabilities, and public transit users as well as goods delivery, service vehicles and emergency vehicles.
- b) Prioritize pedestrians, cyclists, and public transit relative to private automobiles through the application of Complete, Livable, Better Streets Policy.
- c) Reduce dependence on single occupant vehicles.
- d) Promote accessibility and improve options for walking, cycling, and transit.

6.1.3.6 Sustainable and Resilient Downtown

Changes in temperature, precipitation, wind, and other indicators are affecting the Downtown and these changes are expected to continue in the future. The Downtown Hamilton Secondary Plan recognizes the importance of adapting and preparing for the risks of climate change such as variable and extreme weather and social and infrastructure stresses. To help mitigate climate change, Hamilton has set a target to reduce greenhouse gas levels by 50% from 2005 levels by 2030, and by 80% from 2005 levels by 2050. Meeting these targets requires new approaches for energy efficient buildings, energy distribution systems, and the use of renewable energy sources. To achieve these objectives *development* shall:

- a) Encourage *development* to incorporate recovery of low-carbon energy from infrastructure sources such as sewers and transit power stations to reduce emissions.
- b) Encourage the integration on on-site electricity production to reduce electricity demand.
- c) Encourage *development* to limit the loss of embodied energy contained within existing building stock.
- d) Encourage *development* to target net-zero energy use and emissions.
- e) Investigate ways to leverage green infrastructure opportunities to improve air quality, absorb stormwater, minimize the urban heat island, and expand biodiversity.

6.1.3.7 Diversity of Housing

Housing is fundamental to the economic, social, and physical well-being of Downtown's residents and neighbourhoods, Housing is a basic human need and is the central place from which people build their lives, nurture their families and themselves, and engage in their communities. Downtown's livability and prosperity is connected to the provision of housing that meets the requirements of a diverse population with varying housing needs. Downtown offers various built form housing options, including grade-related, mid-rise, and tall buildings with a variety of ownership and tenancy. Providing housing to a wide range of residents that is affordable, secure, of an appropriate size, and located to meet the needs of people throughout their life is the goal of an inclusive Downtown and essential to the creation of *complete communities*. To achieve these objectives *development* shall:

- a) Provide for a range of housing types, forms, and densities to meet the social, health, and well-being requirements of all current and future residents.
- b) Provide housing within *complete communities*.
- c) Increase Downtown's stock of affordable housing of all types.
- d) Maintain a balance of *primary rental* and ownership housing stock as outlined in the Affordable Housing Strategy.

6.1.4 General Land Use Policies

The Downtown Hamilton Secondary Plan guides *development* within the Secondary Plan area. The following policies direct land uses and other matters common to all parts of the Downtown Hamilton Secondary Plan.

- 6.1.4.1 Policies applying to the Downtown Hamilton Secondary Plan area that are presently contained in the following Neighbourhood Plans are no longer in effect: Beasley, Central, Corktown, Durand, Landsdale and Stinson.
- 6.1.4.2 The City's Design Review Panel shall provide a design peer review of public and private projects in the Downtown to ensure that projects reflect appropriate architectural and urban design of a high quality and that the design objectives and policies of this Plan are reflected in all projects.
- 6.1.4.3 The following uses shall be permitted throughout the Downtown:
 - a) social service facilities;
 - b) places of worship; and,
 - c) parks and open space.
- 6.1.4.4 Transfers of *development* rights may be accommodated within the Downtown Hamilton Secondary Plan area, subject to land use regulations through the Zoning By-law. In no case shall the Transfer of *development* rights allow building heights exceeding the maximum building height permissions in accordance with Policies 6.1.4.5 a) and c), 6.1.4.12 and established in the implementing Zoning By-law. Transfers of *development* rights may be undertaken to achieve the following policy objectives:

- a) conservation of *built heritage resources* and *cultural heritage landscapes*;
 - b) provision of at-grade open space conforming to Section B.6.1.7, Open Space and Parks designation of this Plan;
 - c) access to views of the Niagara Escarpment;
 - d) mitigation of shadow impacts on the public realm and surrounding properties; and,
 - e) retention of *existing* open space/park areas adjacent to private *development*.
- 6.1.4.5 The Zoning By-law shall recognize buildings and permissions which existed on the effective date of the Zoning By-Law where height exceeds the maximum permitted heights, as shown on Map B.6.1-2 – Downtown Hamilton – Building Heights.
- 6.1.4.6 When considering an application for *development*, the following matters shall be evaluated:
- a) compatibility with adjacent land uses including matters such as shadowing, grading, overlook, noise, lighting, traffic and other impacts;
 - b) the consideration of transition in height to adjacent and *existing* buildings;
 - c) that height, massing, scale and arrangement of the buildings and structures are *compatible* with adjacent *development* and sympathetic to the character and heritage of the neighbourhood; and,
 - d) the conservation of on-site and *adjacent cultural heritage resources*.
- 6.1.4.7 Music plays an important role in a strong vibrant city and is part of Hamilton's economic prosperity and identity both locally, nationally, and internationally. To ensure that live music venues can continue to function in the Downtown, where residential *development* is proposed in close proximity to an existing live music venue, the proposed residential *development* shall be required to ensure that the appropriate noise attenuation measures or other appropriate measures identified through the development review process, are employed through either building design, urban design, or land use separation, to prevent noise conflicts.

Section 37 Bonusing

- 6.1.4.8 Through the implementing Zoning By-law for the Downtown Hamilton Secondary Plan, or site-specific zoning by-law amendments, the City may authorize increases in the height of a proposed *development* beyond those permitted in the Zoning By-law, subject to the policies of the Secondary Plan, in return for the provision of community benefits. Where the City enters into Section 37 agreements with a landowner for increases in height, the following shall apply:
- a) The proposed height increase:
 - i) shall be no greater than the height of the top of the Escarpment in accordance with Policy 6.1.4.14 of this Plan;

- ii) is consistent with the principles, objectives, and policies of the Downtown Hamilton Secondary Plan;
 - iii) is compatible with the surrounding area;
 - iv) provides community benefits consistent with the Downtown Hamilton Secondary Plan, above and beyond those that would otherwise be provided under the provisions of the *Planning Act*, *Development Charges Act*, or other statute; and,
 - v) provides community benefits consistent with the Downtown Hamilton Secondary Plan that bear a reasonable planning relationship to the increase in height, including, at a minimum, having a geographic relationship to the development and addressing the planning issues associated with the development.
- b) Notwithstanding Policy F.1.9.2 of Volume 1, priority community benefits considered appropriate for the application of increased height shall be limited to the following:
- i) provision of housing, in particular rental and affordable housing;
 - ii) community facilities/services;
 - iii) child care facilities;
 - iv) cultural facilities;
 - v) protection of *cultural heritage resources*; and,
 - vi) transit station improvements.
- c) Increases to height shall only be considered where the proposed development can be accommodated by existing or improved infrastructure. Planning studies may be required to address infrastructure capacity to the proposed development and any impacts on the surrounding area in accordance with Policy 6.1.13.1 f) of this Plan.
- d) A by-law passed under Section 34 of the *Planning Act* is required to permit increases in height. The by-law shall set out the approved height and shall describe the community benefits which are being exchanged for the increase in height. The landowner may be required to enter into an agreement with the City that addresses the provision of community benefits. The agreement may be registered against the land to which it applies.

6.1.4.9 The City shall develop an implementation protocol for Bonusing agreements using Section 37 of the *Planning Act*.

Housing

6.1.4.10 The *development* of housing with a full range of tenure, affordability, and support services shall be provided for and promoted throughout the Downtown in a full range of built housing forms in accordance with the policies of Section B.3.2 – Housing Policies of Volume 1.

- 6.1.4.11 Notwithstanding Policy B.3.2.5.6 of Volume 1, the demolition/redevelopment of rental housing units shall be permitted only where the following can be achieved to offset the impacts:
- a) it shall be demonstrated that the rental housing units have been replaced on-site; and,
 - b) an acceptable tenant relocation and assistance plan addressing the right to return to occupy the replacement housing at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen the hardship, is provided.

Building Heights

- 6.1.4.12 Building heights are identified on Map B.6.1.2 – Downtown Hamilton Building Heights and the maximum heights for each area shall fall into the following categories:
- a) Low-Rise 1 – up to 3 storeys;
 - b) Low Rise 2 – up to 6 storeys;
 - c) Mid Rise – up to 12 storeys;
 - d) High Rise 1 – up to 20 storeys; and,
 - e) High Rise 2 – up to 30 storeys.
- 6.1.4.13 All *development* in the Downtown shall be a minimum of two storeys in height except for lands identified as *Pedestrian Focus Streets* which shall be a minimum of three storeys in height.
- 6.1.4.14 Notwithstanding Policy B.6.1.4.12 and Map B.6.1-2 Building Heights, maximum building height within the Downtown Hamilton Secondary Plan area shall be no greater than the height of the top of the Escarpment as measured between Queen Street and Victoria Avenue, identified on Appendix “D” – Niagara Escarpment Heights.
- 6.1.4.15 The siting, massing, height, and design of a building on one site shall not necessarily be a precedent for development on an adjacent or nearby site.

Low-Rise Buildings

- 6.1.4.16 For lands identified as Low-rise 2 on Map B.6.1.2 – Downtown Hamilton Building Heights, increases in height to a maximum of 12 storeys (mid-rise), may be permitted without an amendment to this Plan, subject to the following:
- a) meeting the principles, objectives and policies of this Plan, in particular, Policy B.6.1.4.14 and Policies B.6.1.4.31 through B.6.1.4.39;
 - b) demonstrating how the proposed building and site design relate to and is compatible with the *existing* and/or planned context of the area;
 - c) demonstrating how the proposed building and site relate to topography, the Niagara Escarpment, and other buildings in the area;

- d) demonstrating how any impacts on streetscapes and views of streetscapes, landmark structures or *cultural heritage resources* from public sidewalks or public spaces will be mitigated;
- e) demonstrating how the proposed development mitigates impacts to on-site or *adjacent cultural heritage resources*; and,
- f) in order to demonstrate the considerations listed above, proponents shall be required to submit all of the following studies, unless otherwise determined through the formal consultation process, as part of a development application: (OPA 221)
 - i) Shadow Impact Study;
 - ii) Pedestrian Wind Impact Study;
 - iii) Visual Impact Assessment;
 - iv) Transportation Studies, including, but not limited to:
 - 1. Transportation Impact Study;
 - 2. Cycling Route Analysis;
 - 3. Pedestrian Route and Sidewalk Analysis;
 - 4. Neighbourhood Traffic Calming Options Report;
 - 5. Transit Assessment; and,
 - 6. Transportation Demand Management Options Report.
 - v) Infrastructure and Servicing Study;
 - vi) Cultural Heritage Impact Assessment;
 - vii) Urban Design Brief; and,
 - viii) Planning Justification Report.

Mid-Rise Buildings

6.1.4.17 The following policies shall apply to mid-rise building forms:

- a) a mid-rise building is any building greater than 6 storeys but no greater than 12 storeys in height;
- b) mid-rise buildings shall be designed to address the street with active frontages, and provide principal entrances from the public realm;
- c) mid-rise buildings shall create an effective transition between low-rise neighbourhoods and existing or future tall buildings through the use of appropriate setbacks and stepbacks in accordance with Policies B.6.1.4.31 through B.6.1.4.39 of this Plan;

- d) mid-rise buildings shall be designed to frame the street they are fronting while allowing access to sunlight to adjacent properties. This shall be achieved through considerations given to building orientation, setbacks, stepbacks, angular plane, and relationship to grade and land uses; and,
- e) Shadow Impact Studies, Visual Impact Assessments, and Pedestrian Level Wind Studies shall be required to determine potential impacts arising from mid-rise buildings. (OPA 221)

High-Rise (Tall) Buildings

6.1.4.18 The following policies shall apply to High-rise (tall) buildings:

- a) a tall building is any building that is greater than 12 storeys in height;
- b) new tall buildings shall be no greater than the height of the top of the Escarpment as measured between Queen Street and Victoria Avenue;
- c) a tall building is typically defined as having a *building base* component (also known as podium), a *tower* component and *tower top*, however, Policies B.6.1.4.18 through B.6.1.4.24 shall also apply to other typologies of a tall building;
- d) a *building base* is defined as the lower storeys of a tall building which are intended to frame the public realm with good street proportion and pedestrian scale or contains streetwall heights that respect the scale and built form character of the *existing* context through design, articulation, and use of the ground floor;
- e) a *tower* is defined as the storeys above the building base; and,
- f) the *tower top* is defined as the uppermost floors of the building including rooftop mechanical or telecommunications equipment, signage and amenity space. This portion of the building shall have a distinctive presence in Hamilton's skyline by employing interesting architectural features and roof treatments.

6.1.4.19 The Downtown Hamilton Tall Building Guidelines shall apply to tall building *development* and shall be used by City Staff when evaluating tall building *development* proposals.

6.1.4.20 In addition to Policy B.6.1.4.19 above, it is not the intent of the Downtown Hamilton Tall Building Guidelines to limit creativity and innovation in design. Where it can be demonstrated that an alternative built form achieves the intent of the Downtown Hamilton Tall Building Guidelines, alternative built forms shall be permitted, subject to demonstrating good planning principles and meeting the intent and vision of the policies of this Plan.

6.1.4.21 Tall building *development* shall require transition to adjacent existing and planned low-rise and mid-rise buildings through the application of separation distances, setbacks, and stepbacks in accordance with Policies B.6.1.4.31 through B.6.1.4.39 of this Plan and as informed by the Downtown Hamilton Tall Building Guidelines.

6.1.4.22 Not every site in the Downtown identified as High-rise 1 or High-rise 2 can accommodate a tall building or is a suitable site for a tall building. The Tall

Building Guidelines and Zoning By-law, shall establish the minimum criteria for assessing the suitability of an individual site for a tall building.

6.1.4.23 All tall buildings shall meet the following requirements:

- a) the *building base* shall be designed to:
 - i) fit harmoniously within the context of neighbouring streetwall heights. Where there is no consistent streetwall height context for the area, the streetwall height shall be established in a manner that maintains a comfortable pedestrian scale and appropriate street proportion;
 - ii) reduce and mitigate wind impacts on the public realm, including streets, sidewalks, parks and open spaces, and privately owned publicly accessible spaces. Pedestrian level wind conditions shall be suitable for sitting and standing, with higher standards applied to parks and open spaces and *Pedestrian Focus Streets*; and,
 - iii) minimize shadows, in accordance with Policies B.6.1.4.34 through B.6.1.4.39 of this Plan, to preserve the utility of sidewalks, parks, public and private open spaces, school yards and buildings, childcare centres, playgrounds, sitting areas, patios, and other similar uses.
- b) the *building base* may be required to setback at grade to achieve access to sunlight on sidewalks, parks, public and private open spaces, schoolyards and buildings, childcare centres, playgrounds, sitting areas, patios, and other similar uses;
- c) tall building *development* shall provide setbacks from the lot line to the building face of the tower and adequate separation distance between towers on the same lot. These lot line tower setbacks shall ensure that individual tall buildings within a city block and the cumulative effect of multiple tall buildings within a block contribute to creating a strong and healthy neighbourhood by fitting in with the *existing* and/or planned context. Providing adequate space between towers shall:
 - i) enhance the ability to provide a high-quality, comfortable public realm;
 - ii) protect development potential of other sites within blocks;
 - iii) provide access to sunlight on sidewalks, parks, public and private open spaces, school yards and buildings;
 - iv) provide access to natural light and a reasonable level of privacy for occupants of tall buildings;
 - v) provide pedestrian-level views of the sky between towers particularly as experienced from adjacent streets, parks and open spaces, and views between towers for occupants of tall buildings;
 - vi) limit the impacts of uncomfortable wind conditions on streets, parks, open spaces, and surrounding properties; and,
 - vii) provide appropriate transitions to adjacent lower-scale planned context, *built heritage resources*, and *cultural heritage landscapes*.

- d) as building heights increase, greater setbacks may be required from the tower to the lot line to achieve the requirements of Policy B.6.1.4.23 c); and,
- e) the following studies shall be required, unless otherwise determined through the formal consultation process, for tall building *development* to demonstrate that the proposal meets the applicable design criteria of the Downtown Hamilton Tall Building Guidelines: (OPA 221)
 - i) Shadow Impact Study;
 - ii) Pedestrian Wind Impact Study
 - iii) Visual Impact Assessment;
 - iv) Transportation Studies, including, but not limited to:
 - i. Transportation Impact Study;
 - ii. Cycling Route Analysis;
 - iii. Pedestrian Route and Sidewalk Analysis;
 - iv. Neighbourhood Traffic Calming Options Report;
 - v. Transit Assessment; and,
 - vi. Transportation Demand Management Options Report.
 - v) Infrastructure and Servicing Study;
 - vi) Cultural Heritage Impact Assessment;
 - vii) Urban Design Brief; and,
 - viii) Planning Justification Report.
- f) *development* proposals that do not comply with Policy B.6.1.4.23 c), of this Plan present significant concerns for building a strong healthy Downtown and as such shall not be approved for tall building *development*.

6.1.4.24 *Development* proposals for tall buildings containing residential units shall be encouraged to provide a range of unit types and unit sizes, including those suitable for larger households, and those with children and seniors.

Built Form

6.1.4.25 In addition to Section B.3.3 – Urban Design Policies of Volume 1, *development* in the Downtown shall achieve the following:

- a) eliminating expanses of blank walls;
- b) integrating roof top design and function with the surrounding buildings and public spaces. This shall be achieved through:
 - i) integrating roof design with the building architecture;

- ii) designing the tower top of tall buildings so that they are a recognizable landmark that contributes to an iconic and distinctive skyline;
 - iii) ensuring that roof top mechanical equipment, as well as stair and elevator towers, are sized and located so that they are screened from view from the street;
 - iv) developing rooftop terraces, gardens, and associated landscape areas for private amenity areas, climate enhancement and for storm water management; and,
 - v) incorporating best practices and appropriate technology to reduce energy consumption and improve air quality.
- 6.1.4.26 All *development* shall be oriented toward the surrounding streets and shall include direct pedestrian access, including barrier free access from grade level, to the principle entrances.
- 6.1.4.27 All *development* shall be built close to the street line. Additional setbacks may be permitted, based on the locational context, to protect significant views, to protect cultural heritage resources, to accommodate pedestrian amenities such as street plantings and enhanced landscaping, wider sidewalks, open space, outdoor cafés, seating areas, transit shelters, bicycle parking, and other public amenities.
- 6.1.4.28 All *development* shall:
- a) be massed to frame streets in a way that respects and supports the adjacent street proportions;
 - b) be compatible with the context of the surrounding neighbourhood;
 - c) contribute to high quality spaces within the surrounding public realm; and,
 - d) provide high quality spaces within the buildings themselves.
- 6.1.4.29 Residential *development* shall provide amenity space within new *developments* in the form of private or semi-private parkettes, rooftop gardens or internalized open spaces within courtyard areas created by new buildings.
- 6.1.4.30 *Development* shall incorporate high quality durable building materials for aesthetics, fire suppression, and energy efficiency.

Transition in Scale

- 6.1.4.31 *Development* shall provide built form transition in scale through a variety of design methods including angular planes, location and orientation of the building, and the use of setbacks and stepbacks of building mass.
- 6.1.4.32 Transition between *development*, and adjacent streets, parks or open spaces shall ensure access to sunlight and sky view.
- 6.1.4.33 *Development* shall be required to provide transition in scale, within the *development* site, as a result of any of the following:

- a) the *development* is of greater intensity and scale than the adjacent existing scale, or where appropriate, the planned built form context;
- b) the *development* is *adjacent* to a *cultural heritage resource* or a *cultural heritage landscape*; or,
- c) the *development* is adjacent to *existing* or *planned* parks, or open spaces.

Public Realm

- 6.1.4.34 *Development* shall, to the satisfaction of the City, through building massing and orientation, minimize shadows on public sidewalks, parks, public and private open spaces, school yards and buildings, childcare centres, playgrounds, sitting areas, patios and other similar amenities.
- 6.1.4.35 Proposed *development* shall allow for a minimum of 3 hours of sun coverage between 10:00 a.m. and 4:00 p.m. as measured on March 21st to September 21st on public sidewalks, and public and private outdoor amenity areas such as patios, sitting areas, and other similar areas.
- 6.1.4.36 Proposed *development* shall allow for a minimum of 50% sun coverage at all times of the day as measured on March 21st to September 21st on public plazas, existing and planned parks, and open spaces, school yards, and playgrounds.
- 6.1.4.37 Downtown Hamilton contains a number of primary gathering spaces where civic life occurs. The quality, image, and amenity of these spaces strongly affect how people perceive the Downtown. Notwithstanding Policy B.6.1.4.35 and Policy B.6.1.4.36, *development* shall not cast any net new shadow between 10:00 a.m. and 4:00 p.m. as measured from March 21st to September 21st on the following parks, squares, plazas and open spaces areas that serve as Downtown's key civic gathering spaces:
 - a) Gore Park;
 - b) Prince's Square (50 Main Street East);
 - c) Hamilton City Hall Forecourt (71 Main Street West);
 - d) Whitehern Museum (41 Jackson Street West); and,
 - e) Ferguson Station (244, 248 King Street East).
- 6.1.4.38 Buildings shall be sited, massed and designed to reduce and mitigate wind impacts on the public realm, including streets, sidewalks, parks, and open spaces. Pedestrian wind levels shall be suitable for sitting and standing. Higher standards may be required for *development* adjacent to parks and open spaces, and along *Pedestrian Focus Streets*.
- 6.1.4.39 Proponents shall be required to submit a Shadow Impact Study and a Pedestrian Level Wind Study, in accordance with Chapter F – Implementation Policies of Volume 1, to demonstrate that the height, orientation, design and massing of a building or structure does not unduly overshadow, block light, result in the loss of privacy of adjacent residential uses, or create uncomfortable or unsafe wind conditions. Studies shall be completed to the satisfaction of the City and shall demonstrate conformity with Policies 6.1.4.34 through 6.1.4.38.

Parking

- 6.1.4.40 There shall be no vehicular surface parking along the street frontage.
- 6.1.4.41 Above-ground vehicular parking shall be fronted by permitted uses other than parking at street level and upper storeys shall be screened from view from the street.
- 6.1.4.42 Parking standards shall ensure that the re-use of *existing* buildings is not compromised.
- 6.1.4.43 Surface parking lots *existing* on the date of adoption shall be legal non-complying uses to the Downtown Hamilton Secondary Plan.
- 6.1.4.44 New surface parking lots shall not be permitted.
- 6.1.4.45 *Existing* surface parking lots shall be permitted to expand under the following conditions:
- a) the expansion is minor in nature; and,
 - b) the expansion shall not result in a net increase in the number of surface parking spaces on the site.
- 6.1.4.46 Where parking is required, *development* shall be required to provide charging stations for electric vehicles.
- 6.1.4.47 *Development* shall be encouraged to provide for autonomous vehicle parking and shared vehicles.

6.1.5 Downtown Residential Designation

The Downtown Hamilton Secondary Plan supports the improved multi-modal connection of residential neighbourhoods to the Downtown core, the *development* of vacant land for higher and better use at an appropriate scale and the overall balancing of commercial and residential *development* for a vibrant healthy core.

- 6.1.5.1 The residential areas within the Downtown Hamilton Secondary Plan are designated Downtown Residential on Map B.6.1.1 – Downtown Hamilton Secondary Plan – Land Use Plan. The following policies shall apply to lands designated Downtown Residential:
- a) uses permitted in areas designated Downtown Residential include single-detached, semi-detached, duplex, triplex, street townhouses, and *multiple dwellings*.
 - b) local commercial uses shall be permitted on the ground floor of buildings containing *multiple dwellings*, in accordance with Section E.3.8 – Local Commercial Policies of Volume 1, and the following:
 - i) notwithstanding Policy E.3.8.2, only the following uses shall be permitted: retail and service uses such as a craftsperson shop, day nursery, commercial school, office, personal service, repair service, restaurant, studio, art gallery, and tradesperson shop; and,

- ii) notwithstanding Policy E.3.8.3, the following uses shall be prohibited: drive-through facilities accessory to or in conjunction with commercial uses, auto-oriented commercial uses such as gas stations, and outdoor commercial patios.

6.1.5.2 The existing residential areas within the Downtown shall be maintained by encouraging the retention and adaptive re-use of existing buildings, including those identified as a built heritage resource through listing on the *Register* or through designation under the *Ontario Heritage Act*. Land use regulations and special programs shall support the conversion of existing structures subject to the following:

- a) heritage attributes of the on-site cultural heritage resources are conserved as demonstrated through a *cultural heritage impact assessment*; and,
- b) additions shall be *compatible* with the existing structure in terms of relationship to the street, front setbacks, architectural form, and massing.

6.1.6 Downtown Mixed Use Designation

Downtown Hamilton shall continue to maintain its key role as the governmental, institutional, educational, cultural, and residential centre of the City. The Downtown Mixed Use policies of the Secondary Plan are intended to support intensive, urban-scale mixed use *development*.

6.1.6.1 In addition to Section E.4.4 – Downtown Mixed Use Designation of Volume 1, the following policies shall apply to lands designated Downtown Mixed Use:

- a) Main Street contains a number of prominent buildings and public spaces. *Development* shall conserve and enhance the character of the following prominent sites:
 - i) Hamilton Club at 6 Main Street East and the building at 8 Main Street East;
 - ii) the John Sopinka Courthouse at 45 Main Street East;
 - iii) the former Wentworth County Courthouse at 50 Main Street East;
 - iv) Hamilton City Hall at 71 Main Street West;
 - v) First Pilgrim United Church at 200 Main Street East;
 - vi) the former St. Thomas Church at 16 West Avenue South; and,
 - vii) The former Landed Banking and Loan Building at 47 James Street North.
- b) all *development* of the former Wentworth County Courthouse at 50 Main Street East shall maintain the open space area including the pedestrian pathways; and,
- c) The following policies shall apply to *development* fronting onto John Street, King William Street, Catharine Street and Rebecca Street, across from the Community Park:

- i) buildings shall address and help frame the street and open space with active and accessible uses at grade;
- ii) the orientation of the building, including windows, entrances, balconies, and other building elements shall be oriented towards the park where possible; and,
- iii) buildings shall incorporate appropriate setbacks to provide a human scale podium as well as mitigate potential shadow and wind impacts on the park.

Pedestrian Focus Streets

6.1.6.2 A portion of the lands designated Downtown Mixed Use are also identified as *Pedestrian Focus Streets* on Map B.6.1.1 – Downtown Hamilton Secondary Plan - Land Use Plan. In addition to Section E.4.3 – Pedestrian Focus Streets of Volume 1, the following policies shall apply to areas identified as *Pedestrian Focus Streets*:

- a) the vision for *Pedestrian Focus Streets* is to complete the streetwall and provide an uninterrupted building line at the street level through compatible *development* and *infill development* along the corridor;
- b) notwithstanding Policy E.4.3.4 f) of Volume 1, all *development* shall be a minimum height of three storeys;
- c) the height of new buildings and additions shall be consistent with the traditional streetwall height at the street line;
- d) taller building masses shall be sufficiently stepped back from the street to avoid interference with the perceived massing of the street as primarily a low to mid-rise corridor;
- e) the articulation of façades shall retain a similar rhythm and scale to the street front shops in its surroundings;
- f) the articulation of the façade of new buildings shall reflect or complement the traditional patterns of fenestration in adjacent buildings;
- g) limited articulation of the front façades may be permitted in order to create sheltered areas at ground level or to allow for the incorporation of architectural design elements and access to significant views, provided that the sense of enclosure is maintained and that the articulation does not detract from the retention of the traditional building line;
- h) the ground floor frontage shall be clearly articulated in the massing of the façade, substantially glazed, with generous floor-to-floor heights and designed to accommodate signage;
- i) where possible, buildings shall be constructed to the side lot line in order to maintain the sense of enclosure and avoid gaps in the streetscape; and,
- j) to maintain the architecture and heritage character of the Gore, between James Street and Catharine Street, traditional materials of stone, wood and brick shall be used; other materials may be allowed provided that they are

visually harmonious with adjacent buildings in accordance with the Heritage Character Design Guidelines.

6.1.7 Parks and Open Space Designations

6.1.7.1 The Parks and Open Space areas within the Downtown Hamilton Secondary Plan are designated Community Park, City-Wide Park and General Open Space, as identified on Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan. In addition to Section B.3.5.3 – Parkland Policies and Section C.3.3 – Open Space Designations of Volume 1, the following policies shall apply to all Parks and Open Space Designations:

- a) new parks and open spaces shall be sited and designed in a manner that identifies them as part of the public realm and promotes comfort, safety, enjoyment and accessibility for all members of the public;
- b) parks and open spaces shall be designed to achieve the following:
 - i) direct at-grade access to the streets, bicycle paths, trails or pedestrian routes on which they front with clearly identified pedestrian and cycling access points from surrounding areas;
 - ii) continuity of design between the public spaces, the streets that surround them, and the buildings that face them; and,
 - iii) on-site parking shall be discouraged.
- c) design plans and public improvement programs shall be developed in partnership with adjacent landowners for a series of feature areas in the Downtown including, but not limited to:
 - i) the open space area adjacent to Main Street and the former County Courthouse located at 50 Main Street East and known as Prince's Square;
 - ii) the small open spaces on the north side of Hunter Street across from the GO Station; and,
 - iii) the civic space formed by Commonwealth Square at the Art Gallery of Hamilton and the City Hall forecourt. The design study shall address the following:
 - 1. clear identification of the area as the prime civic gathering space for citizens of the City of Hamilton;
 - 2. an integrated design for the area extending from the rear of the Art Gallery to the front of Hamilton City Hall;
 - 3. east-west landscape and pedestrian linkages to the David Braley Health Sciences Centre Building at 100 Main Street West and the Convention Centre/Hamilton Place;
 - 4. recognition of landmark buildings in the vicinity including Hamilton City Hall and Whitehern Historic House and Garden;

5. provision of commercial opportunities accessory to the Art Gallery and the Convention Centre fronting on Summer's Lane and King Street East;
 6. an improved pedestrian environment and pedestrian access for Summer's Lane;
 7. street level pedestrian and cyclist linkages; and,
 8. visual linkages through streetscape elements, paving patterns, lighting and banners are to be provided to encourage pedestrian traffic and to portray a vibrant Downtown.
- d) privately owned publicly accessible open spaces (POPS) provide opportunities for expanding the public realm by creating open spaces and connecting streets, parks and open spaces. POPS provided through *development* shall:
- i) be publicly accessible;
 - ii) be designed for uses of all ages and abilities;
 - iii) avoid the use of design elements that discourage public access such as fencing, grade separation, or other barriers;
 - iv) be sited in highly visible locations and designed to serve the local population;
 - v) include new trees, seating, bicycle parking, and landscaping;
 - vi) incorporate child-specific elements if not located within 500 metres of a public playground; and,
 - vii) not provide for any parking or loading areas within a POP.
- e) privately owned publicly accessible open spaces approved as part of a *development* shall not be in lieu of parkland dedication.

6.1.8 Institutional Designation

6.1.8.1 Sections B.3.5 – Community Facilities/Services Policies, E.3.10 - Community Facilities/Services and E.6.0 – Institutional Designation of Volume 1, shall apply to lands designated Institutional on Map B.6.1.1 - Downtown Hamilton Secondary Plan - Land Use Plan.

6.1.9 Utility and Transport Designation

6.1.9.1 Section C.3.4 - Utility Designation, Policy B.3.3.6 - Urban Services and Utilities and Policy B.3.6.3 – Noise, Vibration and other Emissions of Volume 1, shall apply to lands designated Utility on Map B.6.1.1 - Downtown Hamilton Secondary Plan - Land Use Plan.

6.1.10 Urban Design Policies

6.1.10.1 *Development* in The Downtown Hamilton Secondary Plan supports a high standard of urban design through an emphasis on protecting and conserving *built heritage resources* and *cultural heritage landscapes* and the adoption of

defined standards for the design of new buildings and structures. In addition to Section B.3.3 – Urban Design Policies of Volume 1, the following policies shall apply to all *development* in the Downtown:

- a) All public and private initiatives in the Downtown Hamilton Secondary Plan area will be subject to architectural and design review by the Design Review Panel, to assist the City in ensuring that the design objectives of this plan are reflected in all projects.

Gateways

6.1.10.2 Gateway features shall be located at key entrance points to the Downtown. Proposed Gateway locations are shown on Map B.6.1.1 – Downtown Hamilton Secondary Plan – Land Use Plan. In addition to Section B.3.3.4 – Gateways of Volume 1, the following policies shall apply:

- a) gateway features shall be incorporated into site plans for *developments* and shall conform to the requirements of site-specific traffic operations and planned changes in the Downtown Hamilton Transportation Master Plan; and,
- b) the York Boulevard gateway shall create a strong streetwall that shall emphasize the character of the corridor as a primary access to the Downtown.

Views and Vistas

6.1.10.3 The Niagara Escarpment is the prominent feature that is visible at the terminus of several streets in the Downtown due to its close proximity, height, and forested natural character. This distinct feature is a UNESCO Biosphere Reserve that separates lower Hamilton from the upper urban area above the brow of the escarpment. The Niagara Escarpment is a powerful visual feature due to its height and striking landscape character that terminates the vistas looking southwards on several Downtown streets.

6.1.10.4 The Niagara Escarpment is part of Hamilton's unique identity and contributes significantly to the character of the Downtown. Significant views to this natural feature shall be protected.

6.1.10.5 In order to understand and limit the loss of views to the Niagara Escarpment, significant view locations and corridors have been identified on Appendix C – Downtown Hamilton – Viewshed Analysis. The City of Hamilton shall prepare visual impact guidelines and a visual impact assessment shall be prepared in accordance with the guidelines.

6.1.10.6 A Visual Impact Assessment shall be required for *development* located on streets identified as View Corridors to the Niagara Escarpment, and properties identified as Locations Where There May Be Impacts to Views, as shown on Appendix C – Downtown Hamilton Secondary Plan – Viewshed Analysis, unless otherwise determined through the formal consultation process. (OPA 221)

6.1.10.7 Visual Impact Assessments shall be required for *development* on properties identified as Locations Where There Are Impacts to Views as identified on Appendix C – Downtown Hamilton Secondary Plan – Viewshed Analysis.

6.1.10.8 *Development* shall be required to provide setbacks, stepbacks, or reduced heights in order to mitigate the impact of the proposed development on existing views.

6.1.10.9 A Visual Impact Assessment shall include the following:

- a) visualizations that demonstrate the impact of the proposed *development* to existing views of the Niagara Escarpment by providing before and after visualizations of the views;
- b) existing and proposed streetscape treatment to enhance views (quality and extent); and,
- c) proposed design refinements to demonstrate that there is no loss of views from the public realm. Design refinements to protect views may include:
 - i) the size, massing, and placement of new buildings;
 - ii) the size and placement of future transportation and utility infrastructure; and,
 - iii) *development* of building façades that create visual connections to the streets and public spaces.

6.1.10.10 A Visual Impact Assessment shall be required for *development* that is adjacent to a *cultural heritage resource*, a *cultural heritage landscape*, a place of worship, or an existing landmark, that creates a distinct visual orientation point within the Downtown and that may be impacted by proposed development, unless otherwise determined through the formal consultation process. (OPA 221)

Signage and Wayfinding

6.1.10.11 In accordance with the City Sign By-laws, the following policies shall apply to signage in the Downtown:

- a) signage shall be used for way-finding and identifying buildings and public places in Downtown.
- b) signage shall be *compatible* with the residential environment and shall be non-flashing, shall be restricted to the building face and shall exclude stand-alone structures; and,
- c) new signage geared to fast-moving vehicular traffic such as billboards or permanent portable signs shall not be permitted.

Public Art Policies

6.1.10.12 In addition to the policies of Section B.3.3.12 Public Art of Volume 1, public improvement projects in the Downtown shall allocate 1% of the project budget to the City's Public Art Program for use in the Downtown.

6.1.11 Cultural Heritage Resource Policies

6.1.11.1 Heritage buildings and streetscapes define Downtown Hamilton as a unique place. The existing concentration of heritage built form is one of the key strengths and opportunities in Downtown Hamilton. The Downtown Hamilton Secondary

Plan recognizes the value of heritage buildings, streetscapes, and the cultural landscape and places a priority on their retention and enhancement. In addition to Section B.3.4 – Cultural Heritage Resource Policies of Volume 1, the following policies shall also apply to *cultural heritage resources* within the Downtown Hamilton Secondary Plan:

- a) the Downtown Hamilton Secondary Plan is comprised of six *established historical neighbourhoods*: Beasley Neighbourhood, Central Neighbourhood, Corktown Neighbourhood, Durand Neighbourhood, Landsdale Neighbourhood and Stinson Neighbourhood, as identified on Appendix B – Downtown Hamilton Secondary Plan – Cultural Heritage Resources and as such, Policies B.3.4.3.6 and B.3.4.3.7 – General Cultural Heritage Policies for Urban Areas of Volume 1 shall apply;
- b) *cultural heritage landscapes* shall be protected by retaining major characteristics through the review of *Planning Act* applications. The Downtown *cultural heritage landscapes* are identified on Appendix B-1 – Downtown Hamilton Secondary Plan – Cultural Heritage Landscapes;
- c) as part of the City-wide inventory of *cultural heritage landscapes*, the extent of the *cultural heritage landscapes* identified in on Appendix B-1 – Downtown Hamilton Secondary Plan – Cultural Heritage Landscapes shall be confirmed;
- d) conservation of existing *cultural heritage resources* shall be a priority in all development. New development shall be compatible with on-site and adjacent *cultural heritage resources*. Adaptive re-use will be given priority for all built heritage resources;
- e) the City may require that as part of *development* proposals that *cultural heritage resources* be retained on-site and incorporated, used or *adaptively re-used*, as appropriate with the proposed *development*. Retention and protection of cultural heritage resources on lands subject to *development* may be a requirement as a condition of *development* approval. Specifically, heritage easements under subsection 37(1) of the *Ontario Heritage Act* may be required and negotiated, as well as *development* agreements, respecting the care and conservation of the affected heritage property.

6.1.12 General Transportation Policies

6.1.12.1 In addition to Section C.4.0 – Integrated Transportation Network of Volume 1, the policies in Section B.6.1.12 of the Downtown Hamilton Secondary Plan shall also apply.

6.1.12.2 Public right-of-way dedications may be required in order to provide for expanded public realm, landscaping, or to accommodate additional street capacity. Public right-of-way dedications shall not be taken from streets within the Downtown Hamilton Secondary Plan area except for each street segment identified in Schedule C-2 – Future Right-of-of Way Dedications of Volume 1 and shall be taken in accordance with Policy C.4.5.6 – Right-of-of Way Dedications of Volume 1. (OPA 142)

6.1.12.3 The Downtown Transportation Master Plan is the primary policy document for multi-modal transportation in the Downtown. All plans and improvement programs for Downtown Streets, including street reconstruction and public

improvements shall conform to this Plan and are subject to the Downtown Transportation Master Plan.

- 6.1.12.4 *Development* in the Downtown shall implement the approved parking strategy providing for the consolidation of parking opportunities in strategic locations.
- 6.1.12.5 The historic grid street pattern in Downtown Hamilton shall be retained or restored through the following measures:
- a) re-opening streets, lanes and alleyways that have been closed, where feasible;
 - b) ensuring that all new *development* supports or incorporates a grid street pattern; and,
 - c) acquiring land for public lane and street purposes through the *development* of sites in the Downtown.
- 6.1.12.6 Walking accounts for more daily trips in Downtown Hamilton than any other mode of transportation. All streets in Downtown Hamilton shall provide a safe pedestrian realm through appropriately designed sidewalks as per the Pedestrian Mobility Plan, barrier free access, traffic calming, and provision of *urban braille*, landscaping, seating areas, transit shelters, bicycle parking, and other amenities. The extent to which these amenities can be incorporated may vary from street to street.
- 6.1.12.7 Provision of on-street parking shall be a priority in the Downtown. Designs for street improvements shall maximize opportunities for on-street parking. The requirements for public *transit* stops and the effect on *transit* route travel times shall be reviewed prior to establishing additional on-street parking.
- 6.1.12.8 Where residential uses abut a street, enhanced landscaped boulevards within the public right-of-way shall be provided where possible, including trees and plantings.
- 6.1.12.9 Construction of new elevated walkways over public streets shall not be permitted in the Downtown.
- 6.1.12.10 Alleyways provide important access to many properties in the Downtown. Properties with alleyway access may use such access in lieu of street access where direct street access would compromise other objectives. In addition, the following policies shall apply to alleys in the Downtown:
- a) *existing* alleyways shall be maintained as public right-of-way for pedestrians, cyclists, service delivery or loading, and other modes of transportation;
 - b) the City may require existing alleyways adjacent to properties along the *priority transit corridor* to be widened in accordance with Policy 6.1.12.19 of this Plan; and,
 - c) the City shall not support closure of an alleyway unless private *development* adjacent to the alleyway can be serviced from the public street without compromising the design objectives, relative to streets, heritage buildings, and urban design.

6.1.12.11 To promote sustainable transportation, all *development* shall be encouraged to:

- a) promote short and long-term bicycle parking;
- b) provide shower and change room facilities for employees;
- c) provide seating areas;
- d) provide electric vehicle charging stations;
- e) provide a car share vehicle on-site, in collaboration with local operators;
- f) provide a bike share station on-site in collaboration with local operators;
and,
- g) provide autonomous and shared vehicle parking.

6.1.12.12 The City shall complete street master plans for the entire length of the following streets:

- Bay Street;
- Cannon Street;
- Caroline Street;
- Catharine Street;
- Ferguson Avenue;
- George Street;
- Hess Street;
- Hughson Street;
- Hunter Street;
- Jackson Street;
- James Street;
- John Street;
- King Street;
- King William Street;
- Main Street;
- Queen Street;
- Wellington Street;
- York Boulevard/Wilson Street; and,
- Victoria Avenue.

6.1.12.13 Streetscape Master Plans shall be developed within the context of an overall urban design and public realm enhancement perspective for streets listed in Policy B.6.1.12.12 above. Landscaping elements to be addressed include *transit* shelters, cycling amenities, public signage, seating areas, vegetation, lighting, and operations. A description of the design function and objectives for these streets is provided in Table B.6.1.16 of this Plan.

6.1.12.14 A design plan and program of public improvements shall be developed for the streets surrounding the Jackson Square Complex (Bay Street, York Boulevard, James Street, King Street). Portions of this project shall be undertaken in conjunction with the redevelopment of the Hamilton City Centre (former Eatons Centre). The following elements shall be addressed in the design plan:

- a) widened sidewalks to a minimum clear zone width of 3.5 metres, where feasible;

- b) creation of a continuous canopy over the sidewalks through street tree plantings or the use of lighting, banners and awnings;
- c) installation of sheltered public seating areas;
- d) landscaping improvements;
- e) installation of public art;
- f) provision of cycling access and amenities;
- g) improved pedestrian areas along the streets;
- h) increased pedestrian access, including AODA accessibility, from the street to buildings and stores in the Jackson Square Complex;
- i) opportunities for complementary enhancements of adjacent private structures or lands; and,
- j) opportunities for improved design to the open space and plaza area, including:
 - i. introducing pedestrian paths/ sidewalks that replicate the historic grid street pattern through the Jackson Square Complex;
 - ii. improving connections between the street level areas and the open space and plaza area; and,
 - iii. examining the feasibility of reintroducing streets in accordance with the historic grid street pattern and orienting new buildings to these streets.

6.1.12.15 Reclaiming space for enhanced sidewalk width or the appropriate bicycle facilities, where appropriate, shall be completed as *development* occurs. The City may, at its discretion, require dedication of private land or an easement on private land, to enhance the public realm on Downtown streets. The landscaping plan for the private *development* shall include improvements in the boulevard that shall be constructed by the private developer.

6.1.12.16 Hamilton's waterfront is one of the prime areas of the City. Linking Hamilton Harbour to Downtown Hamilton began with the Ferguson Avenue Master Plan. Continuous pedestrian, bicycle and vehicular linkages are key to achieving the public realm goals of the Master Plan. Implementation of the Ferguson Avenue Master Plan for streets and public spaces shall continue along the corridor.

Rapid Transit

6.1.12.17 Appendix A – Downtown Hamilton – Higher Order Transit, shows the location of planned *higher order transit* stations, areas and a *priority transit corridor* within the Downtown.

6.1.12.18 In order to promote a high quality pedestrian realm adjacent to the *priority transit corridor*, a 2.5 metre wide sidewalk shall be provided on both sides of the corridor, where possible.

6.1.12.19 Notwithstanding Policy B.6.1.12.2, as it relates to the *priority transit corridor*, any lands required for the *priority transit corridor* shall be dedicated to the City, to the satisfaction of the City in accordance with Section C.4.5.6 – Right-of-Way Dedications of Volume 1. (OPA 142)

6.1.12.20 *Development* in proximity to *higher order transit* station areas shall be required to provide access to the station.

6.1.12.21 In locations where the public right-of-way of streets intersect with the *priority transit corridor* on King Street (including Mary Street, Walnut Street and Ferguson Avenue) and where partial or full vehicle access is restricted in these locations, the following design elements shall be considered:

- a) prioritize pedestrians by removing curbs and deploying a shared street approach that includes design treatments to resemble a civic plaza;
- b) incorporate hardscape features such as unit pavers or coloured concrete; plantings such as street trees, shrubs and perennials; and furnishings such as bench seating, bike racks, bike share, and waste receptacles;
- c) both corners of the *development* site should address the street and the plaza through the provision of substantial fenestration; and,
- d) building ground floors fronting onto these plazas should be highly transparent and animated.

6.1.12.22 In locations where the public right-of-way of streets intersect the *priority transit corridor* on King Street and where full vehicular access is maintained, the following design elements shall be considered:

- a) relocate curbs to maximize the pedestrian through-zone and plantings zone to accommodate street trees, where feasible;
- b) ensure that safe access to loading facilities are maintained;
- c) incorporate hardscape features such as unit pavers or coloured concrete; plantings such as street trees, shrubs and perennials; and furnishings such as bench seating, bike racks, bike share, and waste receptacles;
- d) both corners of the *development* site should address the street and the plaza through the provision of substantial fenestration; and,
- e) building ground floors fronting onto these plazas should be highly transparent and animated.

6.1.13 Infrastructure, Energy and Sustainability Policies

6.1.13.1 Municipal services such as sewers, water, stormwater systems, and public/private utilities shall be provided, maintained and upgraded, as required, to accommodate the needs of existing and future *development* in the Downtown Hamilton Secondary Plan area, in accordance with Section C.5.0 – Infrastructure and B.3.7 – Energy and Environmental Design of Volume 1, and the following:

- a) infrastructure related works within the Downtown Hamilton Secondary Plan area shall have regard for the character of *established historical neighbourhoods* and shall ensure that *built heritage resources* and *cultural heritage landscapes* are conserved, where feasible;
- b) the processing and approval of *development* applications shall be contingent on the availability of water and wastewater capacity, and stormwater capacity;
- c) Low Impact Development (LID) measures and innovative servicing technologies intended to minimize stormwater run-off and loading on the treatment plant, including rainwater harvesting and reuse systems, bio-swales or water features, greywater recycling, infiltration measures, permeable paving materials, on-site retention and green roofs shall be encouraged in building design and *development* in accordance with City and Provincial standards and guidelines;
- d) new Mid-rise and High-rise *development* shall demonstrate how LID measures and innovative servicing technologies have been employed in their site and building design;
- e) the City shall monitor the capacity of storm sewers and reassess the need to manage stormwater runoff, as may be required;
- f) *development* shall demonstrate compliance with the limits of the existing adjacent water and wastewater servicing networks. Private on-site controls and enhanced building design may be required, to the satisfaction of the City, to mitigate any increased demand that exceeds existing capacity;
- g) to increase the energy efficiency of buildings, all commercial, institutional, mixed-use and multi-unit residential *development* shall be encouraged to:
 - i) have a green roof;
 - ii) provide solar capture equipment;
 - iii) use cooling roof materials;
 - iv) plant trees and other vegetation to provide shade and additional tree canopy;
 - v) utilize soft landscaping on the flat portion of rooftops (excluding the area required for mechanical equipment);
 - vi) consider options for district energy, and design features that would enable the future implementation of district energy;
 - vii) provide for a minimum of 40% of the building's total energy requirements through alternative energy sources, including solar hot water, photovoltaic, or geothermal, etc.;
 - viii) utilize low demand or low flow fixtures; and,
 - ix) provide for a minimum of 50% of the projected water demand for toilets/urinals through greywater recycling.

- h) all *development* shall be encouraged to strive for a *LEED* Gold or higher rating, or an equivalent standard.

6.1.14 Implementation

6.1.14.1 In addition to Section F.1.0 – Planning Act Implementation Tools of Volume 1, the following policy shall apply to the Downtown Hamilton Secondary Plan area:

- a) *development* proposals may include infrastructure for drainage control located on private lands. Where deemed necessary, the City may require the registration of Site Plan agreements on title of a property, to give the City legal authority to ensure that these controls continue to function appropriately in the future; and,
- b) *higher order transit* station area delineations and density targets for the Downtown Secondary Plan shall be determined as part of a future *municipal comprehensive review* process.

6.1.14.2 Community Improvement Plans for the Downtown Hamilton Secondary Plan area shall align with the vision, principles, and objectives of this Plan.

6.1.15 Site Specific Policies

Site Specific Policy – Area A and A-1

6.1.15.1 For the lands municipally known as 130 York Boulevard, designated Institutional and shown as Site Specific Policy Area A and Area A-1 on Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan, the following policies shall apply:

Area A

- a) notwithstanding Policy E.6.2.6 – Other Uses of Volume 1, where institutional uses cease on the above noted lands, Downtown Mixed Use uses in accordance with Section B.6.1.6, and, parks/open space uses, and *community facilities/services* uses shall be permitted without an amendment to this Plan provided the uses are *compatible* with the surrounding areas and are in keeping with the policies of this Plan.
- b) Increases in height shall be permitted without an amendment to this Plan subject to the following:
 - i) maximum building height shall be no greater than the height of the top of the Escarpment as measured between Hess Street and Bay Street North;
 - ii) the provision of a publicly accessible open space area through one or all of the following:
 1. maintaining the existing open space area on the property; or,
 2. the provision of a Privately Owned Public (POP) space in accordance with Policy 6.1.7.1 9 f) of this Plan; or,
 3. parkland dedication in accordance with Section F.1.18 – Parkland Dedication Policies of Volume 1.

Area A-1

- c) in addition to Policy B.6.1.15.1 a), for the lands shown on Map B.6.1-1 - Downtown Hamilton Secondary Plan – Land Use Plan as Site Specific Policy – Area A-1, a utility plant for the generation and transmission of heat, steam and electricity shall be permitted provided the following criteria are met:
 - i) the proposed noise levels and emissions from the utility operation comply with provincial requirements; and,
 - ii) appropriate buffering is provided and maintained between the utility use and adjacent (*existing* and future planned) residential and institutional uses to mitigate potential adverse noise and air emission related impacts. (OPA 142)

Site Specific Policy – Area B

- 6.1.15.2 For the lands located at the southeast corner of Cannon Street East and Cathcart Street, municipally known as 220 Cannon Street East, designated Downtown Mixed Use and shown as Site Specific Policy – Area B on Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan, the following policies shall apply:
- a) a maximum residential density of 705 units per hectare shall be permitted.

Site Specific Policy – Area C

- 6.1.15.3 For the lands municipally known as 41 Jackson Street West (Whitehern Museum), designated Institutional and shown as Site Specific Policy – Area C on Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan, the following policies shall apply:
- a) notwithstanding Section E.6.0 – Institutional Designation of Volume 1, Whitehern, the current museum use and its accessory functions are recognized as of the date of adoption of the Downtown Hamilton Secondary Plan. Any change in use shall require an amendment to this Plan.

Site Specific Policy – Area D

- 6.1.15.4 For the lands municipally known as 99 Ferguson Avenue North, designated Institutional and shown as Site Specific Policy – Area D on Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan, the following policies shall apply:
- a) notwithstanding Policy E.6.2.6 – Other Uses of Volume 1, where institutional uses cease on the above noted lands, Downtown Residential uses, in accordance with Section B.6.1.5 – Downtown Residential Designation, and, parks/open space uses, and *community facilities/services* uses shall be permitted without an amendment to this Plan provided the uses are *compatible* with the surrounding areas and are in keeping with the policies of this Plan.

Area Specific Policy – Area E

- 6.1.15.5 For the lands located east of Caroline Street, between Hunter Street and Jackson Street, designated Downtown Residential and shown as Area Specific

Policy Area – E on Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan, the following policies shall apply:

- a) notwithstanding Policy B.6.1.5.1 a), the only uses permitted shall be single-detached dwellings.

Site Specific Policy – Area F

6.1.15.6 For the lands municipally known as 200 James Street North, known as the John Weir Foote VC Armoury and recognized as a National Historic Site of Canada, designated Downtown Mixed Use and shown as Site Specific Policy Area F on Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan, the following policies shall apply:

- a) in addition to Section B.6.1.6 – Downtown Mixed Use designation, the John Weir Foote VC Armoury and its accessory functions are recognized as of the date of adoption of the Downtown Hamilton Secondary Plan; and,
- b) Any future *development* of the property shall be encouraged to conserve the Nationally significant site.

Area Specific Policy – Area G

6.1.15.7 For the lands municipally known as 252-254 James Street North, designated Downtown Mixed Use and shown as Site Specific Policy Area G on Map B.6.1-1 – Downtown Hamilton Secondary Plan – Land Use Plan, the following policies shall apply:

- a) in addition to Section B.6.1.6 – Downtown Mixed Use designation, the *existing* place of worship and its accessory functions are recognized as of the date of adoption of the Downtown Hamilton Secondary Plan.

Table B.6.1.16

| Street | Design Functions | Design Objectives |
|------------------|---|---|
| Bay Street | <ul style="list-style-type: none"> • Key linkage from Escarpment to Waterfront • Priority cycling corridor for separated bike lane | <ul style="list-style-type: none"> • Widen public sidewalk where feasible • Strengthen pedestrian linkages to east-west streets and key <i>transit</i> nodes • Balance pedestrian, cycle and <i>transit</i> needs with vehicular needs • Retention of bike lanes |
| Cannon Street | <ul style="list-style-type: none"> • Primary east-west link on north side of Downtown • Serves a mix of residential and commercial areas within the Downtown • Priority cycling corridor for separated bike lane | <ul style="list-style-type: none"> • Recognize through traffic needs • Establish safe pedestrian and cycling environment with appropriate separation from vehicles • Retention of bike lanes |
| Caroline Street | <ul style="list-style-type: none"> • Important pedestrian linkage between Downtown, the Waterfront and adjacent residential areas | <ul style="list-style-type: none"> • Provide pedestrian and cycling amenities along length of street • Partner with Board of Education to extend the pedestrian route through the Sir John A. Macdonald site |
| Catharine Street | <ul style="list-style-type: none"> • Neighbourhood linkage | <ul style="list-style-type: none"> • Improve vehicular/pedestrian and cycling separation • Provide improved pedestrian and cycling amenities |
| Ferguson Avenue | <ul style="list-style-type: none"> • See Ferguson Avenue Master Plan | <ul style="list-style-type: none"> • See Ferguson Avenue Master Plan |
| George Street | <ul style="list-style-type: none"> • Supports commercial activities along George • Key pedestrian linkage | <ul style="list-style-type: none"> • New <i>development</i> shall address the street directly and provide at grade access • Public improvements shall be consistent with recent Hess Village improvements • Design elements to discourage or restrict through traffic and prioritize pedestrians |

| Street | Design Functions | Design Objectives |
|----------------|--|---|
| Hess Street | <ul style="list-style-type: none"> • Hess Street supports the Hess Village commercial area • Provides a linkage to the Waterfront area and adjacent neighbourhoods | <ul style="list-style-type: none"> • Within Hess Village the street shall receive specialty treatment to recognize its commercial role • Pedestrian and cycling amenities shall be provided where feasible • Provide an appropriate amount of bicycle parking |
| Hughson Street | <ul style="list-style-type: none"> • Key north-south pedestrian route GO Centre and commercial areas to the south • Linkage between Gore Park and Hamilton GO Station | <ul style="list-style-type: none"> • Protect view from GO Centre to Gore Park • Establish a pedestrian link between Go Centre and LRT Station at Gore Park • Create special pedestrian crossing at Hunter Street • Introduce pedestrian and cycling amenities along entire route • New development to provide direct, at grade access to street • No blank façades along street |
| Hunter Street | <ul style="list-style-type: none"> • Provides alternative east-west route on south side of Downtown • Provides important pedestrian linkages from major north-south streets to Hamilton GO Centre • Links Durand and Corktown neighbourhoods • Priority cycling corridor for separated bike lane | <ul style="list-style-type: none"> • Improve pedestrian and cycling environment on east-west route • Improve north-south pedestrian and cycling connections to Gore Park • Landscaped area on north side of Hunter between James and Catharine Street shall be maintained and retained in <i>development</i> proposals • Street improvements shall provide greater separation between pedestrians and vehicles, particularly west of James Street • Improve north/south crossings, particularly in the area around the GO station and City Hall. |

| Street | Design Functions | Design Objectives |
|----------------|--|---|
| Jackson Street | <ul style="list-style-type: none"> • Key pedestrian and vehicle route on south side of Downtown • Gateway to significant historic sites (i.e. Whitehern Museum) | <ul style="list-style-type: none"> • Recreate public street between Bay and MacNab • Integrate Jackson Street design with City Hall Forecourt on the east side of Bay Street • Create a pedestrian oriented streetscape east of City Hall with potential for shared street treatment |
| James Street | <ul style="list-style-type: none"> • Primary north-south street within the Downtown • Provides key pedestrian and traffic linkage to the Waterfront and Escarpment • Pedestrian focussed street • Prime retail and commercial street | <ul style="list-style-type: none"> • Widen public sidewalks where feasible • Strengthen pedestrian linkages to east-west streets, <i>transit</i> hubs • Provision of additional on street parking where feasible • Protection of views southward along James Street toward the Escarpment |
| John Street | <ul style="list-style-type: none"> • Important link between Downtown, the Waterfront and adjacent residential areas • Support James and King Street retail area; • Escarpment Access | <ul style="list-style-type: none"> • Widen public sidewalk where feasible • Establish safe pedestrian environment with appropriate separation from vehicles • Better balance of pedestrian, cycle & <i>transit</i> needs with vehicular needs • Provide connections to east-west streets into neighbourhood areas |
| King Street | <ul style="list-style-type: none"> • Transit focussed street • Pedestrian focussed street • Prime retail and commercial street • LRT corridor | <ul style="list-style-type: none"> • Widen public sidewalk where feasible; maintain north sidewalk in sun • Prioritize transit access • Strengthen pedestrian and cycling linkages to east-west streets and north-south streets, <i>transit</i> hubs • Provide seating at <i>transit</i> stops, where space permits • Alignment with LRT EA Document |

| Street | Design Functions | Design Objectives |
|---------------------|---|---|
| King William Street | <ul style="list-style-type: none"> • Focus of the King William commercial area • Supports King Street prime retail area • Shall link the new Community Park at John and Rebecca Streets with adjacent residential and commercial areas • Pedestrian focussed street • Prime retail and commercial street | <ul style="list-style-type: none"> • Pedestrian amenities shall be introduced along entire length of street • Permanent and temporary public art shall be encouraged along the entire length of the street in keeping with the precedent established by the King William Art Walk Program • Discourage through traffic and prioritize pedestrians |
| Main Street | <ul style="list-style-type: none"> • Primary east-west link on south side of Downtown | <ul style="list-style-type: none"> • Widen public sidewalk where feasible • Improve vehicular pedestrian separation through wider sidewalks, street tree plantings and parallel parking • Strengthen pedestrian and cycling linkages to east-west streets and north-south streets, <i>transit</i> hubs • Provision of additional on-street parking where feasible |
| Queen Street | <ul style="list-style-type: none"> • Arterial route through Downtown core; has Escarpment access • Western boundary of Downtown linking east-west routes to the Escarpment | <ul style="list-style-type: none"> • Widen public sidewalk where feasible; • Strengthen pedestrian and cycling linkages to east-west streets; <i>transit</i> hubs • Provision of additional on-street parking where feasible |
| Victoria Avenue | <ul style="list-style-type: none"> • Northbound arterial route through Downtown core; has Escarpment access and to industrial sector • Eastern boundary of Downtown • Priority cycling corridor for separated bike lane | <ul style="list-style-type: none"> • Establish a safe pedestrian and cycling environment with appropriate separation from vehicles • Improve crossing points and provide additional opportunities • Widen sidewalks where feasible |

| Street | Design Functions | Design Objectives |
|--------------------------|--|---|
| Wellington Street | <ul style="list-style-type: none"> • Southbound arterial route through Downtown; has Escarpment access | <ul style="list-style-type: none"> • Establish a safe pedestrian environment with appropriate separation from vehicles |
| York Blvd./Wilson Street | <ul style="list-style-type: none"> • Key entry route and gateway into the Downtown from Highway 403 • Primary route through on north side of Downtown • Priority cycling corridor for separated bike lane | <ul style="list-style-type: none"> • Establish a safe pedestrian and cycling environment with appropriate separation from vehicles |

6.2 Ainslie Wood Westdale Secondary Plan

6.2.1 Purpose of Secondary Plan

The Ainslie Wood Westdale Secondary Plan area is bounded by the former boundaries between the former City of Hamilton and former Town of Dundas on the west, Cootes Paradise on the northwest, and Highway 403 on the east and the southeast. The Ainslie Wood Westdale Secondary Plan establishes land uses, development standards and provisions regarding cultural heritage, urban design and transportation, to guide the *development* and/or *redevelopment* of lands located in the Ainslie Wood Westdale Secondary Plan area. Section B.6.2 and Maps B.6.2-1 - Ainslie Wood Westdale - Land Use Plan and B.6.2-2 – Ainslie Wood Westdale - Cultural Heritage Landscapes constitute the Ainslie Wood Westdale Secondary Plan.

Other non-land matters are addressed in the Community Strategy, which is outlined in a separate report. The Community Strategy is a guide plan for recommended actions by the City and other stakeholders, on matters such as student housing, by-laws and their enforcement, parking and communications.

6.2.2 Vision

The desired future state of the Ainslie Wood Westdale area, within the 20 year time frame, is a balanced stable community in which the diverse needs of all stakeholders are met. McMaster University and the surrounding community support each other by the provision of services and amenities. Residents are housed in high-quality neighbourhoods providing amenities suitable for various types of households. Tenants, including students and others, are offered a wide range of suitable housing choices and services. Development is well-designed and sustainable, considers future generations and respects the natural environment.

6.2.3 Goals

The Ainslie Wood Westdale community shall provide a variety of residential densities, commercial, mixed use, open space and other areas to meet the diverse needs of its many citizens which include homeowners, students, business people, shoppers and others. The predominantly low density residential appearance of the Ainslie Wood Westdale neighbourhoods shall be preserved and restored, with higher densities directed away from the single-detached residential areas, and towards appropriate locations such as along major roads.

6.2.4 Objectives

The objectives of the Ainslie Wood Westdale Secondary Plan are to:

- a) Provide a diversity of suitable housing choice for families, students, seniors and others.
- b) Maintain low density, single detached residential areas, in terms of both appearance and use.
- c) Ensure new infill housing and renovations are *compatible* with existing development.

- d) Encourage *development* forms which are compact, to help provide opportunities to relieve pressures for urban expansion, such as higher densities and mixed use along major roads.
- e) Provide employment choices within the area which are *compatible* with residential uses, allowing residents the option to live and work in close proximity.
- f) Reduce conflicts between adjacent land uses by buffering and distance separation.
- g) Retain all existing open space areas and natural areas, including significant features such as Cootes Paradise.
- h) Provide commercial areas, especially along the King Street historic community core and along portions of other major roads.
- i) *Conserve cultural heritage resources*, including buildings and areas of historical and architectural significance.
- j) Enhance the design and identity of the Ainslie Wood Westdale area by the addition of design features to accentuate streetscapes and gateways.
- k) Recognize McMaster University and the McMaster University Medical Centre as major community stakeholders, which help to define community identity, and contribute educational and employment opportunities.
- l) Ensure that the transportation system provides for the needs of all citizens, encourages a compact urban form and enables the use of alternative travel modes.
- m) Ensure that municipal infrastructure, such as water, sewers, storm water management facilities and public/private utilities are provided to adequately service the residents, businesses and institutions of this area.

6.2.5 Residential Designations

The Ainslie Wood Westdale community shall remain primarily a residential area, which shall include a wide range of housing types. The community includes the Westdale historic residential neighbourhood around the Westdale oval, and various residential areas with housing of different forms and densities. The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential types are provided to meet the needs of all area residents.

6.2.5.1 The residential areas are designated Low Density Residential 2, Low Density Residential 3c, and High Density Residential 1 as indicated on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan. The following policies shall apply to each of these land use designations.

6.2.5.2 The residential policies are intended to help achieve the following objectives:

- a) Provide a wide variety of housing forms for many types of households, including households of various sizes and age groups.

- b) Encourage the maintenance of the appearance of low density housing, especially single detached homes, where possible.
- c) Encourage new infill housing and renovations to be *compatible* with surrounding residential development.
- d) Create opportunities for and direct higher densities, and mixed use commercial / residential *development*, to locate along major roads.
- e) Ensure the protection of areas identified on the basis of cultural heritage characteristics.

6.2.5.3 General Residential Policies

In addition to Section E.3.2 – Neighbourhood Designation – General Policies of Volume 1, the following general policies apply to all residential land use designations identified on Map B.6.2-1 – Ainslie Wood Westdale - Land Use Plan:

- a) A range of residential designations is provided to encourage a variety of housing types, forms and sizes. Rental housing is important in providing a range of housing types.
- b) Higher residential densities are directed to major roads, namely arterial and collector roads, to new or redeveloped residential or mixed commercial/residential *developments*. Population densities should be reflective of average densities for similar higher density residential uses across the City.
- c) Changes to the existing housing stock, such as new infill construction and renovations, shall be comparable to existing housing styles on the same block and street. New construction shall be encouraged to reflect similar housing styles, massing, height, setbacks, and other elements of style as the adjacent homes on the same block and street. The City shall discourage the building-out of rooflines to convert dormers into a full storey. The City shall limit overbuilding on properties, to maintain *compatibility* within the neighbourhood.
- d) Where there is no consistent style of homes on a street or block to determine the style for infill housing, such infill or renovations shall be encouraged to be *compatible* with the various housing styles on that street or block, reflecting one style or a suitable combination, rather than being of a height or style not found in the area.
- e) Additional locations suitable for new higher density housing units, including units suitable for student housing, are identified at various locations and densities, to reduce the over-intensification of such housing in some residential areas. Housing forms which shall be encouraged for new rental housing and student units include mixed use commercial / residential on major roads, low rise apartments, medium rise apartments, and rental rooms in owner-occupied houses.
- f) Property standards measures are recognized as important in the preservation of residential character.
- g) The heritage character associated with the Ainslie Wood Westdale residential areas shall be preserved and enhanced by a number of means,

as outlined in Section B.6.2.12 – Urban Design Policies and B.6.2.13 – Cultural Heritage Policies of this Secondary Plan, including:

- i) retention of buildings and areas which have been designated or listed as having historical or architectural significance; and,
- ii) recognition of *cultural heritage landscapes*. The three *Cultural Heritage Landscapes* identified on Map B.6.2-2 - Ainslie Wood Westdale Cultural Heritage Landscapes are:
 - 1. The planned suburb of Westdale, commercial core and residential;
 - 2. The Veteran's Housing Area, a post-war housing area south of Main; and,
 - 3. The Burke Survey, an early 20th century survey.
- h) Other complementary uses to be permitted in the Residential designations, in addition to those specified for each density type, shall include *home businesses, accessory uses, home day care, small residential care facilities, and small scale local commercial and small community-based places of worship.*

6.2.5.4 Low Density Residential Designation

- a) The following policies shall apply to the lands designated Low Density Residential 2 on Map B.6.2-1 – Ainslie Wood Westdale - Land Use Plan:
 - i) Notwithstanding Policy E.3.4.3 of Volume 1, permitted uses shall include single detached dwellings, semi-detached dwellings, duplexes, and street townhouses, and existing legal 3, 4, and 5-plexes. Single detached housing shall be the primary form of housing in most of these areas, especially in the interior of neighbourhoods. (OPA 142)
 - ii) Notwithstanding Policy E.3.4.4 of Volume 1, the Low Density Residential 2 densities shall generally be from 10 – 29 units per gross hectare. The area of large lots noted in Policy B.6.2.5.3 d) – General Residential Policies of Volume 2 shall have a lower density.
 - iii) Where single detached housing presently exists in the interior of the neighbourhood, the maintenance of such low density housing shall be preferable to new higher density housing forms.
 - iv) An area of large lots is recognized within the Low Density Residential 2 designation, located immediately east of McMaster University. Any future housing created through *redevelopment* in this area shall retain this density, to help preserve this area's character. The boundaries of this area are:
 - 1. For lands north of Sterling Street, this area is bounded by Mayfair Crescent, Sterling Street, Dalewood Crescent, and Oak Knoll Drive, also Mayfair Place and Oakwood Place; and,
 - 2. For lands south of Sterling Street, this area is bounded by Forsyth Street, King Street, Whitton Road and Sterling Street, also including Forsyth Place.

- b) The following policies shall apply to the lands designated Low Density Residential 3c on Map B.6.2-1 – Ainslie Wood Westdale - Land Use Plan:
- i) Notwithstanding Policy E.3.4.3 of Volume 1, within the Low Density Residential 3c areas triplexes and multiple dwellings with four units or more, and townhouse developments up to five storeys in height shall be permitted. Additional height over five storeys may be considered, but shall not produce any adverse shadow or wind impacts on adjacent low density residential areas. New low density uses shall not be permitted in these areas.
 - ii) Notwithstanding Policy E.3.4.4 of Volume 1, the residential densities of the Low Density Residential 3c designation shall generally be 30 – 49 units per gross hectare.
 - iii) The Low Density Residential 3c designated areas are located along major roads, specifically sections of Main Street West and King Street West. Low Density Residential 3c uses may also be considered on other *redevelopment* sites where *compatibility* with adjacent uses can be ensured, in terms of such matters as building height and massing. Such sites shall require an amendment to Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan.

6.2.5.5 High Density Residential Designation

The following policies shall apply to the lands designated High Density Residential 1 on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan:

- a) Within High Density Residential 1 designated areas *multiple dwellings* shall be permitted to a maximum height of 10 storeys, except in the case of existing buildings which may be higher. Additional height shall be permitted for new buildings, provided the height shall not produce any adverse wind impact, or adverse shadow impacts on public space and/or private outdoor amenity spaces.
- b) Notwithstanding Policy E.3.6.6 of Volume 1, the residential densities of High Density Residential 1 uses shall generally be 50 – 125 units per gross hectare.
- c) High Density Residential 1 designated areas are located along major roads, specifically sections of Main Street West. High Density Residential 1 uses may also be considered on other *redevelopment* sites where *compatibility* with adjacent uses can be ensured, in terms of such matters as building height, massing, and preservation of views. Such sites shall require an amendment to Map B.6.2-1 - Ainslie Wood Westdale Land Use Plan.

Commercial Designations

6.2.6 Local Commercial Designation

Local Commercial areas designated on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan are to provide for the shopping needs of local residents, as well as provide specialty shopping areas for visitors. The primary use within Local Commercial areas shall be commercial uses. Policies for Mixed Use areas, which permit commercial and other uses, are detailed in Section B.6.2.7 – Mixed Use – Medium Density.

6.2.6.1 The objectives for the Local Commercial designated areas are to:

- a) provide commercial areas to serve the needs of local residents and visitors;
- b) require the provision of appropriate amenities for commercial areas, including parking, signage, and streetscaping on public lands; and,
- c) enhance appearance and encourage good maintenance of commercial buildings and areas.

6.2.6.2 Local Commercial Designation

In addition to Section E.3.8 – Local Commercial of Volume 1, the following policies shall apply to the lands designated Local Commercial on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan:

- a) Areas designated Local Commercial shall be located primarily along major roads, namely along portions of Main Street West as indicated on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan.
- b) Building heights of up to three storeys shall be permitted for the Local Commercial areas.
- c) Commercial areas shall front only onto the major streets, and shall have access only onto these major streets.
- d) Limited residential uses and institutional uses shall be permitted in conjunction with commercial uses in the Local Commercial areas, in the form of mixed use buildings. The retention of commercial uses on the ground floor is required.
- e) Local Commercial uses shall be enhanced by the provision of appropriate amenities, including parking, access, streetscaping measures, emphasis on design for infill and renovations, and others, as appropriate.
- f) The appearance and maintenance of commercial areas shall be considered important. Site plan control, design guidelines, and other tools shall be used to ensure appropriate design of all new and redeveloped commercial properties.
- g) Financial incentive programs to enhance the appearance of commercial areas shall be provided within the framework of existing planning legislation for areas designated as Business Improvement Areas (BIAs). The establishment of new BIA areas, or new funding programs, may be considered where these would be appropriate, and in keeping with relevant legislation.

6.2.7 Mixed Use - Medium Density Designation (OPA 69)

Mixed Use – Medium Density areas and Mixed Use – Medium Density – Pedestrian Focus areas are designated on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan to provide vibrant shopping areas for local residents and visitors.

6.2.7.1 The objectives for Mixed Use - Medium Density designated areas and Mixed Use – Medium Density – Pedestrian Focus designated areas are as follows:

- a) Encourage mixed uses, with residential apartments on upper floors of commercial buildings located along major roads, namely arterial and collector roads, with higher densities to support use of infrastructure.
- b) Provide commercial areas in combination with other uses to serve the needs of local residents and visitors.
- c) Support the destination shopping role of the Westdale core area along King Street, which serves the local community as well as a wider regional market.
- d) Require the retention of commercial uses on the main floor in the Westdale commercial area.
- e) Require the provision of appropriate amenities for commercial areas, including parking, signage, and streetscaping on public lands.
- f) Enhance the appearance and encourage good maintenance of commercial buildings and areas.

6.2.7.2 Mixed Use – Medium Density and Mixed Use – Medium Density – Pedestrian Focus Designation Policies

In addition to Section E.4.0 – Commercial and Mixed Use Designations of Volume 1, the following policies shall apply to the lands designated Mixed Use - Medium Density and Mixed Use – Medium Density – Pedestrian Focus on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan:

- a) Residential, commercial, or institutional uses, shall be permitted either as stand alone developments or in a mixed use building.
- b) Notwithstanding Policies E.4.6.7 and E.4.6.8 of Volume 1, for lands designated Mixed Use – Medium Density and Mixed Use – Medium Density – Pedestrian Focus and not included in Area Specific Policy E, permitted building heights shall not exceed three storeys. (OPA 65)
- c) Other permitted building forms may include low rise apartment buildings which are entirely residential, other residential uses subject to the Medium Density Residential designation policies, and low rise commercial buildings, subject to Policy B.6.2.7.2 b) – Mixed Use – Medium Density Designation. (OPA 142)
- d) Building forms shall be in keeping with the predominant character of the surrounding area with respect to materials, roofline and setbacks.
- e) The residential densities shall generally be about 30 – 49 units per gross hectare.
- f) Mixed Use – Medium Density and Mixed Use – Medium Density – Pedestrian Focus designated lands shall only front onto the major streets, and shall generally have access only onto these major streets.
- g) Provision of sufficient parking to accommodate all uses shall be required. Shared use parking should be considered where appropriate.

- h) *Development or redevelopment* of lands designated Mixed Use – Medium Density on the south side of Main Street West, opposite McMaster, for mixed uses shall be in accordance with the following criteria:
- i) Uses such as mixed use commercial/residential, including rental residential units, and educational facilities including classrooms, offices, and amenities shall be encouraged.
 - ii) Building heights shall not exceed three storeys. Increased building heights of four to six storeys may be permitted if it can be demonstrated that the height shall not produce any adverse shadow impacts on public spaces and/or private outdoor amenity spaces. Consideration of increased heights may include consideration of comprehensive development of the entire block, including Main Street frontage and the existing residential lands to the rear, and terracing of buildings.
 - iii) Provision of satisfactory access and parking shall be required.
 - iv) Measures to ensure the safety of pedestrian traffic crossing Main Street West in this area shall be required.
 - v) Street beautification by the City of Hamilton shall be encouraged.
- i) The Westdale commercial area located on King Street West between approximately the eastern leg of Cline Avenue North and Newton Avenue is designated Mixed Use – Medium Density – Pedestrian Focus. This area shall be reinforced as the traditional heart and community focus for Ainslie Wood Westdale. A mixture of commercial and residential uses shall be encouraged. The needs of the Westdale commercial area may be addressed by means such as:
- i) Commercial designations and zoning which supports mixed use buildings, namely ground-floor retail such as shops, office, local commercial, with apartments on upper floors.
 - ii) Prohibited uses shall include gas bars, other automotive and large scale retail uses.
 - iii) Enhancements to streetscapes and other urban design measures shall be strongly encouraged.
 - iv) Mixed use developments within the BIA area between Newton and Cline, which are adjacent to low density residential areas, shall not exceed two storeys in height.
 - v) Strategies to provide additional parking for this area, including implementation of changes through the zoning by-law, shall be considered by the City.
- j) Financial incentive programs shall continue to be provided for the Westdale commercial core area along King Street West. The addition of any new financial incentive programs shall be undertaken only with the proper approval of such programs under the Planning Act, R.S.O., 1990 c. P.13 or other applicable legislation. Funding programs shall be investigated to

enhance and upgrade the appearance of the commercial areas along arterial roads in Ainslie Wood Westdale and also for *residential intensification* projects. These may include programs similar to the façade restoration program, or other programs, to encourage property owners to upgrade or restore storefronts.

- k) City investment in the infrastructure of commercial areas, such as improvements to lighting and amenities in various areas including the Westdale commercial core area on King Street West, may be proposed through various studies. These improvements shall be used to help promote additional private investment and upkeep. Such improvements and associated costs shall require approval by Council, through the budget processes, once studies are prepared.
- l) Outdoor patios generate community concerns, with different concerns related to residential areas and the business community. The following policies shall apply to outdoor patios:
 - i) Outdoor patios shall be encouraged to locate at an acceptable distance from low density residential areas to address impacts such as music and other noise.
 - ii) Outdoor patios should be encouraged to locate within the Westdale commercial core area along King Street West provided that they are located directly in front of the establishment and along the King Street frontage.
 - iii) Other preferred locations for outdoor patios shall be in transitional areas, such as former industrial sites, or along other arterial roads where they do not back directly on residential areas.
 - iv) Visual buffering and distance separation to adjacent uses shall be required through the site plan approval process.

6.2.8 District Commercial Designation

Section E.4.7 District Commercial of Volume 1 shall apply to the lands designated District Commercial on Map B.6.2-1 – Ainslie Woods Westdale Secondary Plan – Land Use Plan. (OPA 64)

6.2.9 Employment Area – Industrial Land Designation

Employment Area designation (industrial) uses are recognized as a past important land use in the Ainslie Wood Westdale area, and to a lesser extent are still important. Employment and prestige employment uses shall continue to exist in the area for the foreseeable future, including research type uses with potential to accommodate uses related to the University's activities. Employment Area - Industrial Lands are designated on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan.

The planning objectives associated with this Employment Area designation are to:

- a) Ensure the *compatibility* of existing employment uses with the overall community.

- b) Facilitate the transition of heavy industrial sites to lighter industrial uses when these sites redevelop.
- c) Recognize the potential of Employment Areas to serve McMaster's needs, such as for research functions, with the land uses characteristic of light industrial uses.

6.2.9.1 Employment Area Designation Policies

In addition to Section E.0 – Employment Area Designations of Volume 1, the following policies shall apply to the lands designated Employment Area on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan:

- a) Building heights shall not exceed five storeys.
- b) Any review of the Zoning By-law provisions for employment sites in the Glen Road/Tope Road area shall restrict the permitted uses, to permit only light industrial uses, and exclude heavy industrial and other uses which are incompatible with adjacent residential areas.
- c) Notwithstanding Policy E.5.3.2 – Permitted Uses of Volume 1, small scale institutional uses shall be considered a permitted use in the Employment Area designation.
- d) In locations where existing light employment uses do not generate extensive adverse impacts, such as noise, air pollution and traffic, and where they are located adjacent to compatible land uses such as industry, utility corridors, or major highways, the existing light employment uses shall be encouraged.
- e) In instances where existing employment uses are located directly adjacent to residential uses, the voluntary introduction of buffering measures shall be encouraged, such as landscaping and / or noise and visual barriers. For any new light employment uses, buffering measures shall be required through the site plan approval process.
- f) Where employment use owners wish to remain on their existing sites in the Ainslie Wood Westdale area, communication between the owners and local residents is encouraged, so that any adverse impacts and other concerns can be resolved.
- g) The establishment and extension of programs and funding for the rehabilitation and reuse of employment lands shall be encouraged to include lands in the Ainslie Wood Westdale area. An example would include any possible expansion of the brownfields funding program, to facilitate the rehabilitation of these lands.
- h) McMaster University shall be encouraged to consider the use of vacant or transitional employment lands in the Ainslie Wood Westdale area for educational uses, research facilities and other uses. Such *redevelopment* would be subject to any requirements for rezoning and / or submission of a site plan indicating landscaping, adequate parking and access to help ensure compatibility with surrounding uses.

6.2.10 Parks and Open Space Designations

Parks and Open Space areas are designated in many locations throughout the Ainslie Wood Westdale community.

Parks provide green space areas, which are generally landscaped, for the enjoyment of local residents and other citizens, mainly for active pursuits including sports and recreation. These lands would also allow for passive use such as walking or sitting. This designation shall include parks of a variety of sizes and functions, serving needs of the immediate neighbourhoods and wider portions of the community.

The natural open space areas include natural areas such as Cootes Paradise, the Dundas Valley, and the Niagara Escarpment lands. These shall include natural areas such as lands of environmental significance to be preserved and protected, and lands where passive recreational enjoyment such as walking or hiking can be permitted.

6.2.10.1 The objectives for Parks and Open Space uses are as follows:

- a) ensure that Parks and Open Space areas are retained and enhanced;
- b) preserve and protect Core Areas;
- c) restrict *development* from occurring on Hazard Lands; and,
- d) provide additional accessibility by means of multi-use trails on these lands.

6.2.10.2 Parks and Open Space Designations

In addition to Sections B.3.5.3 – Parkland Policies and C.3.3 – Open Space, the following policies shall apply to the lands designated Community Park, Neighbourhood Park, Parkette, General Open Space, and Natural Open Space on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan:

- a) Five designations make up the parks and open space system of the Ainslie Wood Westdale community:
 - i) Community Park;
 - ii) Neighbourhood Park;
 - iii) Parkette;
 - iv) General Open Space; and,
 - v) Natural Open Space.
- b) All existing Parks and Open Space designated areas in the Ainslie Wood Westdale area shall be retained for use as parks and open space. These lands shall not be redeveloped for other uses, to ensure they are preserved for active and passive recreational uses, as well as for the enjoyment of views and vistas.
- c) Cootes Paradise, which is designated Natural Open Space and identified as a Core Area, is owned by the Royal Botanical Gardens. Cootes Paradise

shall be protected from development to ensure that this natural area can be enjoyed by residents of the City of Hamilton and others. The Master Plan prepared by the Royal Botanical Gardens shall provide further details and direction concerning the land use plan for these lands, in a manner which complements this Secondary Plan and is compatible with City policies.

- d) Walking trails shall continue to be provided and enhanced throughout Cootes Paradise and the Royal Botanical Gardens lands. These trails shall be designed to promote the enjoyment of these natural areas, and to preserve their integrity.
- e) The provision of any additional trails and multi-use pathways through the parks and natural areas shall ensure that the integrity of these areas is maintained, especially the natural areas and Core Areas.
- f) Portions of Cootes Paradise contain open water, located at the northern edge of the neighbourhood, where the shoreline cuts into the neighbourhood boundary. These open water areas shall:
 - i) be considered as part of the Cootes Paradise Core Area;
 - ii) be used primarily for non-motorized boating purposes;
 - iii) be preserved for aesthetic, ecological and scientific activities; and,
 - iv) remain covered by water and shall not be filled, reclaimed or otherwise altered.
- g) The existing C.P. (formerly TH&B) Rail corridor, which runs east-west through this area, as part of the Hamilton – Brantford Rail Trail shall continue to be extended along the rail trail corridor to the east, as portions of the former rail line become available. The Transportation policies of this Secondary Plan provide further details. This trail shall be designated as General Open Space, since it is used for passive recreational uses.
- h) The provision of additional Parks and Open Space designated areas shall be encouraged, should opportunities arise in future. Such additional parks shall be especially encouraged in the area west of the Hydro corridor, within the western portion of the Ainslie Wood Westdale community. Consideration of such additional park land shall be subject to the availability of City funds, and the overall need for parkland as identified in City policies such as the Official Plan.

6.2.11 Institutional Designation

Institutional areas are identified in the Ainslie Wood Westdale Secondary Plan to provide for the needs of citizens of the community and beyond. Institutional areas permit such uses as governmental, educational, health, religious, residential and other major institutional uses. Specific examples of uses to be permitted shall include schools, universities, colleges, hospitals and places of worship. These uses shall be provided in a manner which ensures that the needs of local citizens are met, and in a manner which is *compatible* with adjacent land uses.

6.2.11.1 The objectives for Institutional uses in the area are to:

- a) provide facilities for public use such as health, religious and government; and,
- b) address the potential reuse of institutional buildings such as schools.

6.2.11.2 Institutional Designation Policies

In addition to Sections E.3.10 – Community Facilities and Services Policies and E.6.0 – Institutional Designation of Volume 1, the following policies shall apply to the lands designated Institutional on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan:

- a) Existing Institutional uses within the Ainslie Wood Westdale area include McMaster University, McMaster University Medical Centre (Hamilton Health Sciences Corporation), other schools providing for various age groups, and several places of worship.
- b) McMaster University is located immediately adjacent to, and surrounded by, the Secondary Plan area. The University and adjacent hospital shall be recognized for their key role in defining the identity of the Ainslie Wood Westdale community.
- c) In the event of school closures in this area, and if public or separate school sites are made available for *redevelopment*, reuse of these Institutional lands shall be encouraged to proceed on the basis of the following considerations:
 - i) Retention of the existing buildings and *adaptive reuse*, where appropriate, shall be preferable to the loss of existing buildings.
 - ii) Preference shall be given to the retention and provision of parks, open space, and recreational uses on school sites for use of the general public, where possible and where funds are available.
 - iii) Land use *compatibility* with residential character shall be a primary consideration, especially when such sites are located in the interior of residential areas.
- d) In the event of *adaptive reuse*, preference shall be given to uses which serve community needs, such as community centres, educational uses, day cares, adult day cares, seniors' centres, seniors' apartments, seniors' care facilities, and places of worship.
- e) Conversion of school buildings or sites to residential uses shall also be considered appropriate.
- f) Consideration shall be given to impacts on local traffic and access, availability of parking, noise, environmental impacts, and other issues relevant to these sites.
- g) The possible *redevelopment* of other Institutional uses, such as places of worship and health facilities, for other uses, shall be subject to Policy

B.6.2.11.2 c), with special attention to the *compatibility* of uses with residential character, and provision of sufficient parking. **(OPA 98)**

- h) *Development or redevelopment* of Institutional sites for residential uses shall be permitted, without the requirement for an amendment to this Secondary Plan or to the Official Plan.

6.2.12 Utility Designation

The high transmission hydro corridors in the Ainslie Wood Westdale area are designated as Utility on Map B.6.2-1 – Ainslie Wood Westdale - Land Use Plan. Utility areas are reserved for the types of uses which are permitted on and *compatible* with the hydro towers and the associated open space lands. *Compatibility* between these Utilities areas and the surrounding land use areas shall be ensured.

6.2.12.1 The objectives for the Utilities lands are to:

- a) preserve the integrity of the open space areas associated with these areas; and,
- b) ensure *compatibility* between Utility areas and other areas.

6.2.12.2 Utility Policies

In addition to Sections C.3.4 – Utility Designation of Volume 1, the following policies shall apply to the lands designated Utility on Map B.6.2-1 - Ainslie Wood Westdale - Land Use Plan:

- a) The hydro corridors located in the Utility designation are recognized as long-term uses. The hydro towers and lines within these corridors, which run north-south from the Escarpment to Ancaster Creek, and east-west near the base of the Escarpment, are anticipated to remain as features which dictate the use of these lands.
- b) Utility lands may be used for other utility or infrastructure functions, such as storm water management facilities and underground sewer storage/treatment facilities. Such uses shall be designed to minimize any adverse impacts on surrounding uses such as residential areas.
- c) The regulations of any affected utility agencies, as well as City policies and regulations regarding these lands, shall be adhered to in the design of all facilities and *development* on these lands.
- d) The City supports where feasible the provision of electronic communication technology involving high capacity fibre optics to enhance telecommunication services within the Secondary Plan area.
- e) All interested telecommunications providers and other utilities wishing to be located within a development area should be located within an initial common trench, whenever possible, to avoid unnecessary over digging and disruption on municipal rights-of-way.

6.2.13 Urban Design Policies

Good urban design, both in the public and private realm, is to be encouraged in the Ainslie Wood Westdale community.

6.2.13.1 The objectives for urban design in Ainslie Wood Westdale community are as follows:

- a) Built forms and landscaped areas, including residential neighbourhoods, commercial areas, arterial roads, and other areas shall be enhanced through high quality design initiatives.
- b) New *development*, including infill and additions to existing buildings, shall complement and enhance the existing character of the surrounding environment, through the use of appropriate building materials and attention to the scale, massing, colour, and special features of the existing built context.
- c) Public urban spaces, including roads, sidewalks, and open spaces, shall also be enhanced to harmonize with the existing built form and to provide community amenities.

6.2.13.2 Urban Design Policies

In addition to Section B.3.3 - Urban Design of Volume 1, the following policies shall apply to lands within the Ainslie Wood Westdale community:

- a) Streetscape Master Plans shall be prepared for King Street West and Main Street West in order to improve pedestrian safety and physical attractiveness of public spaces. Streetscape improvement strategies and key locations for entrances and enhanced design features shall be identified in the Streetscape Master Plans. Improvement recommended in the Streetscape Master Plans may include appropriate tree planting, wider sidewalks, improved lighting, and the selection of street furniture in scale and character to the local areas. The Streetscape Master Plans shall also include guidance on general building setbacks and the location and installation of the *urban braille* system, where opportunities exist.
- b) *Urban braille*, a user friendly way-finding system assisting persons with physical disabilities and other mobility challenges, shall be installed in high pedestrian traffic areas of the Ainslie Wood Westdale community. Specific locations shall be identified and may include:
 - i) King Street West between Westdale Village and the McMaster University Campus; and,
 - ii) Entrances to the McMaster University campus.
- c) To protect the integrity and residential character of *established historical neighbourhoods*, new residential *development* including infill and additions to existing buildings shall reflect the scale, form, and other building features of that specific area and street. New *development* shall reflect the existing built context by conforming to existing setback, building height, roof types and complementary construction material. These *established historical neighbourhoods* shall include, but not be limited to the following areas:
 - i) *Cultural Heritage Landscapes* identified on Map B.6.2-2 – Ainslie Wood Westdale – Cultural Heritage Landscapes; and,

- ii) The “Working Men’s Parcel” in the Westdale North residential area around Longwood Road which is characterized by 1 ½ storey detached bungalows with traditional arts and crafts design.

- d) Special design treatments may be considered for various entrance points to the Ainslie Wood Westdale community identified in the Streetscape Master Plans. These design enhancements aim to reflect the identity of the community and to welcome visitors. The types of special treatments considered may include public art, landscape elements, signs, banners, or other suitable design features. Consultations with the community, including input from the local BIA and other stakeholders, shall be part of the design process.

- e) Street trees may be planted and replaced along arterial and residential roads in the community. Trees shall be planted to improve the appearance of the streetscapes and to replace trees which are lost due to disease. The replacement of trees shall be carried out in conjunction with the overall street tree planting program for the City, depending on the priorities and budget associated with this program.

- f) Views and vistas which are important to the Ainslie Wood Westdale area, including views of the Niagara Escarpment and Cootes Paradise, shall be identified and preserved in *development* and *redevelopment*. The review process for development proposals and design briefs shall incorporate the preservation of views and vistas.

- g) The City shall work with utilities (public and private) to encourage and determine appropriate design, location, and provision of services within the public realm.

- h) The City may prepare design guidelines for the considerations of innovative methods of containing utility services on or within streetscape features, such as gateways, lighting standards and transit shelters.

6.2.14 Cultural Heritage Policies

The heritage and historical significance of the Ainslie Wood Westdale community shall be celebrated and incorporated into aspects of current development. Heritage features within this area include the Westdale subdivision, one of the first planned communities in North America, and the Westdale Oval, with its central shopping hub surrounded by residential streets extending out in a radial pattern.

6.2.14.1 The objectives for cultural heritage in the Ainslie Wood Westdale community are to:

- a) recognize the existing heritage and design features of the area, and take advantage of opportunities to further enhance these features;

- b) conserve the historic and architecturally significant buildings and areas, and reflect this heritage character in adjacent lands; and,

- c) ensure the appropriate management, conservation, mitigation or preservation of *archaeological resources*.

6.2.14.2 Cultural Heritage Policies

In addition to Section B.3.4 - Cultural Heritage Resources Policies of Volume 1, the following policies shall apply to the Ainslie Wood Westdale Secondary Plan area:

- a) Additional properties or heritage conservation districts may be designated or listed under the Ontario Heritage Act without amendment to this Plan. These areas may include areas identified on Map B.6.2-2 – Ainslie Wood Westdale - Cultural Heritage Landscapes as *Cultural Heritage Landscapes*.
- b) *Cultural heritage landscapes* shall be conserved and protected with the intent of retaining major characteristics through the review of planning applications. The following *Cultural Heritage Landscapes* are identified on Map B.6.2-2 – Ainslie Wood Westdale - Cultural Heritage Landscapes:
 - i) The McMaster University Historic Core;
 - ii) The Westdale Original Subdivision;
 - iii) The Burke Survey bounded by Main Street, Broadway Avenue, Emerson Street and the Escarpment; and,
 - iv) The Veteran's Housing Area, on portions of Haddon Avenue South, Gary Avenue, Dalewood Avenue and Stroud Road, which is characterized by single 1½ to 2 storey detached bungalows with side driveways and 3 – 4 metre setbacks from the sidewalk.

6.2.15 Transportation Policies

The Ainslie Wood/Westdale Neighbourhoods Transportation Master Plan (TMP) forms the basis for the transportation policies and actions for this area. These Secondary Plan policies are intended to support the recommendations of the Transportation Master Plan, to which reference should be made for complete details.

The transportation system in the Ainslie Wood Westdale community provides for various forms of travel including roads, transit, cycling and walking for people who live, work and attend school in this area. This transportation system shall continue to be maintained and enhanced for the benefit of local citizens, as well as for residents of nearby areas. The community shall also continue to provide important through links for City-wide transportation networks, such as roads, bicycle paths and transit, for people travelling to and from destinations such as the University and nearby Downtown Hamilton.

6.2.15.1 The objectives for the transportation system in this area include:

- a) provision of safe and efficient means of travel for all residents and citizens;
- b) encouragement of energy-efficient transportation, such as walking, cycling and transit, to reduce the dependency on the single-occupancy automobile; and,
- c) provision of transportation to support existing and future land uses in the community, and its vicinity.

6.2.15.2 Transportation Policies

In addition to Section C.4.0 – Integrated Transportation Network of Volume 1, the following policies shall apply to the Ainslie Wood Westdale community:

- a) Through traffic shall be directed to appropriate streets, particularly arterial and collector roads, and shall be minimized on local streets. Some of these actions shall include traffic calming measures where appropriate on several streets located east of McMaster University, including Forsyth Avenue, Arnold Street and Traymore Avenue.
- b) The bicycle network shall continue to be recognized as a vital component of the City's overall transportation system. The continuity and integrity of the bicycle network shall continue to be improved, by means such as the addition of network sections, the incorporation of bicycle facilities at major activity areas, and the promotion of public awareness.
- c) Existing multi-use paths serving pedestrians and bicycles throughout the community shall be retained, and new sections shall be developed. Additional multi-use paths may be created to suit the needs of local users. The paths which were originally proposed for Churchill Park shall not be created.
- d) Extension of the Hamilton – Brantford Rail Trail from Ewen Road East to Highway 403 and towards Downtown shall be considered a priority, and shall be facilitated by coordinated City actions. Development and fragmentation of the ownership of this right-of-way shall be discouraged, and the potential City purchase of the trail lands shall be pursued to extend the trail.
- e) The *redevelopment* opportunities of lands adjacent to the rail trail shall also be considered, and the potential for the trail to Avenue and Royal Avenue (Henkel site), which is addressed by Site Specific Policy – Area B contained in Policy B.6.2.16.3. The use of the rail trail for an access to this site when it is redeveloped in future, rather than Ward and Royal, shall be considered.
- f) The pedestrian system shall ensure the safety of pedestrians, shall provide user-friendly facilities and amenities to encourage pedestrian use, and shall address operational issues identified at specific intersections. Improvements shall be undertaken at the intersection of Sanders Boulevard, and Cootes Drive, to facilitate the crossing of pedestrians in this location. Improvements shall include traffic calming, mainly in the form of pavement treatments, and management studies along Cootes Drive, north of Sanders Blvd.
- g) A comprehensive transit review shall be undertaken for the Ainslie Wood Westdale community, to address:
 - i) transit routing;
 - ii) opportunities for improving system efficiency; and,
 - iii) integration of transit services with other modes of transportation.
- h) Any implications for the Westdale Village commercial area shall be identified for these areas of study. Within the Ainslie Wood Westdale area, the Hamilton Street Railway shall be encouraged to establish a transit

terminal, which would be the subject of a separate study with input from all stakeholders.

- i) Attention shall be given to the location and design of parking areas as follows:
 - i) Any parking spaces required on-site shall be appropriately landscaped and screened to any adjacent residential areas, including mixed use.
 - ii) Required parking shall be located to the rear of buildings wherever possible.
- j) Existing parking regulations shall be maintained in Ainslie Wood Westdale in the short term, including regulations for time limit parking, permit parking, and front yard parking. An individual parking study shall be undertaken for the Westdale Village commercial area.
- k) Pedestrian safety for children at elementary schools in the area, and where possible, other schools, shall be addressed by means of a mitigation process for the identification of traffic issues at schools, the undertaking of school safety audits, and other measures.
- l) The transportation objectives contained in the McMaster Campus Master Plan are acknowledged and supported, including but not limited to:
 - i) provision of the main campus entrance at Main Street West;
 - ii) consideration of potential off-campus parking facilities to be serviced with shuttle buses, contingent on compatibility with residential and other community uses;
 - iii) expansion of on-campus parking while maintaining environmental integrity; and,
 - iv) promotion of transportation demand management, including encouraging alternative modes of transportation, provision of improved facilities, and encouraging carpooling.
- m) Unopened road allowances within the Ainslie Wood Westdale area may be either sold to adjacent property owners, or converted to a pedestrian path, as specifically defined in the Transportation Master Plan.

6.2.16 Infrastructure Policies

Municipal services, such as sewers, water, storm water systems and public/private utilities, shall be provided, maintained and upgraded as necessary to accommodate the needs of existing and future development in Ainslie Wood Westdale.

6.2.16.1 Infrastructure Policies

In addition to Section C.5.0 – Infrastructure of Volume 1, the following policies shall apply to the Ainslie Wood Westdale community:

- a) Storm water management shall be utilized in the Ainslie Wood Westdale community to address existing problems, future land use changes and road

reconstruction works and opportunities for major storm sewer/storm water management facility works. Storm water management shall include a combination of methods suitable for each type of situation, as outlined in the Stormwater Management Master Plan for Ainslie Wood Westdale, approved by City Council in October 2003. Examples may include new storm water management facilities and the diversion of existing flows to improve the system, on-site controls for new *development*, enhancement of storm sewer outfalls, review of current policies (e.g. roof-leader disconnection), and collection of cash-in-lieu funds.

- b) Recommendations and actions arising from the Ward One Combined Sewer Overflow Master Plan / Class Environmental Assessment are supported by the policies of the Ainslie Wood Westdale Secondary Plan. The locations for the two proposed combined sewer overflow tanks, near Ewen Road, and at Royal / Stroud, are implicit in the land use designations for these areas, and considered *compatible* with surrounding land use.

6.2.17 Area and Site Specific Policies

Area and Site Specific Policies are designated to address specific areas or sites for which the identification of future land designations and policies involves a greater degree of complexity. The policies in this section provide more detailed guidance than contained in the other sections of this Secondary Plan. These areas or sites include large parcels with options for future use, and for which performance standards are especially important. (OPA 109)

Site Specific Policy – Area A

6.2.17.1 The lands owned by McMaster University, located north of Main Street West, west of Forsyth, south of Cootes Paradise, east of Cootes Drive, as well as the West Campus (west of Cootes Drive) are identified as Site Specific Policy - Area A on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan. The following policies shall apply to Site Specific Policy – Area A:

- a) McMaster University is recognized as one of the most significant land uses in the Ainslie Wood Westdale community, due to its size in area, number of students, employees and buildings. The University and its activities are acknowledged as having major impact on the community and the local economy, as well as on the students and other people whom it serves. The University has prepared its own comprehensive master plan document for land use, which shall be used to guide the direction and specifics of campus development.
- b) The objectives for Site Specific Policy – Area A are to:
 - i) recognize the comprehensive planning exercise contained in the Campus Master Plan, while acknowledging the flexibility inherent in the Campus Plan;
 - ii) ensure that the policies in the Campus Master Plan and the Secondary Plan are compatible, recognizing the inter-relation between the University and the community; and,
 - iii) provide for an appropriate transition between the University and the surrounding community, at the campus edges and for the lands directly south of the University.

c) General Policies

- i) The McMaster University Campus Master Plan is the detailed land use plan which provides a planning framework for the University's lands. This plan, which was prepared for the University, adopted by the McMaster Board of Governors in March 2002, and may be amended from time to time, shall be used in conjunction with City policy documents.
- ii) McMaster is encouraged to retain its primary campus in Ainslie Wood Westdale, and also to develop additional satellite facilities for activities which are independent in nature.
- iii) *Compatibility* of land uses and design at the edges of the University and in the adjacent portions of the community shall be ensured to help provide a smooth transition. These issues are addressed in McMaster's Campus Master Plan and shall be implemented accordingly.

Site Specific Policy – Area B

6.2.17.2 The lands at 162 Ward Avenue, at the west end of Ward Avenue and Royal Avenue, owned by Henkel Canada Corporation, are identified as Site Specific Policy – Area B on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan. The following policies shall apply to Site Specific Policy – Area B.

a) The objectives for Site Specific Policy – Area B are to:

- i) act as a land use designation, embodying the policies as defined in this section;
- ii) recognize the significant opportunity and range of *development* options which exist for this former industrial site, which is fairly large in size, and one of few vacant sites in the area; and,
- iii) identify the type, form, height and other features of *development* on this site, to ensure best fit with the surrounding community.

b) General Policies

- i) Until such time as future uses are determined through a comprehensive development plan, only a parking lot shall be permitted on this site.
- ii) A range of future uses are encouraged for the sites which are deemed to be *compatible* with the neighbourhood. Future uses may include:
 - 1. open space, recreation;
 - 2. residential uses of a form and density recognizing the significant opportunity for infill and intensification, preferably low to medium density in nature;
 - 3. commercial uses to support the surrounding residential area, of a community scale (not large scale retail), especially of a service nature such as offices or retail;

4. light employment (industrial) uses such as storage or warehousing; institutional uses such as schools, neighbourhood-scale places of worship, retirement homes or long term care facilities;
 5. institutional uses related to McMaster University or the Medical Centre, such as teaching facilities, or a research and development facility; and,
 6. other uses which meet the *compatibility* and performance standards outlined in these policies.
 7. Combinations of one or more of these uses shall only be permitted if they are clearly *compatible*.
- iii) The following design considerations will be addressed to ensure that the site is developed in an appropriate manner which is compatible with adjacent development:
1. Compatibility with the type, scale and form of adjoining development, which currently includes low density residential and an institutional use, namely St. Mary's High School. In this regard:
 - Building heights of up to two and a half storeys are permitted; and,
 - Building heights of up to three to four storeys may be considered, if there is sufficient distance separation from adjacent uses, along with visual barriers and landscaping.
 2. Provision of suitable roadway access;
 3. Mitigation of any adverse traffic impacts;
 4. Provision of suitable landscaping and buffering on site; and,
 5. Consideration for integration into the City's open space network, by means such as the connection with the nearby rail trail.
- iv) The following types of technical studies may be required to assess the impacts of proposed uses, when major planning approvals are required:
1. Site servicing;
 2. Stormwater management;
 3. Environmental, including decommissioning of the site to an acceptable level for the proposed use;
 4. Shadow studies, if developments are over three storeys in height;
 5. Urban Design, namely the preparation of a Design Brief; and,
 6. Other studies as may be relevant to specific proposals.

- v) Satisfactory access to the new site will be a major consideration for any new developments:
 - 1. Traffic studies will be undertaken to identify the traffic impacts of major developments; and,
 - 2. Use of a portion of the rail trail corridor to provide a new access point to Leland St. will be encouraged, in keeping with policy 6.2.14.2 e) - Transportation of Volume 2, and will be reviewed as part of the traffic studies to be required for the redevelopment of this site.

Site Specific Policy – Area C

6.2.17.3 The lands located at 20, 22, 28, 45, 58 and 60 Ewen Road, 5 Ofield Road and 20 Rifle Range Road, designated as Employment Area - Industrial Land or District Commercial, are identified as Site Specific Policy – Area C on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan. The following policies shall apply to Site Specific Policy – Area C:

- a) The objective for 45 Ewen Road is to protect employment uses from new sensitive land uses that are not compatible with employment land uses.
- b) Notwithstanding the permitted uses of Sections E.5.2.4, E.5.2.5, E.5.3.2 of Volume 1 – Industrial designations, only manufacturing, warehousing, and storage uses and accessory uses shall be permitted on the lands located at 45 Ewen Road.
- c) The permission to allow “live work units” in Section E.4.7.2a) and all of Section E.4.7.2c) of Volume 1 shall not apply to the lands located at 20, 22, 28, 58 and 60 Ewen Road, 5 Ofield Road and 20 Rifle Range Road.
- d) Subject to c) above, in addition to the permitted uses in Sections E.4.2.5, E.4.7.1, E.4.7.2 of Volume 1 – District Commercial designation, the following additional uses may be permitted for the lands located at 20, 22, 28, 58 and 60 Ewen Road, 5 Ofield Road and 20 Rifle Range Road, provided they comply with criteria in Policy 6.2.16.4:
 - i) uses existing at the date of the Urban Hamilton Official Plan comes into effect for these sites;
 - ii) open space and recreation;
 - iii) light employment uses such as storage or warehousing; and
 - iv) institutional uses related to McMaster University or the Medical Centre, such as a research and development facility.
- e) Notwithstanding Section 6.2.16.4 d), the lands shall be zoned on a site specific basis to allow for the continuation of existing employment (industrial) uses that existed on the day of the adoption of Urban Hamilton Official Plan.
- f) The following criteria shall be used in the evaluation of future rezoning applications for the lands located within Site Specific Policy Area – C:

- i) the type, form, height and other features of the new proposed land use shall be compatible with and not create a negative effect on adjacent land uses;
 - ii) the use shall not negatively impact the planned function of the area;
 - iii) the new proposed land use is permitted within the existing land use designation;
 - iv) a Record of Site Condition has been completed and filed with the City and the Province for the proposed use;
 - v) the use must have regard for Provincial guidelines; and
 - vi) it must be demonstrated that the proposed development will be compatible with existing uses.
- g) Should manufacturing, warehousing, and storage uses and accessory uses cease at 45 Ewen Road, the lands identified in Site Specific Policy – Area C may be re-designated to Mixed Use - Medium Density designation without the need to undertake a Municipally Initiated Comprehensive Review for employment lands.

Site Specific Policy – Area D

6.2.17.4 Notwithstanding Policies E.4.6.7 and E.4.6.8 of Volume 1, for the lands designated Mixed Use – Medium Density, located at 17 Ewen Road, and identified as Site Specific Policy – Area D on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan, the following policies shall apply:

- a) the maximum height of any proposed building or structure shall be limited to 10 storeys;
- b) the maximum residential densities shall range from 300 to 375 units per gross hectare;
- c) as long as manufacturing, warehousing, storage and accessory uses continue to operate at 45 Ewen Road, any use on the lands shall:
 - i) not contain any outdoor amenity areas as defined by Ministry of the Environment Guideline NPC-300; and
 - ii) any multiple dwelling shall be designed as student accommodation.
- d) The following criteria shall be used in the evaluation of future applications under the Planning Act, R.S.O., 1990 c. P.13 for the lands located within Site Specific Policy Area - D:
 - i) The development will be compatible with and not create a negative effect on the industrial uses at 45 Ewen Road; and
 - ii) The development will have regard for Ministry of the Environment Guideline NPC 300.
- e) Site Specific Policy Area D is hereby identified as a Class 4 Area pursuant to Ministry of the Environment Guideline NPC 300. (OPA 98)(OPA 109)

Area Specific Policy – Area E (OPA 65)(OPA 98)(OPA 142)(OPA 168)

6.2.17.5 The following policies shall apply to the lands located on Main Street between Hollywood Avenue and Highway 403, designated Mixed Use – Medium Density and Local Commercial, and identified as Area Specific Policy – Area E on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan:

- a) In addition to Section E.4.6.6 and notwithstanding Sections E.3.8.2 a), and E.4.6.5 a) of Volume 1, the following uses shall be prohibited:
 - i) drive through facilities;
 - ii) gas bars and car washes; and,
 - iii) vehicular service stations.
- b) Applications to amend this Plan and/or the City's Zoning By-law to permit a drive-through facility within Area Specific Policy – Area E shall require demonstration that the proposed drive-through facility:
 - i) cannot be located in other potential locations in the Mixed Use – Medium Density designation which are not part of the *pedestrian focus street* or Area Specific Policy – Area E;
 - ii) shall not change the existing and planned streetscape character;
 - iii) maintains the pedestrian environment;
 - iv) shall not compromise the safe, efficient and comfortable movement of pedestrians;
 - v) shall not preclude the planned function and design intent for the LRT Corridor, including:
 - 1) a comfortable, active and visually stimulating walking and shopping environment;
 - 2) a streetscape with buildings and storefronts oriented to the street; and,
 - 3) the operation of the LRT and the associated traffic movements.
 - vi) shall not have an adverse impact on surrounding residential neighbourhoods including potential noise and traffic impacts; and,
 - vii) addresses the design principles of Section B.3.3.2, the built form policies of Section B.3.3.3, the Access and Circulation policies of Section B.3.3.9 of Volume 1, and policy B.6.2.12 of Volume 2.

6.2.17.6 In addition to Policy B.6.2.17.5, the following policies shall apply to the lands located on Main Street between Hollywood Avenue and Highway 403, designated Mixed Use – Medium Density, and identified as Area Specific Policy – Area E on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan: (OPA 142)

- a) In addition to Section E.4.0 – Commercial and Mixed Use Designations of Volume 1, and notwithstanding B.6.2.7.2 of Volume 2, the following policies shall apply:
 - i) building forms shall be in keeping with the predominant character of the surrounding area with respect to materials, roofline and setbacks;
 - ii) provisions of sufficient parking to accommodate all uses shall be required. Shared parking should be considered where appropriate; and,

- iii) development or redevelopment of lands for mixed uses shall be in accordance with the following criteria:
 - 1) provision of satisfactory access and parking shall be required; and,
 - 2) measures to ensure the safety of pedestrian traffic crossing Main Street West shall be required.
- b) Notwithstanding Policy E.4.6.7 of Volume 1, for the lands known municipally as 1107 Main Street West, designated Mixed Use – Medium Density, shown as Area Specific Policy - Area E-1 on Map – B.6.2-1 Ainslie Wood Westdale Secondary Plan Land Use Plan, a maximum building height of 15 storeys shall be permitted. (OPA 168)

Site Specific Policy – Area F (OPA 48)(OPA98)

6.2.17.7 For the lands designated as “Low Density Residential 2”, located at 102 Ainslie Ave, and identified as Site Specific Policy – Area F on Map B.6.2-1 – Ainslie Wood Westdale Secondary Plan – Land Use Plan, in addition to single and semi-detached dwellings, a triplex shall also be a permitted use.

Site Specific Policy – Area G (OPA 71)(OPA 98)

6.2.17.8 The following policies shall apply to the lands identified as Site Specific Policy – Area G on Map B.6.2-1 – Ainslie Wood Westdale Secondary Plan – Land Use Plan:

- a) Notwithstanding Policy B.6.2.5.5 b), the maximum residential density shall be 285 units per gross hectare and the maximum number of permitted units shall be 124.
- b) Notwithstanding Policy B.6.2.5.5 a), a maximum height of 5 storeys shall be permitted.

Site Specific Policy – Area H (OPA 113)(OPA 166)

6.2.17.9 In addition to Section E.3.6 – High Density Residential of Volume 1, Section B.6.2.5.5 – High Density Residential Designation of Volume 2, and Section B.6.2.10 – Parks and Open Space Designations of Volume 2, for lands located at 925 Main Street West and 150 Longwood Road South, designated “High Density Residential 1” and “Open Space”, and identified as Site Specific Policy – Area H, the following policies shall apply:

- a) Notwithstanding Policy E.3.6.6 b) of Volume 1 and Policy B.6.2.5.5 b) of Volume 2, the maximum residential density for the entire site shall be 250 units per hectare; and,
- b) Notwithstanding Policy B.6.2.5.5 a) of Volume 2, the maximum building height for the High Density Residential designation shall be 18 storeys.

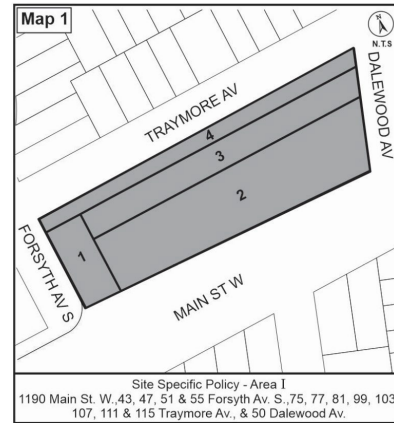
Site Specific Policy – Area I (OPA 127)

6.2.17.10 The following policies shall also apply to the lands located at 1190 Main Street West, 43, 47, 51 and 55 Forsyth Avenue North, 75, 77, 81, 83, 99, 103, 107, 111 and 115 Traymore Avenue, and 50 Dalewood Avenue, designated “Mixed Use – Medium Density” and identified as Site Specific Policy – Area I on Map B.6.2-1 – Ainslie Wood Westdale Secondary Plan – Land Use Plan:

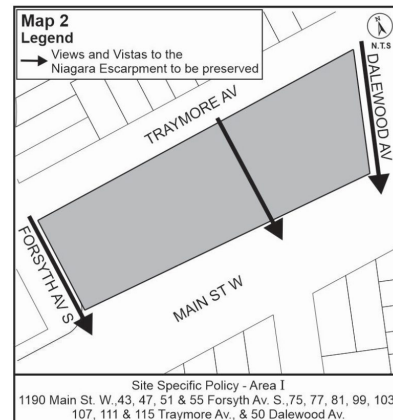
- a) In addition to Section E.4.6.6 and notwithstanding Section E.4.6.5 a) of Volume 1, the following uses shall be prohibited:
 - i) drive through facilities;
 - ii) gas bars and car washes; and
 - iii) vehicular service stations.
- b) *Development* and/or *redevelopment* shall be in accordance with the City's Transit Oriented Development Guidelines;
- c) Should development and/or redevelopment of the lands occur in phases, any undeveloped lands shall be retained as open space/parks and not be used for surface parking;

d) Notwithstanding Policy B.6.2.7.2 b) and Policies E.4.6.7, E.4.6.8 and E.3.5.8 of Volume 1, and shown on Map 1, building heights shall be restricted as follows:

- i) for Area 1 the maximum height shall be 15 storeys;
- ii) for Area 2 the maximum height shall be 10 storeys;
- iii) for Area 3 the maximum height shall be 8 storeys; and,
- iv) for Area 4 the maximum height shall be 2 storeys.



e) Views and vistas to the Niagara Escarpment identified on Map 2 for Site Specific Policy – Area I shall be preserved, in accordance with Policy B.6.2.13.2 f).



Site Specific Policy – Area J (OPA 146)

B.6.2.17.11 The following policies shall apply to the lands identified as Site Specific Policy – Area J on Map B.6.2-1 – Ainslie Wood Westdale Secondary Plan – Land Use Plan:

- a) Notwithstanding Policy B.6.2.7.2 b) of Volume 2 and Policy E.4.6.8 of Volume 1, a maximum height of six storeys shall be permitted.
- b) Notwithstanding Policy B.6.2.7.2 e) of Volume 2 the maximum residential density shall be 176 units per gross hectare.

Site Specific Policy – Area K (OPA 162)(OPA 166)

B.6.2.17.12 The following policies shall apply to the lands located at 1630 Main Street West and 69 Sanders Boulevard, designated Mixed Use – Medium Density and identified as Site Specific Policy – Area K on Map B.6.2.1 – Ainslie Wood Westdale Secondary Plan – Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy B.6.2.7.2 e), the maximum residential density shall be 385 units per gross hectare; and,
- b) Notwithstanding Policy B.6.2.7.2 h) ii), the maximum height of any multiple dwelling shall be limited to nine storeys.

6.3 Chedmac Secondary Plan

The Chedmac Secondary Plan area is in the vicinity of Chedoke Hospital and is generally bounded by Mohawk Road West to the south, Sanatorium Road to the east, San Pedro Drive to the North and Magnolia Drive to the west. The Chedoke Secondary Plan establishes land uses and development standards to guide the *development* and/or *redevelopment* of lands located in the Chedmac Secondary Plan area. Section B.6.3 and Map B.6.3-1 – Chedmac - Land Use Plan constitute the Chedmac Secondary Plan.

6.3.1 Objectives

The objectives of the Chedmac Secondary Plan are to:

- a) Create residential areas consisting of a range of housing types and densities to satisfy a range of housing needs.
- b) Provide a variety of housing at a range of prices including affordable residential units.
- c) Ensure future residential and institutional *development* considers and is sensitive to surrounding existing residential uses.
- d) Integrate the residential areas with parkland in order to provide a convenient, safe and visually pleasing living environment.
- e) Recognize and support Chedoke-McMaster Hospitals as a community and regional health care facility.
- f) Establish a focus of recreational and health service facilities within the interior of the Chedmac Planning Area.
- g) Encourage the concentration of existing and future Chedoke-McMaster health service facilities in a comprehensive "campus-like" setting.
- h) Provide sufficient lands for the future needs of Chedoke-McMaster Hospitals to satisfy the changing health needs of the community and city.
- i) Provide additional parkland for existing and future Mountview Neighbourhood residents.
- j) Ensure an open space linkage is provided from the existing residential development to the Chedmac Planning Area interior focus, and from existing residential development to new residential development.
- k) Develop an efficient, practical and safe road system to accommodate the movement of people within the Chedmac Planning Area and the surrounding Mountview Neighbourhood.
- l) Minimize traffic through existing residential development.
- m) Provide for the extension of Chedmac Drive as the principal collector road within the Chedmac Planning Area including the redesign of the pertinent intersections.
- n) Minimize through traffic through the Chedoke-McMaster Hospital lands.

- o) Ensure that Miller Avenue and Beamis Avenue are not extended into the Chedmac Planning Area.
- p) Provide sufficient off-street parking facilities for multiple-dwelling residential development.

6.3.2 Residential Designations

The majority of the vacant lands within the Chedmac Planning Area shall be developed for low and medium density residential purposes. The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential types are provided to meet the needs of all area residents.

6.3.2.1 The residential areas are designated Low Density Residential 1, Low Density Residential 1a, Low Density Residential 2c, and Medium Density Residential 3 on Map B.6.3-1 – Chedmac - Land Use Plan. The following policies shall apply to each of these land use designations. (OPA 109)

6.3.2.2 General Residential Policies

In addition to Section E.3.0 – Neighbourhood Designation of Volume 1, the following general policies apply to all residential land use designations identified on Map B.6.3 -1 – Chedmac - Land Use Plan:

- a) Within each residential density designation, the Zoning By-law shall restrict the use of any site to the dwelling unit types permitted within that designation. Such restrictions shall be implemented to preserve the character of the neighbourhood and compatibility of dwelling unit types with surrounding existing and proposed land uses.
- b) Residential development shall be located to ensure a gradation of residential densities.
- c) Residential *development* adjacent to existing institutional facilities may be subject to a noise study.

6.3.2.3 Low Density Residential Designations (OPA 109)

The following policies shall apply to the lands designated Low Density Residential on Map B.6.3-1 – Chedmac - Land Use Plan:

- a) Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, land designated Low Density Residential 1 shall consist of only single detached units at a maximum density of 20 units per hectare.
- b) Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, land designated Low Density Residential 1a shall consist of single detached units at a maximum gross residential density of 18 units per gross hectare (7.2 units per gross acre).
- c) Notwithstanding Policy B.6.3.2.3 b), for the lands designated Low Density Residential 1a abutting existing residential development at the northern limit of Chedmac Planning Area the following policies apply:
 - i) The maximum density shall be 14 units per gross hectare (5.5 units per

gross acre).

- ii) The minimum lot frontage for these lands shall be 15 metres.
 - iii) No direct vehicular access from these lands to the abutting residential development fronting San Pedro Drive shall be provided.
- d) Notwithstanding Policies E.3.4.3 and E.3.4.4 of Volume 1, *development* on lands designated Low Density Residential 2c shall consist of townhouse dwelling units at a gross residential density of 30 units per gross hectare (12 units per gross acre).
- e) *Development* of lands designated Low Density Residential 2c shall be subject to site plan control.

6.3.2.4 Medium Density Residential 3 Designation (OPA 109)

The following polices shall apply to the lands designated Medium Density Residential 3 on Map B.6.3 -1 – Chedmac - Land Use Plan:

- a) In addition to Policies E.3.5.2 of Volume 1, lands designated Medium Density Residential 3 shall consist of block townhouses, stacked townhouses, and multiple dwellings.
- b) Notwithstanding Policy E.3.5.7 of Volume 1, the *net residential density* shall be greater than 75 units per hectare and shall not exceed 100 units per hectare.

6.3.3 Parks and Open Space Designations

6.3.3.1 In addition to Sections B.3.5.3 – Parkland Policies and C.3.3 – Open Space Designations, the following policies shall apply to the lands designated Neighbourhood Park, Community Park, General Open Space, and Natural Open Space on Map B.6.3 - 1 - Chedmac - Land Use Plan: (OPA 109)

- a) Three components make up the parks and open space system of the Chedmac community:
 - i) Neighbourhood Park;
 - ii) Community Park;
 - iii) General Open Space; and,
 - iv) Natural Open Space.
- b) The expanded parkland shall provide an open space linkage from the existing neighbourhood to the recreational facilities located within the Chedmac Planning Area.

6.3.4 Institutional Designation

Chedoke-McMaster Hospitals shall be recognized as a valuable community and regional health facility. In addition, other institutional uses, including the long term care facility located on the south side of Chedmac Drive, provide community services to the neighbourhood and community.

6.3.4.1 In addition to Sections E.3.10 – Community Facilities and Services Policies and E.6.0 – Institutional Designation of Volume 1, the following policies shall apply to the lands designated Institutional on Map B.6.3 -1 - Chedmac - Land Use Plan:

- a) New Institutional or recreational facilities shall be designed in a comprehensive manner with existing recreations facilities.
- b) The *development* of any new institutional facilities, including those associated with Chedoke-McMaster Hospitals, shall be designed to mitigate any negative impact on adjacent residential development.

6.3.5 Utility Designation

6.3.5.1 Section C.3.4 – Utility Designation of Volume 1 shall apply to lands designated Utility on Map B.6.3-1 – Chedmac– Land Use Plan.

6.3.6 Transportation Policies

A safe and efficient road network shall be established in the Chedmac Secondary Plan area.

6.3.6.1 In addition to Section C.4.0 – Integrated Transportation Network of Volume 1, the following policies shall apply to the Chedmac Secondary Plan area:

- a) No direct vehicular access shall be permitted from block townhouse development to Chedmac Drive. Access shall be provided via a local road.
- b) The intersections of Rice Avenue and Chedmac Drive, and Chedmac Drive and Sanatorium Road shall be redesigned to provide a more efficient and safe access to Chedmac Drive, while discouraging through traffic from Scenic Drive and Sanatorium Road.
- c) No direct road access from Chedmac Drive to Magnolia Drive shall be permitted.
- d) The extension of Miller Avenue and Beamis Avenue through to the Chedmac Planning Area shall not be permitted.

6.3.7 Area and Site Specific Policies

Site Specific Policy – Area A (OPA 56)

6.3.7.1 For the lands located at 1 Redfern Avenue, designated Medium Density Residential 3, and identified as Area Specific Policy Area A on Map B.6.3.1 - Chedmac Secondary Plan - Land Use Plan, the following policies shall apply: (OPA 109)

- a) Notwithstanding Policies E.3.5.6 and E.3.5.7 of Volume 1, and Policy B.6.3.2.4 of Volume 2, the following policies shall apply:
 - i) only stacked townhouses or a multiple dwelling shall be permitted; and,
 - ii) The permitted density range shall not exceed 128 units per hectare.
- b) The Open Space / Vegetation Protection Zone (VPZ) at the westerly limits of

the subject lands shall be recognized in the implementing Zoning By-law to permit only Open Space activities/uses.

Area Specific Policy – Area B (OPA 109)

6.3.7.2 Chedoke Browlands

The Chedoke Browlands are located north of the intersection of Scenic Drive and Sanatorium Road, known municipally as 801-780 Scenic Drive, designated Medium Density Residential 3, General Open Space and Natural Open Space, and identified as Area Specific Policy Area B on Map B.6.3.1 – Chedmac Secondary Plan – Land Use Plan.

6.3.7.2.1 Objectives

- a) In addition to Section B.6.3.1 of Volume 2, the following objectives shall apply to the Chedoke Browlands (Area B):
 - i) To provide for the opportunity of small scale commercial and business uses in close proximity to residential uses, live/work dwelling units are encouraged;
 - ii) To ensure that the development of the Chedoke Browlands (Area B) shall provide a safe, attractive and pedestrian-oriented residential environment with a high quality of design of buildings, public spaces and streets;
 - ii) To encourage energy conservation through community planning, site planning and urban design;
 - iv) To integrate natural and cultural heritage features into the design of the site with specific focus on the open space areas as well as providing a strong link to the Niagara Escarpment;
 - v) To integrate significant cultural heritage landscape features and characteristics such as the pavilion design, the curvilinear street pattern, as well as the sense of openness and park-like setting, into the development;
 - vi) To identify and protect historically or architecturally significant buildings and cultural heritage landscape features;
 - vii) To ensure compatibility with the existing residential area;
 - viii) To develop a land use pattern and transportation system that supports transit, cyclists and pedestrians and vehicular traffic;
 - ix) To provide public linkages to and through the site; and,
 - x) To provide and/or protect significant views and encourage sensitive development adjacent to the Niagara Escarpment.

6.3.7.2.2 Residential Policies

Areas B-1 and B-2

- a) The following policies shall apply to those lands designated Medium Density Residential 3 - Land Use Plan and identified as Areas B-1 and B-2 in Area Specific Policy B on Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan: (OPA 203)
- i) Notwithstanding Sections E.3.5.2 – Medium Density Residential designation of Volume 1 and B.6.3.2.3 Medium Density Residential 3 Designation, live/work units may be permitted in block townhouses only, except for lands fronting on Scenic Drive and shall be limited to only the following uses:
 - 1. Artists' or photographers' studios;
 - 2. Personal services;
 - 3. Custom workshop; and,
 - 4. Office.
 - ii) The Long Bisby building, existing as of June 22, 2012, and shown on Map B.6.3-2 – Cultural Heritage Landscapes, shall be retained and conserved through sympathetic adaptive reuse, where structurally feasible.
 - iii) Notwithstanding Policies B.6.3.7.2.2 a) v), b) i) and c) i), uses contained within any existing heritage building shall not contribute to the overall unit count gross floor area or density.
 - iv) Direct vehicular access to individual buildings shall be prohibited from Scenic Drive. The site shall be developed on the premise of a private condominium road network.
 - v) New buildings and structures shall be set back a minimum of 30 metres from the staked limit of the brow of the Niagara Escarpment. If enlarging any part of an existing building which is located closer than the 30 metres, no part of the new construction shall be within the 30 setback to the staked limit of the Niagara Escarpment or closer to the brow than the existing building.

Area B-1

- b) In addition to Section B.6.3.7.2.2 a), the following policies shall apply to the lands designated Medium Density Residential 3 and identified as Area Specific Policy - Area B-1, on Map B.6.3-1 – Chedmac - Land Use Plan:
- i) Notwithstanding Policy E.3.5.7 of Volume 1 and B.6.3.2.4 b),
 - 1. a maximum of 266 units; shall be permitted and,
 - 2. the overall gross floor area for all residential units shall not exceed 32,500 square metres.
 - ii) Notwithstanding Section E.3.5.8 of Volume 1, the maximum height of buildings shall not exceed
 - 1. 5 storeys for buildings located in the interior of the site; and,
 - 2. 3 storeys for buildings located on Scenic Drive.

Area B-2

- c) In addition to Section B.6.3.7.2.2 a), the following policies shall apply to the lands designated Medium Density Residential 3 and identified as Area Specific B-2, on Map B.6.3-1 – Chedmac – Land Use Plan:
 - i) Notwithstanding Policy E.3.5.7 of Volume 1 and B.6.3.2.4 b),
 - 1. a maximum of 370 units shall be permitted; and,
 - 2. the overall gross floor area for all residential units shall not exceed 36,000 square metres.
 - ii) Notwithstanding Section E.3.5.8 of Volume 1, the maximum height of buildings shall not exceed:
 - 1. 8 storeys for buildings located in the interior of the site; and,
 - 2. 6 storeys for buildings located on Scenic Drive.
 - iii) In addition to Policy E.3.5.4 of Volume 1 and B.6.3.2.4 b) and notwithstanding Policy E.3.8.2 a) – Local Commercial Permitted Uses in Volume 1, only the following commercial and institutional uses shall be permitted in the existing “Long and Bisby” building:
 - 1. Art Gallery;
 - 2. Artist Studio;
 - 3. Craftsperson Shop;
 - 4. Office;
 - 5. Personal Services;
 - 6. Retail Store, excluding a Convenience Store, not to exceed 200 square metres;
 - 7. Day Nursery;
 - 8. Library;
 - 9. Museum;
 - 10. Community Centre;
 - 11. Lecture Room; and,
 - 12. Medical Clinic.
 - iv) The existing “Long and Bisby” building may also be converted to a maximum of 12 residential dwelling units provided the heritage character of the building is not altered significantly.

6.3.7.2.3 Natural Open Space

- a) Lands designated “Natural Open Space” and identified as B-3 and B-4 on Map B.6.3-1 Chedmac Secondary Plan – Land Use Plan shall be preserved as natural open space and no development shall be permitted. Conservation, flood and erosion control, and passive recreation uses shall be permitted.
- b) Notwithstanding Policy B.6.3.7.2.3 a), the existing heritage building may be converted to other uses in accordance with Policies B.6.3.7.2.2 c) iii) and iv); and,
- c) A vegetative protection zone (buffer) will be provided along B-3, as identified through an approved Environmental Impact Statement, and revegetated in accordance with the recommendations of this study.

6.3.7.2.4 Urban Design

The Chedoke Browlands (Area B) shall be developed in accordance with the following urban design principles:

- a) Prior to the approval of site plan and/or plan of condominium applications, the applicant is required to submit:
 - i) A Master Site Plan including, among other matters, a phasing plan, visual impact assessment and urban design guidelines, in accordance with Policies B.6.3.7.2.4 b) to f);
 - ii) A Precinct Plan, in accordance with Policies B.6.3.7.2.4 g) and h) below;
 - iii) Architectural Control Guidelines, in accordance with Policy B.6.3.7.2.4 i); and,
 - iv) An Urban Design Report, in accordance with Policy B.6.3.7.2.4 j).

Visual Impact Assessment/Viewshed Analysis

- b) All new development proposals within Chedoke Browlands (Area B) shall conform to an approved Visual Impact Assessment prepared to the satisfaction of the City of Hamilton, in consultation with the Niagara Escarpment Commission. The Visual Impact Assessment shall:
 - i) determine the potential for adverse impacts on the Niagara Escarpment.
 - ii) recommend mitigation measures to assist in the visual integration of buildings into the landscape of the Niagara Escarpment, including but not limited to, landscaping, architectural treatment of buildings, building heights, roof details and fenestration, glazing of buildings and lighting;
- c) An addendum to the Visual Impact Assessment will be required, prior to Site Plan Approval and the removal of "H" Holding provisions in the implementing Zoning By-law, detailing how the final building locations meet the Visual Assessment Guidelines and the requirements of the policies within Section B.6.3.7.2 – Chedoke Browlands (Area B).
- d) All new developments shall be implemented in accordance with the Visual Impact Assessment, including the addendum, as appropriate.

Master Site Plan

- e) A Master Site Plan shall be prepared prior to the removal of any "H" Holding Provision in the implementing Zoning By-law and prior to Site Plan Approval.
- f) Master Site Plan shall provide a general site plan for all of the lands within Chedoke Browlands (Area B) and shall include:
 - i) Key neighbourhood design and built form elements, such as: the internal road system; pedestrian and cycling circulation and connectivity; buildings and associated parking areas; open space and recreational areas; cultural heritage buildings, structures and features that are to be preserved; locations of commercial and other non-residential uses; and other neighbourhood and site design elements (such as viewsheds

identified in the Visual Impact Assessment as set out in Policy B.6.3.7.2.4 b) to d);

- ii) General urban design guidelines to illustrate the intended character of buildings, streets and exterior spaces, and building relationships to streets and public spaces, to natural environment areas, to heritage buildings and structures to be preserved and to the surrounding neighbourhood. The guidelines shall address how the proposed development features such as new buildings, entry features, streetscape and landscape design are to be sympathetic in nature to the historical significance of the Chedoke Browlands (Area B), retained natural heritage features (including the Niagara Escarpment) and, to the heritage architectural and cultural landscape features that will be conserved; and,
- iii) A phasing plan for Chedoke Browlands (Area B);

Precinct Plans

- g) Precinct Plans shall be prepared for each phase of development. The Precinct Plan shall illustrate the intended form of development for each

block including the implementation of the overall neighbourhood design and built form elements (as set out in the Master Site Plan) and include: building footprints and heights; parking areas; landscaped areas; the manner in which cultural heritage buildings, structures and features are to be preserved and integrated into the project; and the locations of commercial and other non-residential uses.

- h) The Master Site Plan and Precinct Plan(s) shall be used as a guide in the preparation and review of Site Plan and Plan of Condominium Applications. Deviations from the Master Site Plan may be permitted where required to reflect detailed building or infrastructure design, provided the change is consistent with the intent Urban Hamilton Official Plan and fundamental principles of the Master Site Plan are maintained, to the satisfaction of the City.

Architectural control guidelines

- i) Architectural control guidelines shall be prepared prior to Site Plan Approval to provide design guidance necessary to achieve a high quality of architectural design and to ensure that new buildings are sympathetic to both the historical significance of the Chedoke Browlands (Area B) and to the heritage architecture and cultural landscape features that will be preserved. Architectural control is to be implemented through a third-party registered architect retained by the City.

Urban Design Report

- j) The Urban Design Report shall include text, plans, details and/or elevations, as necessary, to demonstrate how the intent of the Chedmac Secondary Plan policies and the urban design policies contained in Section B.6.3.7.2.4 – Chedoke Browlands (Area B) have been met.

Other Policies

- k) Significant views to and from the Escarpment Urban Area shall be maintained and enhanced, consistent with the cultural heritage landscape.
- l) Surface parking shall be prohibited between Scenic Drive and the main wall of any building that faces Scenic Drive.

- m) The majority of parking shall be accommodated either through underground structures or within buildings.
- n) A minimum of 30% of landscaped open space shall be maintained for each of Areas B-1 and B-2. In order to preserve the open, park-like setting, the established groupings of trees shall be preserved, where possible.
- o) Continuous building walls along Scenic Drive shall be prohibited. Buildings shall provide appropriate spacing based on building height to allow light, reduce shadow impacts and provide privacy between buildings. The spacing of the buildings will also promote views into and through the site.
- p) All block townhouse units shall have the principal front door orientated towards Scenic Drive or an internal private condominium road or driveway. For townhouse units fronting both Scenic Drive and an internal public street, private condominium road or driveway, the principal entrance shall be orientated towards the public street.
- q) Deleted by OPA 203
- q) Green roofs shall be incorporated, where feasible, for all buildings that exceed 4 storeys in height.
- r) Development of the Chedoke Browlands (Area B) shall incorporate sustainable site and building features and technologies to minimize energy consumption, conserve water, reduce waste, improve air quality and promote human health and wellbeing. All new development shall incorporate Leadership in Energy and Environmental Design (LEED) certification for new construction and neighbourhood development and Low Impact Development (LID) approaches, where possible.

6.3.7.2.5 Transportation

In addition to Section C.4 – Integrated Transportation Network of Volume 1 and Policy B.6.3.6 of Volume 2, the following policies shall also apply:

- a) The Chedoke Browlands (Area B) will be developed on the premise of a network of private driveways together with a private condominium road or public street, with a minimum of two driveway accesses to Scenic Drive.
- b) New development shall support the use of public transit by creating a comfortable pedestrian environment with links to the public arterial road system where transit will be provided.
- c) A pedestrian pathway network shall be established throughout the Chedoke Browlands (Area B) to connect to the Brow Trail. Public access easements shall be granted for pedestrian linkages along or adjacent to the Chedoke Creek block shown as “Area B-4” on Map B.6.3-1 Chedmac Secondary Plan – Land Use Plan). (OPA 203)
- d) A roundabout may be required at the southerly intersection of Scenic Drive and the private road (as shown as a dashed line on Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan) and any land required to accommodate the roundabout shall be dedicated to the City.
- e) Deleted by OPA 203

- e) A bicycle pathway, as identified in the City's Trails Master Plan, shall be provided and maintained through an easement along or adjacent to the Chedoke Creek block shown as "Area B-4" on Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan). (OPA 203)
- f) Any private condominium road shall be engineered and built to carry the load of fire apparatus to the satisfaction of the Fire Chief.

6.3.7.2.6 Cultural Heritage Resources

In addition to Section B.3.4 – Cultural Heritage Resources of Volume 1, the following policies shall also apply:

- a) The lands contained within the Chedoke Browlands (Area B) have been included in the City of Hamilton's Inventory of Buildings of Architectural and/or Historical Interest, Appendix A: Inventory of Cultural Heritage Landscapes, as such, development and redevelopment within the Chedoke Browlands (Area B) shall be sympathetic to the cultural heritage landscape and shall ensure the conservation of significant built heritage and cultural heritage resources.
- b) The Chedoke Browlands (Area B) shall be developed in accordance with the following built heritage conservation and planning principles and objectives:
 - i) The continuation of a pedestrian corridor along the brow of the Niagara Escarpment;
 - ii) The protection and retention of the "Long and Bisby" Building as shown as LB on Map B.6.3-2 – Chedmac Secondary Plan – Cultural Heritage Landscapes, in situ and through sympathetic adaptive reuse;
 - iii) New building(s) in the location of the former "Brow Infirmary" Building shall be designed to respect the heritage architecture of the original building; (OPA 203)
 - iv) The preservation and conservation of the pedestrian bridge over the Chedoke Creek and the stone vehicular bridge and associated stone wall/pillars; and,
 - v) The preservation and conservation of other heritage resources shall be encouraged. Where these resources cannot be retained, then the City will require the appropriate documentation of all buildings to be demolished be provided prior to removal.

Cultural Heritage Landscapes

- c) The cultural heritage landscape consists of the curvilinear street pattern, open park-like setting, the undulating topography, the natural areas, the views through the site and the spatial organization of the buildings. In addition, the buildings themselves, the pedestrian bridge, the Cross of Lorraine, the stone pillars and stone wall, the stormwater management

facility and Escarpment stairs are elements of the cultural heritage landscape.

- d) Development within the Chedoke Browlands (Area B) shall have regard to the following cultural heritage landscape requirements:
- i) Development shall be compatible with the existing cultural heritage landscape, such that open spaces, plantings and the curvilinear street pattern are maintained and/or referenced in the new development and that the layout and scale of buildings reflect the existing site, where possible;
 - ii) The existing topography of the perimeter roads, woodlots and stormwater management facility shall be maintained, where feasible. (OPA 203)
 - iii) The existing trees and vegetation within the Chedoke Creek/stormwater management facility shall be maintained and enhanced.
 - iv) A tree preservation plan shall be submitted to determine the opportunities for the protection and preservation of individual trees and the recommendations shall be implemented to the satisfaction of the City. The plan shall be prepared in association with the Heritage Impact Assessment so that trees that contribute to the cultural heritage landscape can be identified and considered for preservation;
 - v) Significant view and view corridors to, through, and from Chedoke Browlands (Area B) shall be protected, as identified in the Master Site Plan, identified in Section B.6.3.7.2.4 – Urban Design of Volume 2.
 - vi) An open, park-like landscape setting shall be provided in front of the “Long and Bisby” Building. Limited parking may be permitted provided there are no other feasible alternative locations; and,
 - vii) The existing curvilinear road alignment of old Sanatorium Road shall be respected, where technically feasible.

Cultural Heritage Impact Assessment

- e) A Cultural Heritage Impact Assessment or Assessments shall be undertaken prior to Site Plan Approval for any development within Chedoke Browlands (Area B) and shall contain the following matters:
- i) Identification and evaluation of the following potentially affected cultural heritage resource(s): The “Long and Bisby” Building; including detailed site(s) history and cultural heritage resource inventory containing textual and graphic documentation;
 - ii) A descriptive of the proposed development or site alteration and alternative forms of the development or site alteration;
 - iii) A description of all cultural heritage resource(s) to be affected by the development and its alternative forms;

- iv) A description of the effects on the cultural heritage resource(s) by the proposed development or site alteration and its alternative forms; and,
- v) A description of the measures necessary to mitigate the adverse effects of the development or site alteration and its alternatives upon the cultural heritage resource(s).
- f) The City may require that, as part of the development or redevelopment of the lands, heritage features be retained on site and incorporated, used for adaptively re-used as appropriate.
- g) Where appropriate, the City may impose a condition on any development approval for the retention and conservation of the affected heritage features or the implementation of recommended mitigation measures through heritage easements pursuant to the *Ontario Heritage Act* and/or Development Agreements.

Archaeology

- h) An Archaeological Assessment shall be undertaken by an Ontario licensed archaeologist for the entire site to the satisfaction of the Ministry of Culture and the City of Hamilton prior to any development or site alteration (including site grading, tree planting/removal and topsoil disturbance);
- i) Where archaeological features are identified, the development proponent shall develop a plan, to protect, salvage or otherwise conserve the features within the context of the proposed development as recommended by a licensed archaeologist and approved by the Province and the City of Hamilton.

6.3.7.2.7 Stormwater Management and Engineering

In accordance with Section C.5.4 – Storm Water Management of Volume 1, the following policies shall also apply:

- a) Stormwater management facilities shall follow an integrated design process. The design of the facilities shall respect the recommendations of the Tree Preservation Plan and Heritage Impact Assessment.
- b) Submission of engineering and grading plans for stormwater management facilities shall demonstrate a low impact design and how impact to the important heritage features identified will be minimized.
- c) Due to the sensitive nature of the site a detailed engineering submission outlining how excavation for footings or underground parking on the subject lands can be achieved without adversely affecting the stability of the Niagara Escarpment. The report shall consider utilizing methods other than blasting, where possible.

6.3.7.2.8 Implementation

- a) The "H" Holding provisions in the implementing Zoning By-law shall include the following requirements and maybe lifted for portions of the site to allow development to occur in phases:

- i) The Master Site Plan and/or Master Plan for the relevant development phase has been prepared to the satisfaction of the City; and,
- ii) Studies or updates/addenda to existing studies, as determined by the Director of Planning and Chief Planner, have been prepared which inform and support the master plan(s), and which may include:
 - 1. Sustainability Strategy;
 - 2. Detailed Cultural Heritage Impact Assessment(s);
 - 3. Stormwater Management Report that considers Low Impact Development opportunities;
 - 4. Environmental Impact Statement; (OPA 203)
 - 5. Tree Preservation/Protection Plan;
 - 6. Traffic Impact Study;
 - 7. Visual Impact Assessment or Update;
 - 8. Archeological Assessments,;
 - 9. Geotechnical/Engineering Study; and,
 - 10. Detailed Servicing Strategy;

Site Specific Policy – Area C (OPA 148)

- 6.3.7.3 Notwithstanding Policy E.3.5.7 of Volume 1 and Policy B.6.3.2.4 b), for the lands located at 555 Sanatorium Road, and identified as Site Specific Policy – Area C on Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan, the *net residential density* shall be greater than 49 units per hectare and shall not exceed 100 units per hectare, within the existing *built heritage resource* known as the “Southam” Building.

6.4 West Hamilton Innovation District Secondary Plan

6.4.1 Vision

The West Hamilton Innovation District Secondary Plan area shall function as a centre of innovation for corporate, academic and government research in science and technology and shall be recognized as a major entry point into the City. This prestige employment community shall establish an architectural presence along Highway 403 and a street-oriented design along the interior public roads. The development of knowledge-based activities shall allow for the eventual production of goods and materials enabling companies to remain and grow within the West Hamilton Innovation District Secondary Plan (Innovation District).

The establishment of partnerships between education, the City, other levels of government and the business community shall spark the development of a dynamic community and create synergies that shall encourage innovation, economic growth and new business opportunities. The Innovation District shall be enhanced by supportive commercial, educational and residential uses which shall contribute to the transformation of the area into an integrated first rate research community. Pedestrian activity and interaction shall be encouraged through the creation of attractive streetscapes, innovative building design and the provision of publicly accessible spaces. The improvement and development of existing and new linkages shall enhance access to accommodate motorists, pedestrians, cyclists, public transit and goods movement within, through and around the Innovation District.

The West Hamilton Innovation District Secondary Plan area is generally bounded by Aberdeen Avenue to the south, the railway line and Dundurn Street South to the east, Main Street West to the North and Highway 403 to the west. The West Hamilton Innovation District Secondary Plan establishes land uses, development standards and provisions regarding cultural heritage, urban design and transportation, to guide the *development* and/or *redevelopment* of lands located in the West Hamilton Innovation District Secondary Plan area. Section B.6.4 and Maps B.6.4-1 – West Hamilton Innovation District - Land Use Plan and B.6.4-2 - West Hamilton Innovation District - Design Elements constitute the West Hamilton Innovation District Secondary Plan.

6.4.2 Objectives

6.4.2.1 The following objectives constitute the fundamental guidelines which shall direct the development of the West Hamilton Innovation District to:

- a) Encourage the *redevelopment* of brownfield lands to a prestige research district comprised mainly of uses related to research, science and technology which are remediated to a high standard to ensure public health and safety.
- b) Encourage the development of the McMaster Innovation Park generally identified on Map B.6.4-2 - West Hamilton Innovation District - Design Elements, as an integrated and comprehensive research community and employment area in a campus-like setting.
- c) Support and recognize the benefits of partnerships between McMaster University, various levels of government and the business community in the

creation of synergies and economic development opportunities in the development of the Innovation District.

- d) Enhance linkages and connections between West Hamilton Innovation District and McMaster University, the adjacent residential neighbourhoods and the Hamilton Trail System.
- e) Recognize and encourage the transition of existing uses to research, science and technology uses over time.
- f) Promote *compatible development* adjacent to existing residential uses.
- g) Recognize the continued importance of the Canadian Pacific Railway to existing and future uses within the West Hamilton Innovation District as a provider of the regional transportation of goods and materials.
- h) Promote supportive commercial, education and residential activities to serve the needs of the Innovation District.
- i) Foster the economic growth of biosciences, advanced manufacturing and other research sectors consistent with the City's Economic Development Strategy.

6.4.3 Development Policies

General Development Policies

6.4.3.1 The following general development policies shall apply to the West Hamilton Innovation District:

- a) Loading and servicing areas shall be encouraged to locate indoors or at the rear or side of main buildings, and shall be kept clean and screened from view of public streets or highways.
- b) *Development* shall be in accordance with the applicable Urban Design policies of Section 6.4.4 of this Secondary Plan.
- c) *Development* adjacent or proximate to Highway 403 shall be subject to the setback requirements of the Ministry of Transportation.
- d) Telecommunication and other utilities shall be located in common trenches, within public road allowances or within appropriate easements, wherever possible, to avoid over-digging and disruption of municipal rights-of-way.
- e) Free-standing office buildings shall have less than 4,000 square metres of gross floor area. (OPA 167)
- f) Supportive commercial uses shall be permitted only on the ground floor of a multi-storey building.
- g) New buildings requiring underground parking facilities shall be subject to the requirements of the Province with respect to site remediation.

District Commercial Designation

6.4.3.2 Lands designated District Commercial on Map B.6.4-1 - West Hamilton Innovation District Land Use Plan, shall be subject to Section E.4.7 - District

Commercial Designation and all other Commercial and Mixed Use designations policies of Volume 1.

Research District Designation

6.4.3.3 In addition to Section E.5.4 – Employment Area - Business Park Designation, lands designated Research District on Map B.6.4-1 - West Hamilton Innovation District - Land Use Plan, shall be oriented to activities associated with the research and development sector. The following uses shall be permitted:

- a) research, science and innovation facilities and knowledge intensive uses;
- b) computer, electronic, data processing and printing establishments;
- c) offices;
- d) pharmaceutical and medical industries;
- e) hotel and conference facilities;
- f) limited manufacturing and warehousing accessory to the uses described in a) through d), above;
- g) railway uses requiring direct railway access located immediately adjacent to railway lines; and,
- h) limited supportive commercial uses to serve the needs of the employment community.

Utility Designation

6.4.3.4 Section C.3.4 – Utility Designation of Volume 1 shall apply to lands designated Utility on Map B.6.4-1 – West Hamilton Innovation District – Land Use Plan.

Transitional Uses

6.4.3.5 Warehousing, light manufacturing and service and repair uses shall be permitted as principal uses within existing buildings until such time as *redevelopment* occurs.

6.4.4 Urban Design Policies

The urban design policies for the West Hamilton Innovation District are based on an integrated approach which considers built form, views and vistas and connections and linkages, as identified on Map B.6.4-2 - West Hamilton Innovation District, to create a well designed and attractive employment area providing pedestrian linkages to adjacent residential neighbourhoods.

Objectives

6.4.4.1 The following objectives constitute the fundamental guidelines which shall direct the design of the West Hamilton Innovation District:

- a) Create a safe and accessible environment with linkages for pedestrians and cyclists.

- b) Encourage a unique sense of place and identity by promoting excellence in building construction and design, attractive streetscaping, public art and the integration of publicly accessible open space areas.
- c) Establish architectural presence along Highway 403 complemented by the views and natural amenities of the Escarpment as a backdrop.
- d) Encourage innovation in the development of open spaces, storm water management, building design and parking accommodation that shall promote environmental sustainability.

Built Form

6.4.4.2 *Development* shall have a street orientation that shall allow for the creation of a pedestrian-friendly environment.

6.4.4.3 In addition to Section B.3.3 - Urban Design Policies of Volume 1, the following policies shall apply to *development* within the Research District designation on Map B.6.4-1 - West Hamilton Innovation District - Land Use Plan:

- a) A high standard of architectural and site design shall be encouraged for properties along Longwood Road South through the appropriate use of architectural features, massing and scale.
- b) Maximum building height shall be 10 storeys.
- c) Buildings shall front onto the street with accessible, at-grade entrances. Multi-storey buildings are encouraged to be stepped back above the ground floor to reduce the scale of the buildings as perceived by pedestrians.
- d) Building elements such as lighting, signage, awnings and plantings shall be provided to reinforce a high quality employment environment.
- e) Extensive use of clear glazing in windows, exterior wall panels, and entrance openings at the ground floor level of buildings containing retail, restaurant or hotel uses is encouraged to allow for open views at the street level and to promote public activity and interest.
- f) New *development* shall have regard for the light, views and privacy enjoyed by adjacent residential development.
- g) Wherever possible, loading and service areas shall be screened from view of Highway 403 and public streets, and shall be located at the side or rear yards of main buildings.
- h) Rooftop mechanical equipment shall not be visible from abutting public streets, Highway 403 or public amenity areas.
- i) Buildings visible from Highway 403 shall have prominent elevations addressing the highway, and elevations fronting on any other principal street shall be designed to address the public street through appropriate use of architectural features, massing, and scale.
- j) Above-ground public utility infrastructure such as transformers shall be located and designed to be compatible with the environment. Innovative

methods of containing the above-ground infrastructure shall be encouraged. The clustering or grouping of above-ground infrastructure, shall be considered where possible, to minimize visual impacts.

- 6.4.4.4 In addition to Sections B.3.3 – Urban Design and E.4.7 – District Commercial Designation of Volume 1, the following policies shall apply to *development* of lands within the District Commercial designation on Map B.6.4-1 – West Hamilton Innovation District Land Use Plan: (OPA 109)
- a) Buildings shall be constructed at the street-line, where possible, to establish a defined street edge.
 - b) The *development* of a landmark mid-rise building on the north-west corner of Chatham Street and Dundurn Street South shall be encouraged as an eastern gateway into the District.
 - c) Parking areas shall be located in the side or rear yards.
 - d) Buildings shall be well-designed and shall be a maximum of six storeys in height.

Views and Vistas

- 6.4.4.5 Existing significant views and vistas contribute to the unique identity and character of the Innovation District. They shall be protected by careful placement of building mass within a well integrated network of open spaces which is sensitive to the context and natural amenities of the surrounding area.
- 6.4.4.6 The following significant view corridors, as identified on Map B.6.4-2 – West Hamilton Innovation District – Design Elements, shall be maintained and enhanced, where possible:
- a) the view corridor to the Niagara Escarpment south from Longwood Road South;
 - b) the view corridor south through the Chedoke Creek Valley towards the Escarpment; and,
 - c) the view corridor southeast from Longwood Road South to the Escarpment.
- 6.4.4.7 The design of buildings shall be encouraged to maintain the view toward the Escarpment, and buildings shall be appropriately scaled in relation to the adjacent built form.
- 6.4.4.8 A landscaped buffer shall be provided adjacent to the Canadian Pacific Railway to buffer and filter views of development within the Innovation District from local residential streets.

Connections and Linkages

- 6.4.4.9 Connections and linkages shall contribute to the development of a pedestrian, bicycle and transit friendly environment within the Innovation District and provide improved access to surrounding neighbourhoods and the Hamilton Nature Trail System.

6.4.4.10 Public street improvements to enhance pedestrian movement shall be in accordance with recommendations provided in the approved Kirkendall Neighbourhood Traffic Management Study and an approved Streetscape Master Plan, and may include the following elements:

- a) a continuous public sidewalk network, including *urban braille* for high pedestrian traffic areas adjacent to roadways;
- b) landscaped boulevards and street trees;
- c) enhanced pedestrian crossings and control at intersections and abutting publicly accessible space areas;
- d) pedestrian-scale lighting and other street furniture;
- e) transit shelters and street furniture; and,
- f) installation of public art.

6.4.4.11 Entrance features shall be addressed through site plan approval in accordance with an approved Streetscape Master Plan and shall be located at the following key intersections as identified on Map B.6.4-2 - West Hamilton Innovation District - Design Elements:

- a) Longwood Road South at Aberdeen Avenue, including any future traffic roundabout;
- b) lands adjacent to the south side of the Longwood Road Bridge;
- c) Chatham Street at Dundurn Street South; and,
- d) Frid Street at Main Street West.

6.4.4.12 Entrance features may consist of publicly accessible open space areas with street furniture, distinctive signage, public art installations such as statues or sculptures, and landscaping or a combination of these elements to develop the area's visual identity and a unique sense of place. The use of public art shall be encouraged and shall be administered by the City's Public Art Coordinator.

6.4.4.13 The provision of landscaped publicly accessible spaces for passive recreation, storm water management purposes, and in conjunction with entrance features shall be encouraged at appropriate locations as generally identified on Map B.6.4-2 - West Hamilton Innovation District - Design Elements, and shall be addressed through the site plan approval process.

6.4.4.14 Landscaped publicly accessible spaces for passive recreation and enjoyment shall be encouraged to locate adjacent to buildings in which there are ground floor supportive commercial uses.

6.4.5 Cultural Heritage Policies

6.4.5.1 In addition to Section B.3.4 - Cultural Heritage Policies of Volume 1, the following policies shall apply to the Innovation District:

- a) New *development adjacent* to the heritage resources identified on Map B.6.4-2 - West Hamilton Innovation District - Design Elements, shall complement the character, scale and materials of these buildings.

6.4.6 Transportation Policies

6.4.6.1 In addition to Section C.4.0 – Integrated Transportation Network of Volume 1, the following policies shall apply to lands within the West Hamilton Innovation District.

6.4.6.2 The Transportation System shall include public and private roads, a bicycle network, the City's public transit system, and sidewalks.

6.4.6.3 Longwood Road South, Chatham Street and Frid Street shall function as the principal transportation routes for the Innovation District. These routes shall be developed with high quality streetscaping in accordance with the Kirkendall Neighbourhood Traffic Management Study and an approved Streetscape Master Plan. In accordance with the Study and Plan mentioned above, the following elements may be included:

- a) wide sidewalks with decorative banding; street furniture and lighting;
- b) tree planting to create a landscaped canopy along the boulevards;
- c) bicycle lanes;
- d) pedestrian crossings to access publicly accessible amenity spaces;
- e) identifiable entrance features south of the Longwood Road Bridge and at Aberdeen Avenue; and,
- f) transit features.

6.4.6.4 The *redevelopment* of property located at 606 Aberdeen Avenue (Samee/Hamilton Metals) shall require a traffic study to review the adequacy of vehicular access to and from Aberdeen Avenue.

6.4.6.5 The provision of connecting publicly accessible amenity areas east and west of Longwood Avenue South as identified on Map B.6.4-2 - West Hamilton Innovation District - Design Elements, shall be considered prior to the planned improvements of Longwood Road south.

6.4.6.6 All transportation improvements shall be in accordance with the recommendations of the Kirkendall Neighbourhood Traffic Management Study and Environmental Study report for the Frid Street extension, as approved by the City.

Frid Street

6.4.6.7 A required connection to Longwood Road South through the extension of Frid Street to permit access through the Innovation District has been determined by the Kirkendall Neighbourhood Traffic Management Study. The alignment and location of this extension shall be determined through an Environmental Study report. This extension shall require a watermain installation and may require a sanitary sewer installation.

Bicycle Network

6.4.6.8 A bicycle network shall be established by the City as a future capital project to incorporate public streets in accordance with the West Hamilton Bicycle Network Review and the City approved Kirkendall Neighbourhood Traffic Management Study.

Public Transit

6.4.6.9 New local public transit services shall be consistent with the Council-approved Transit Ridership Growth Plan and shall be determined by the Transit Division, in consultation with relevant stakeholders within the District and adjacent neighbourhoods.

6.4.6.10 Street furniture and transit shelters to encourage transit ridership shall be provided at appropriate locations along future transit routes.

6.4.6.11 Connecting walkways and building entrances should be coordinated with the sidewalk network to minimize walking distances to transit stops.

Future Public Streets

6.4.6.12 Notwithstanding Policy C.4.5.2 – Road Network of Volume 1, future public streets shall be developed through the *development* approval process and shall be designed to accommodate two lanes of traffic, an on-street bicycle network, on-street parking along one or both sides of the street and pedestrian sidewalks on both sides of the street with an ultimate right-of-width of 20-23 metres.

Aberdeen/Longwood Intersection

6.4.6.13 A potential traffic roundabout at the intersection of Aberdeen Avenue and Longwood Road South shall be investigated by the City of Hamilton in consultation with adjacent landowners, applicable agencies and the Ministry of Transportation.

6.4.7 Infrastructure and Servicing

6.4.7.1 In addition to Section C.5.0 – Infrastructure of Volume 1, the following policies shall apply to lands within the Innovation District:

- a) The servicing of lands west of Chedoke Creek shall proceed in accordance with an Area Specific Master Servicing Plan, approved by the City.
- b) Any sewer construction that is required to service the lands west of Chedoke Creek shall consist of a separate sanitary sewer and storm sewer system for construction within the City-owned road allowance. New combined sewers shall not be permitted. Easements shall be dedicated to the City, if required, to facilitate trunk works to provide adequate services in this area.
- c) Innovative servicing technologies to improve storm water management such as green roofs, grey water recycling in accordance with the Waterworks By-law for cross connections and bio-retention facilities shall be encouraged in building design, where practical, and in accordance with an approved Area Specific Master Servicing Plan and Ministry of the Environment guidelines. Any external wastewater to be conveyed through the area shall be reviewed through the Area Specific Master Servicing Plan.

- d) Storm water ponds which can be integrated into the design of publicly accessible open space areas shall be encouraged, where appropriate.

6.4.8 Hazard and Conservation Regulated Lands

6.4.8.1 In addition to Section B.3.6.5 - Hazard Lands of Volume 1, the following policies shall apply to the Innovation District:

- a) The Hamilton Conservation Authority (HCA) regulates the Chedoke Creek, the adjacent valley slopes and setbacks from the top of bank, as identified on Map B.6.4-1 - West Hamilton Innovation District Land Use. Any *development* which includes construction, fill placement and removal, and/or re-contouring and re-grading for lands located within the HCA regulated area identified on Map B.6.4-1 - West Hamilton Innovation District - Land Use Plan, shall be subject to the requirements of the Hamilton Conservation Authority.
- b) *Development* on lands adjacent to Chedoke Creek shall be subject to storm water quality and quantity controls in accordance with the Ministry of Environment's requirements and enhanced landscaping using native species, where required, to the satisfaction of the City and the Hamilton Conservation Authority.

6.4.9 Implementation

6.4.9.1 The location, alignment, elevation and classification of the extension of Frid Street to Longwood Road South shall be determined pursuant to the recommendations of the Environmental Report for Frid Street to be completed by the City.

6.4.9.2 Contaminated sites shall require a Record of Site Condition as a requirement of development approval, prior to building permit issuance in accordance with Ministry of the Environment Guidelines in order to permit sensitive uses as regulated by the Ministry of the Environment.

6.4.9.3 The City shall prepare an enhancement to the ERASE (Environmental Remediation and Site Enhancement) Community Improvement Plan (CIP) and the development of an Implementation Strategy specifically for the West Hamilton Innovation District that shall encourage the *redevelopment* of this area. Additional financial incentives for initiatives such as LEED (Leadership in Energy and Environmental Design) certification shall complement the existing incentives for brownfield remediation and serve as a catalyst for the transformation of the West Hamilton Innovation District to an economic hub of research and development activity.

6.4.9.4 The City shall prepare a 10 year Capital Budget Improvement Plan to identify, rank and co-ordinate the public improvements required for the West Hamilton Innovation District which may include associated Environmental Assessment works, enhanced pedestrian walkways, gateway features, public art and similar improvements, through the following:

- a) Short, medium and long-term capital projects arising from this plan;
- b) Cost estimates for the capital projects identified above; and,

- c) Special studies and projects arising from this plan, including timing for their completion and their estimated cost.
- 6.4.9.5 The City shall incorporate capital projects and additional studies arising from this Plan into the municipal budgeting process.
- 6.4.9.6 The City shall prepare a Streetscape Master Plan for Longwood Road, Frid Street and Chatham Street West of Dundurn Street South and Aberdeen Avenue west of Studholme Drive, in consultation with the public.
- 6.4.9.7 The City shall undertake a comprehensive traffic study to review the function, capacity, and alignment of the intersections of Main Street West with Frid Street, Highway 403 ramp and Dundurn Street South.
- 6.4.9.8 The City shall provide new Zoning By-law regulations to implement the aforementioned Official Plan policies for the West Hamilton Innovation District.

6.4.10 Site Specific Policies

Site Specific Policy – Area A – McMaster Innovation Park

- 6.4.10.1 In addition to Policy B.6.4.3.1 – General Development Policies, the following policies shall apply to the lands shown as Site Specific Policy – Area A - McMaster Innovation Park on Map B.6.4-1 - West Hamilton Innovation District – Land Use Plan:
- a) Educational, residential *multiple dwellings* and commercial uses permitted *ancillary* to McMaster Innovation Park shall be developed in accordance with the long-term vision to create a dynamic, integrated state-of-the-art research community that shall foster innovation, entrepreneurialism and creativity. Residential Uses shall be subject to the following policies (OPA 167):
 - i) *Multiple dwellings* in mixed-use buildings shall be permitted;
 - ii) The Gross Floor Area for *multiple dwellings* shall be limited to a maximum of 15% of the total gross floor area of all existing and proposed buildings, which are to be used for other permitted M1 uses, located on the said lands, save and except for the following uses:
 - a. Educational Establishments;
 - b. *Multiple Dwelling(s)*;
 - c. Commercial Parking Facilities; and,
 - d. Warehouse (as a primary use);
 - iii) The development of any *multiple dwellings* or *sensitive land uses* shall require the submission and implementation of a Land Use compatibility study to the satisfaction of the City to demonstrate that the use avoids, or where avoidance is not possible, minimizes and mitigates any adverse impacts on employment uses permitted through Policy B.6.4.3.3. The Land Use Compatibility study shall be submitted as part of a Complete Application in accordance with Section F.1.19 of Volume 1;
 - iv) The Zoning By-law shall regulate matters related to timing and sequencing of residential use permitted on the site is proportional to

the development of the established employment use within McMaster Innovation Park; and,

- v) The Zoning By-law shall regulate matters for residential use, among other regulations as required – including, building heights, parking requirements, and other site-specific performance standards for development.

(OPA 167)

- b) Heritage resources associated with the original Westinghouse Company Limited Complex, which include the former Office Building and the Boiler/Power House, identified as site specific policy “A-1” and “A-2” on Map B.6.4-1 - West Hamilton Innovation District – Land Use Plan, shall be *conserved* and incorporated into future *development* proposals. A museum of industrial and scientific technology shall also be permitted in the Boiler/Power House.
- c) Policy B.6.4.5 – Cultural Heritage Policies shall also apply.

6.5 West Harbour (Setting Sail) Secondary Plan (Non-Decision No. 113)**Note**

The West Harbour (Setting Sail) Secondary Plan that is currently in effect was issued by the Ontario Municipal Board on June 26, 2012, as per By-law 12-163 to Adopt Official Plan Amendment (OPA) 23 to the former Region of Hamilton-Wentworth Official Plan and OPA 198 to the former City of Hamilton Official Plan. To access this Secondary Plan, please visit:

<https://www.hamilton.ca/city-planning/planning-community/west-harbour>

Hamilton's West Harbour area is steeped in history. First Nations peoples occupied the area for thousands of years before the arrival of European immigrants to Canada began in the early 1800s. Burlington Heights, where Dundurn Castle sits, figured prominently in the War of 1812. The early industries established close to port and rail facilities—textiles, glass, tobacco, iron and steel among them—provided the roots for the city's growth as an industrial centre. The city's rich cultural diversity and proud workers' heritage is reflected in the tight-knit neighbourhoods that have long defined the character of West Harbour. Since the 1860s, Hamiltonians have come to the waterfront to play, taking advantage of the beauty and protected waters of the harbour.

Over the past 200 years, Hamilton's West Harbour has undergone many changes as Hamilton has grown and evolved. In recent decades, much of the industry in the area has departed, leaving behind large parcels of vacant, underused and contaminated land; only a few significant employers remain. The creation of Bayfront Park, Pier 4 Park and the Waterfront Trail has opened vast stretches of the waterfront for public enjoyment. In 2000, the Hamilton Port Authority conveyed the bulk of Piers 1, 2, and 5-8 to the City. With the gradual disappearance of heavy industry and movement of commercial port activity comes the opportunity to expand the program of public improvements and attract new types of development for the betterment of the local community and the city as a whole.

The West Harbour Secondary Plan, also referred to as Setting Sail, responds to that opportunity and establishes a framework for public improvements and private development aimed at enhancing the area as a community and recreational destination. The West Harbour Secondary Plan has two primary purposes: to guide detailed planning, zoning, and development decisions; and, to identify the City's priorities for publicly-funded initiatives.

Setting Sail is a comprehensive plan for West Harbour, with an emphasis on three areas where major change is appropriate and desirable. These include the Waterfront; the area south of the CN rail yard, called Barton-Tiffany; and the former industrial lands along Ferguson Avenue, referred to as the Ferguson-Wellington Corridor. The plan also focuses on commercial and mixed-use corridors within the area, where strategic redevelopment and streetscape improvements would strengthen the economic vitality of the corridors, provide additional amenities to adjacent neighbourhoods and generally beautify the area. The remaining areas in West Harbour are considered Stable Areas. The intent of the policies for these areas is to preserve their predominant residential character while allowing incremental, small-scale change to occur.

Setting Sail follows in the footsteps of Putting People First: the Downtown Hamilton Secondary Plan and the City's Vision 2020 Plan. All three plans recognize that the City's long-term prosperity and sustainability shall rely on a central core and waterfront that are attractive, diverse, vibrant and healthy. The West Harbour Secondary Plan is the culmination of a planning process that began in the summer of 2002. The study followed an integrated Environmental Assessment (EA) Master Plan process, which tied together land use, transportation and infrastructure issues. The EA process required careful consideration and a balancing of the ecological, social and economic aspects that comprise the West Harbour environment. The City and a team of consultants engaged key stakeholders and the broader community in a series of consultation events aimed at identifying common principles, opportunities and constraints, and a preferred land use strategy for the area, which together became the basis for this Secondary Plan.

One of the central transportation issues addressed during the Setting Sail study was the previously proposed Hamilton Perimeter Road, long viewed as a critical link between Highway 403 and Burlington Street. A Needs Assessment of the Perimeter Road concluded there was no demonstrated need for the road, there were significant environmental liabilities, the cost would be tremendous, and there was a risk of not being able to connect to Highway 403. In July 2003, City Council resolved that the Perimeter Road concept be abandoned, thus removing the shadow of uncertainty it cast on West Harbour and paving the way for other solutions to the issue of goods movement in the area.

This plan marks the end of the Setting Sail process but only one important step in the ongoing planning required to realize the objectives for West Harbour. As significant public and private initiatives in keeping with this Secondary Plan are proposed, particularly along the waterfront and on former industrial lands, detailed plans will need to be developed, reviewed and approved. The success of such initiatives shall rely on the City, the community and project proponents engaging together in future planning.

6.5.1 The West Harbour Secondary Plan area is bounded by Hamilton Harbour to the north, York Boulevard and Cannon Street West to the west and south and Wellington Street North to the east. The West Harbour Secondary Plan establishes land uses, development standards and provisions regarding cultural heritage, urban design and transportation, to guide the *development* and/or *redevelopment* of lands located in the West Harbour Secondary Plan area.

Section B.6.5 – West Harbour Secondary Plan, and Map B.6.5-1 - West Harbour – Land Use Plan, Map B.6.5-2 – West Harbour - Planning Area and Sub-Areas, Map B.6.5-3 – West Harbour - Zone of Noise Influence, Map B.6.5-4 – West Harbour - Building Heights, Map B.6.5-5 – West Harbour - Public Realm, and Map B.6.5-6 – West Harbour - Fisheries Policy Areas constitute the West Harbour Secondary Plan.

6.5.2 Planning Principles

The planning process for Setting Sail was guided by eight core principles that emerged from extensive public consultation in the initial phase of the study, and which balance the aspirations of the City and the local community for West Harbour. The principles reflect and build upon many of the City's Vision 2020 goals for creating a healthy and sustainable city. They are the foundation for this Secondary Plan and the West Harbour Transportation Master Plan. As such, they provide important criteria against which future initiatives and proposals for the area shall be evaluated to help ensure the broad public objectives for West Harbour are realized.

6.5.2.1 Promote a healthy harbour.

Since implementation of the Hamilton Harbour Remedial Action Plan (RAP) began in the early 1990s, great strides have been made to restore the health of the harbour. Actions in West Harbour should support and continue the ongoing effort required to achieve a “swimmable” harbour rich in aquatic and terrestrial habitats. More specifically, *development* and other changes should:

- a) employ “best practice” techniques for storm water management to minimize reliance on the existing combined sewer system;
- b) encourage water conservation;
- c) maintain or enhance existing aquatic and shoreline habitats;
- d) remove, replace or seal potentially harmful sub-surface materials, as per statutory policies and guidelines;
- e) identify and protect key views and improve public access to the harbour; and,
- f) increase the public’s understanding and appreciation of the harbour and watershed from an ecological perspective.

6.5.2.2 Strengthen existing neighbourhoods.

Together with the waterfront, the North End and portions of Strathcona, Central and Beasley neighbourhoods are the defining elements of West Harbour. There is much diversity within the neighbourhoods, physically and socially, reflecting the area’s rich and varied history. Where once local industries attracted workers and their families, the attractions for residents now are the area’s historic character and waterfront amenities. This character and the neighbourhoods’ physical relationship to the waterfront are assets to be protected and enhanced. As changes in West Harbour continue, both on the waterfront and in the neighbourhoods, it is important to:

- a) ensure new *development* respects and enhances the character of the neighbourhoods;
- b) relocate heavy industrial uses and clean-up contaminated sites;
- c) encourage *compatible* development on abandoned, vacant and under-utilized land;
- d) support James Street North as the area’s main commercial street;
- e) encourage new commercial uses that cater to the local neighbourhood;
- f) enhance the amenities and landscaping in existing neighbourhood parks;
- g) augment existing parkland with additional publicly-accessible open spaces;
- h) ensure existing and future neighbourhoods are well served by community services such as schools, health care, libraries and emergency services;

- i) improve access to the waterfront and Downtown from the neighbourhoods;
- j) preserve, restore and/or reuse buildings of historic or architectural significance;
- k) preserve and maximize on street parking; and,
- l) generally avoid expropriation of residential and commercial properties.

6.5.2.3 Provide safe, continuous public access along the water's edge.

The success of relatively recent public improvements on the West Harbour waterfront—Bayfront Park, Pier 4 Park and the Waterfront Trail—demonstrate the overwhelming human desire to be at the water's edge. With the conveyance of most of Piers 1, 2, and 5-8 to the City of Hamilton, there are opportunities and advantages to extending public access, providing not just more water's edge experiences but also a greater variety of passive and active experiences. These objectives need to be balanced with the desire to maintain and promote the existing diversity of boating activity on the waterfront, which routinely relies on direct and safe access to the harbour. To ensure there is safe, continuous public access along the water's edge:

- a) land at the water's edge, to a depth that can accommodate a trail, promenade, or other desired open space or public facility, must be publicly-owned;
- b) new *development* on the waterfront should not prevent or inhibit public access to the water's edge;
- c) the waterfront should include public facilities for launching and docking recreational boats; and,
- d) the needs of recreational boating organizations for direct, safe and secure access to the harbour should be respected.

6.5.2.4 Create a diverse, balanced and animated waterfront.

The trails, parks and boating facilities on the West Harbour waterfront attract people from near and far and guarantee a variety of outdoor activity throughout the warmer months, particularly on summer weekends. But as the sun sets, the level of activity drops sharply, and in winter, the waterfront is practically abandoned. In order for the waterfront to become a year-round destination, offering things to do well into the evening, the predominant open space and recreational uses need to be augmented and balanced with residential, commercial and cultural uses. Besides allowing the waterfront to be enjoyed from the comfort of buildings in colder months, such uses can provide a greater range of attractions year-round. New uses and other changes on the waterfront should:

- a) promote a diversity of land uses along the waterfront, including open space, marine recreation, residential, cultural, commercial, and institutional;
- b) maintain a balance of active and passive recreational uses and outdoor and indoor waterfront attractions;

- c) enhance the city as a tourist destination;
- d) be “waterfront-appropriate”, taking advantage of the harbour setting and promote season-long and year-round enjoyment and appreciation of the waterfront; and,
- e) support and encourage a diversity of marine activity.

6.5.2.5 Enhance physical and visual connections.

The grid network of streets across most of West Harbour provides for efficient movement in each of the neighbourhoods and links the area to Downtown. Significant physical barriers, however, restrict easy access to the area generally and the waterfront in particular, especially for pedestrians and cyclists. These barriers include the Stuart Street Rail Yard, the main CN line and the bluffs south of the rail yard and east of Macassa Bay. They also include busy streets like York Boulevard, Cannon Street and Barton Street that can be difficult to cross. Physical and operational improvements in West Harbour, particularly to the public realm of streets, parks and open spaces, should strive to achieve the following:

- a) mitigate or eliminate physical barriers to the waterfront;
- b) promote a connected open space system along the waterfront, through the neighbourhoods and between Downtown and the waterfront;
- c) extend the existing grid of streets and blocks to the waterfront wherever feasible and appropriate;
- d) preserve and augment important public vistas and view corridors to and from the waterfront;
- e) improve pedestrian, cycling and transit connections to the waterfront from Downtown and the Escarpment;
- f) establish a pedestrian connection between Dundurn Park and the Waterfront Trail;
- g) enhance the streetscapes of key north-south and east-west streets; and,
- h) develop a continuous waterfront trail.

6.5.2.6 Promote a balanced transportation network.

As the West Harbour waterfront attracts new *development* and more visitors, access by all modes of transportation will need to improve to effectively manage traffic. The West Harbour Transportation Master Plan maps a strategy for traffic management that considers all modes. Its primary goals include the following:

- a) establish a clear street hierarchy that recognizes the function and character of existing streets;
- b) improve road connections to the waterfront and identify primary routes to waterfront destinations;

- c) promote a more balanced multi-modal transportation system, in which public transit, cycling, walking, ferries and water taxis have a significant role;
- d) ensure most dwelling units in the area are within 400 metres walking distance of a transit stop; and,
- e) monitor and minimize traffic impacts on the existing local street network.

6.5.2.7 Celebrate the City's heritage.

Hamilton's rich cultural and industrial heritage is rooted in West Harbour. As the urban fabric of the area continues to evolve, remnants of its past must not be discarded and its history not forgotten. Conserving and celebrating West Harbour's heritage is important and should include:

- a) conserving and strengthening the overall character of the West Harbour neighbourhoods and streetscapes;
- b) conserving, restoring and reusing historic buildings and structures;
- c) reflecting and interpreting the city's industrial, marine and cultural heritage in the design of new buildings and open spaces;
- d) encouraging the development of cultural institutions to inform residents and visitors about the area's heritage; and,
- e) providing public open spaces for cultural festivals and other celebratory events.

6.5.2.8 Promote excellence in design.

All urban environments should be designed well; however, because West Harbour is centrally located in Hamilton and conveys an image of the city to the world with its waterfront, the area should demonstrate the highest standard of design. Achieving design excellence respects the pride of residents, attracts tourists and encourages reinvestment in the area. In designing new buildings and open spaces in West Harbour, and enhancing existing ones, citizens, developers and the public sector have an obligation to:

- a) design and construct buildings that respect, complement and enhance the best attributes of West Harbour;
- b) adopt "best practice" technologies to achieve energy efficient buildings;
- c) ensure the public realm—the area's parks, squares, streets, trails and public buildings—is designed, up-graded and maintained to the highest standards;
- d) incorporate public art into the design of significant buildings and open spaces; and,
- e) promote the *development* of inspiring, meaningful and memorable places.

6.5.3 Land Use Policies

The policies in Section B.6.5.3 – Land Use Policies address land uses and other matters common to all parts of the West Harbour area and are intended to ensure all future planning and development in the area addresses issues and opportunities best viewed from an area-wide or city-wide perspective.

General Policies

- 6.5.3.1 The West Harbour Secondary Plan area includes the lands bounded by Hamilton Harbour, Wellington Street, Cannon Street and York Boulevard, as depicted on Map B.6.5-1-West Harbour - Land Use Plan and referred to as West Harbour in this Plan.
- 6.5.3.2 The City shall ensure *development* and *redevelopment* in neighbourhoods and lands surrounding West Harbour respect the type, scale and character of development identified in this plan.
- 6.5.3.3 Where there is a discrepancy between the maximum heights and density ranges in this plan when applied to specific sites, the maximum height limits shall prevail and be adhered to.
- 6.5.3.4 To encourage a broad mix of household types at varying income levels, West Harbour shall accommodate a diversity of housing types, including detached and semi-detached dwellings, and *multiple dwellings*.
- 6.5.3.5 In the event of disposal of publicly owned lands located within West Harbour, Council shall consider the desirability of developing such lands for *affordable* housing, and where appropriate, shall encourage the *development* of said lands for such housing as a priority.
- 6.5.3.6 In developing city owned lands for residential purposes Council may require that at least 25% of the gross area of such lands be provided in the form of *affordable* housing.
- 6.5.3.7 A live/work use, defined as a dwelling unit in which an individual also operates a commercial business, may be permitted in all areas within West Harbour, except Open Space and Institutional areas. Live/work uses shall be *compatible* with neighbouring uses and built form, and shall have no adverse environmental impacts in terms of noise, vibration, emissions and air quality. Any traffic or parking issues arising from the commercial aspect of the use shall be addressed to the satisfaction of City.
- 6.5.3.8 The following policies shall apply to those existing legal uses that do not comply with this plan:
 - a) The existing use is recognized as non-complying.
 - b) Expansion shall only be permitted when it can be demonstrated that the existing use is operated in a manner that does not create dust, noise, odour, vibration, fumes, soil or groundwater contamination, and/ or noxious spill- over effects on the existing uses or planned uses.
 - c) There are no adverse impacts from the expansion on existing or planned residential or mixed uses.

- d) The proposal shall address the remediation of environmental issues including noise, vibration, indoor and outdoor quality, odour, dust, fumes, refuse, and soil and groundwater contamination.
- e) Upon the ceasing of operation of the non-complying use, or abandonment of the use, *development* and/or *redevelopment* of the property shall comply with this plan.

6.5.3.9 Temporary use by-laws in West Harbour shall comply with this Secondary Plan.

6.5.3.10 With the exception of Pier 10, the following policies shall apply to industrial and manufacturing land uses in the West Harbour:

- a) New industrial and manufacturing facilities proposed as stand alone entities shall not be permitted.
- b) Existing industrial and manufacturing facilities shall only be permitted to expand on the existing property if:
 - i) the expansion does not compromise the City's ability to implement the long-term land use strategy of this plan;
 - ii) there shall be no adverse impacts from the expansion on existing or planned residential or mixed uses;
 - iii) the proposal shall address the remediation of environmental issues including noise; vibration; indoor and outdoor air quality; odour; dust; fumes; refuse; and soil and groundwater contamination; and,
 - iv) the design objectives of this plan, as they relate to built form, set backs, parking and other matters, are achieved.

6.5.3.11 Auto-oriented commercial uses such as gas stations, auto repair garages, other drive-through services including but not limited to drive-through restaurants, or other uses otherwise classified as Arterial Commercial shall not be permitted in the following areas:

- a) properties that front or flank along James Street North, including the proposed James Street Pier;
- b) properties designated Prime Retail Streets on Barton Street and Pier 8;
- c) the southwest corner of MacNab Street North and Stuart Street (land designated Local Commercial);
- d) the southwest corner of Bay and Barton Streets (land designated Local Commercial); and,
- e) the southeast corner of Barton and Oxford Streets (land designated Local Commercial).

6.5.3.12 Further to Policy B.6.5.3.11 and Policy B.6.5.3.20 – Local Commercial Designation, this policy shall clarify that no auto-oriented commercial uses such as gas stations, auto repair garages, other drive through services including but not limited to drive-through restaurants, or other uses normally classified as highway

commercial shall be permitted in the area bounded by Wellington Street North on the east, Strachan Street East and West on the south and Hamilton Harbour on the west and north.

Residential Designations

6.5.3.14 Low Density Residential 3 Designation

In addition to Section E.3.4 – Low Density Residential of Volume 1, the following policies shall apply to lands designated Low Density Residential 3 on Map B.6.5-1 - West Harbour - Land Use Plan:

- a) The scale, type and character of new *development* shall generally reflect existing low density development in the neighbourhood.
- b) Notwithstanding Policy E.3.4.3 of Volume 1, single detached, semi-detached and street townhouses shall be permitted.
- c) Notwithstanding Policy E.3.4.4 of Volume 1, the density of development shall range from 25 to 60 units per gross hectare.
- d) Existing grid patterns of streets, blocks, and open space, and/or those proposed by this plan, shall be respected.
- e) Lot dimensions and building setbacks shall be generally consistent with other Low Density Residential 3 properties in the neighbourhood.
- f) For streets where a road allowance widening is required, the setback under the zoning by-law shall be taken from the widened road allowance.
- g) Garages shall be located generally at the rear of properties and accessed from rear laneways where feasible.
- h) Approval of rezonings for new residential development within the Zone of Noise Influence, as delineated on Map B.6.5-3 – West Harbour – Zone of Noise Influence, shall be contingent on submission of a “Noise and Vibration Study” to the satisfaction of the City and the Ministry of the Environment and agreement by the proponent to implement the recommendations of the study.

6.5.3.15 Medium Density Residential 3 Designation

In addition to Section E.3.5 - Medium Density Residential of Volume 1, the following policies shall apply to lands designated Medium Density Residential 3 on Map B.6.5-1 – West Harbour – Land Use Plan:

- a) *Multiple dwellings* shall be permitted.
- b) Notwithstanding Policy E.3.5.7 of Volume 1, the density of *development* shall be in the range of 60 – 150 units per gross hectare.
- c) Notwithstanding Policy E.3.5.8 of Volume 1, the height of buildings shall range from three to five storeys.
- d) Existing grid patterns of streets, blocks and open spaces, and/or those proposed by this plan, shall be respected.

- e) Front yard setbacks shall be generally consistent with the setbacks of adjacent buildings.
- f) For streets where a road allowance widening is required, the setback under the zoning by-law shall be taken from the widened road allowance.
- g) Parking areas generally shall be provided at the rear of sites or underground, with access from public streets or laneways.
- h) Direct driveway access to individual units, garages fronting public streets and front yard parking shall not be permitted.
- i) The main entrances to buildings shall face public streets.
- j) Private amenity space shall be provided on balconies and terraces, at the front or rear of individual ground-floor units, and/or within internal courtyards outdoors and indoors.
- k) Common amenity space shall be consolidated on the site to create useable spaces.
- l) The design and massing of buildings shall minimize shadow and wind impacts on the public realm.
- m) The design of new *developments* shall have respect for the light, views and privacy enjoyed by residents in adjacent buildings and areas.
- n) Approval of rezonings for new residential *development* within the Zone of Noise Influence, as delineated on Map B.6.5-3 West Harbour – Zone of Noise Influence, shall be contingent on submission of a noise and vibration study to the satisfaction of the City and the Ministry of the Environment and agreement by the proponent to implement the recommendations of the study.

6.5.3.16 High Density Residential 1a Designation

In addition to Section 3.6 – High Density Residential of Volume 1, the following policies apply to lands designated High Density Residential 1a on Map B.6.5-1 West Harbour – Land Use Plan:

- a) Notwithstanding Policy E.3.6.2 of Volume 1, *multiple dwellings* and apartment buildings combined with street townhouses shall be permitted.
- b) Notwithstanding Policy E.3.6.6 of Volume 1, the density of *development* shall be in the range of 150 – 300 units per gross hectare.
- c) The height of buildings shall range from four to eight storeys.
- d) Existing grid patterns of streets, blocks and open spaces, and/or those proposed by this plan, shall be respected.
- e) Front yard setbacks shall be generally consistent with the setbacks of adjacent buildings.

- f) For streets where a road allowance widening is required, the setback under the zoning by-law must be taken from the widened road allowance.
- g) Parking areas shall be provided at the rear of sites, underground and/or in above-grade structures, with access from public streets or laneways.
- h) Above-grade parking structures shall be located within buildings and fronted on all levels by residential uses.
- i) Front yard parking shall not be permitted.
- j) The main entrances to buildings shall face public streets.
- k) Private amenity space shall be provided on balconies and terraces, at the front or rear of individual ground-floor units, and/or within internal courtyards outdoors and indoors.
- l) Common amenity space shall be consolidated on the site to create useable spaces.
- m) The design and massing of buildings shall minimize shadow and wind impacts on the public realm.
- n) The design of new developments shall have respect for the light, views and privacy enjoyed by residents in adjacent buildings and areas.
- o) Approval of rezonings for new residential *development* within the Zone of Noise Influence, as delineated on Map B.6.5-3 – West Harbour – Zone of Noise Influence, shall be contingent on submission of a noise and vibration study to the satisfaction of City staff and the Ministry of the Environment and agreement by the proponent to implement the recommendations of the study.

6.5.3.17 High Density Residential 2 Designation

In addition to Section 3.6 – High Density Residential of Volume 1, the following policies apply to lands designated High Density Residential 2 on Map B.6.5-1 - West Harbour – Land Use Plan:

- a) Apartment buildings and apartment buildings combined with street townhouses shall be permitted.
- b) Notwithstanding Policy E.3.6.6 of Volume 1, the maximum density of *development* on individual sites shall be the density that existed on March 25, 2005.
- c) Notwithstanding Policy B.6.5.3.17 b), the addition of street-relating dwelling units to existing High Density Residential areas shall be permitted and encouraged, subject to rezoning.
- d) In the event of comprehensive *redevelopment*, new buildings shall be more *compatible* with surrounding lower-density housing than existing buildings, in terms of their built form, and shall generally comply with Policy B.6.5.3.16 d) through o), inclusive.

Commercial and Mixed Use Designations

6.5.3.18 Mixed Use - Medium Density Designation

In addition to Section E.4.6 – Mixed Use - Medium Density Designation of Volume 1, the following policies shall apply to lands designated Mixed Use - Medium Density on Map B.6.5-1 West Harbour – Land Use Plan:

- a) Apartment buildings and apartment buildings with ground-floor, street-related commercial and/or community uses shall be permitted and encouraged.
- b) Notwithstanding Policy E.4.6.5 of Volume 1, the range of commercial uses permitted on the ground floor shall include retail stores, restaurants, take-out restaurants, business and personal services, and professional offices.
- c) Notwithstanding Policy E.4.6.5 of Volume 1, the range of community uses permitted on the ground floor shall include day nurseries, schools, libraries and places of worship.
- d) The density and height of *development* shall be governed by the maximum heights identified on Map B.6.5-4 - West Harbour - Building Heights.
- e) Existing grid patterns of streets, blocks and open spaces, and/or those proposed by this Secondary Plan, shall be respected.
- f) Buildings generally shall be built close to or at the front property line, subject to the development satisfying sightline requirements entering the public road allowance.
- g) For streets where a road allowance widening is required, the setback under the zoning by-law shall be taken from the widened road allowance.
- h) Ground-floor uses shall have their main entrances on the street with barrier free access, at grade.
- i) Parking areas shall be provided at the rear of sites, underground and/or in above-grade structures behind buildings, with access from public streets or laneways.
- j) Above-grade parking structures shall be located within buildings and fronted by street-related commercial, community and/or residential uses.
- k) Front yard parking shall not be permitted.
- l) Private amenity space shall be provided on balconies and terraces and/or within internal courtyards outdoors and indoors.
- m) Common amenity space shall be consolidated to create useable spaces.
- n) The design and massing of buildings shall minimize shadow and wind impacts on the public realm.
- o) The design of new *developments* shall have respect for the light, views and privacy enjoyed by residents in adjacent buildings and areas.

- p) Approval of rezonings for new residential *development* within the Zone of Noise Influence, as delineated on Map B.6.5-3 – West Harbour – Zone of Noise Influence, shall be contingent on submission of a noise and vibration study to the satisfaction of the City and agreement by the proponent to implement the recommendations of the study.

6.5.3.19 Prime Retail Designation

Parts of James Street and Barton Street are the prime retail streets in West Harbour. Further to the land use designations of Volume 1, for lands designated Prime Retail on Map B.6.5-1 - West Harbour - Land Use Plan, the following policies shall apply:

- a) Mixed use developments with ground-floor, street-related commercial and community uses shall be permitted and encouraged.
- b) Most of the street-facing portion of the ground floor of buildings shall be reserved for street-related commercial and/or community uses, including retail stores, restaurants, take-out restaurants, business and personal services, and/or professional offices.
- c) The ground floors of all buildings shall have windows and doors opening onto the street to provide "eyes on the street" and an interesting pedestrian experience.
- d) The range of uses permitted on upper floors shall include residential, live/work and office. Two-storey retail stores are permitted, and personal services are permitted on the second floor of buildings.
- e) Notwithstanding Policies E.4.3.1 and E.4.3.5 h) of Volume 1, new institutional uses, including social services, schools and places of worship, may be permitted.
- f) The density and height of *development* shall be governed by the maximum heights identified on Map B.6.5-4 – West Harbour – Building Heights.
- g) Buildings generally shall be built close to or at the front property line to maintain a consistent street wall subject to the *development* satisfying sightline requirements entering the public road allowance.
- h) For streets where a road allowance widening is required, the setback under the zoning by-law must be taken from the widened road allowance.
- i) Ground-floor uses shall have their main entrances on the street, with barrier free access at grade.
- j) Parking areas shall be provided at the rear of sites, with access from public streets or laneways.
- k) The design and massing of buildings shall minimize shadow and wind impacts on the public realm.
- l) The design of new developments shall have respect for the light, views and privacy enjoyed by residents in adjacent buildings and areas.

6.5.3.20 Local Commercial Designation

In addition to the policies of Section E.3.8 – Local Commercial of Volume 1, the following policies shall apply to lands designated Local Commercial on Map B.6.5-1 – West Harbour – Land Use Plan:

- a) Commercial uses, such as retail stores, restaurants, take-out restaurants, banks, professional offices and personal services, shall be permitted.
- b) Other uses, including office and residential, shall be permitted and encouraged above the ground floor.
- c) Notwithstanding Policy E.3.8.3 of Volume 1, auto-oriented commercial uses, such as gas stations and auto repair garages are not permitted. For greater clarity, this policy does not prohibit drive-through restaurants.
- d) Notwithstanding Policy E.3.8.2 of Volume 1, except grocery stores, large-scale retail uses are generally not permitted.
- e) The maximum height of buildings shall be four storeys.
- f) Front yard setbacks shall be consistent with the setbacks of adjacent buildings.
- g) For streets where a road allowance widening is required, the setback under the zoning by-law shall be taken from the widened road allowance.
- h) Buildings shall be oriented to a public street, with main entrances on a street, with barrier free access at street level.
- i) Parking shall be located at the rear or side of buildings.
- j) Loading and service areas shall be located at the rear of buildings wherever feasible.

Institutional Designation

6.5.3.21 Institutional Designation

In addition to Sections B.3.5 – Community Facilities/Services Policies, E.3.10 - Community Facilities/Services and E.6.0 - Institutional Designation the following policies shall apply to the lands designated Institutional on Map B.6.5-1 – West Harbour - Land – Land Use Plan:

- a) Institutional uses, such as hospitals, long-term care facilities, day nurseries, schools, libraries, museums, places of worship and social services shall be permitted.
- b) Notwithstanding Policy B.6.5.3.19 a), professional medical offices shall be permitted provided they are *compatible* with the surrounding area and are in keeping with the Local Commercial Designation policies of Section B.6.5.3.18 of this Secondary Plan.
- c) The maximum height of buildings shall be three storeys, except where otherwise identified on Map B.6.5-4 – West Harbour – Building Heights.

- d) Parking areas shall be provided at the rear of sites, underground and/or in above-grade structures behind buildings.
- e) The design and massing of buildings shall minimize shadow and wind impacts on the public realm.

Shipping and Navigation Designation

6.5.3.22 Section E.5.6 - Employment Area - Shipping and Navigation of Volume 1 shall apply to lands designated Shipping and Navigation on Map B.6.5-1 – West Harbour – Land Use Plan.

Parks and Open Space Designations

6.5.3.23 The following designations constitute the Open Space system of the West Harbour Area and are designated on Map B.6.5-1 – West Harbour – Land Use Plan:

- a) General Open Space;
- b) Parkette;
- c) Neighbourhood Parks;
- d) Community Parks;
- e) City Wide Park; and,
- f) Marine Recreation.

6.5.3.24 Sections B.3.5.3 – Parkland Policies, C.2.0 – Natural Heritage System Policies, and C.3.3 – Open Space Designations of Volume 1 shall apply to the designations listed in Section B.6.5.3.20 a) through e), inclusive.

6.5.3.25 Marine Recreational Designation

Further to the designations of Volume 1, for lands designated Marine Recreational on Map B.6.5-1 – West Harbour – Land Use Plan, the following policies shall apply:

- a) Buildings and facilities for the purposes of recreational boating, including marinas, club houses, indoor and outdoor storage areas, docks and access roads, shall be permitted.
- b) Public open spaces, trails, and roads shall be permitted.
- c) The height of buildings shall not exceed two storeys.
- d) Small-scale commercial uses *ancillary* to marine recreational uses, such as restaurants, marine supply stores, boat service and repair shops and recreational equipment rental facilities, shall be permitted.

6.5.4 Utility and Transportation Designation

Section C.3.4 – Utility Designation of Volume 1 shall apply to lands designated Utility and Transportation on Map B.6.5-1 – West Harbour – Land Use Plan.

6.5.5 Public Realm Policies

- 6.5.5.1 Map B.6.5-5 – West Harbour – Public Realm depicts the Public Realm plan for West Harbour. The Public Realm includes streets, parks and other publicly- accessible open spaces, such as trails, public piers, promenades, plazas and school grounds. Minor adjustments and additions may be made to Map B.6.5-5 - West Harbour - Public Realm without amendment to this Secondary Plan.

Streets and Road Network Policies

- 6.5.5.2 The *West Harbour Transportation Master Plan* is the primary policy document governing the operations of the street system in the area. All plans and improvements for streets in the area shall conform to this Secondary Plan and the *West Harbour Transportation Master Plan*.

- 6.5.5.3 The historic grid street pattern in West Harbour shall be retained and enhanced through the following measures intended to improve pedestrian, cycling and vehicular mobility and maintain the character of neighbourhoods:

- a) ensuring all new *development* adheres to a street grid pattern;
- b) extending existing streets to serve new *development* where feasible;
- c) eliminating dead-end streets where feasible;
- d) requiring new public streets through large *redevelopment* sites; and,
- e) acquiring land for public streets through *redevelopment*.

- 6.5.5.4 The street network for West Harbour is shown on Map B.6.5-5 – West Harbour – Public Realm. Streets are classified, and shall be improved according to their intended mobility function and physical character. Streetscape Master Plans may be prepared by the City to provide a broad, long-term vision of such improvements on these streets. There are three types of streets in West Harbour:

- a) Primary Mobility Streets provide for the mobility of through traffic, people and goods, connecting major activity centres and neighbourhoods within West Harbour, and connecting to points outside the area. The right-of-way width of Primary Mobility Streets shall be 20 metres with the exception of Cannon and Wellington which are designated as 26.21m road allowances. The following are Primary Mobility Streets:
 - i) Cannon Street East and West;
 - ii) Barton Street East;
 - iii) York Boulevard;
 - iv) Guise Street East;
 - v) Dock Service Road;
 - vi) Burlington Street East;
 - vii) Bay Street North (to Strachan);

- viii) James Street North;
 - ix) Strachan Street West and East (to John);
 - x) Wellington Street North;
 - xi) John Street North (south of Strachan); and,
 - xii) Ferguson Avenue (north of Burlington).
- b) Neighbourhood Mobility Streets provide for the mobility of traffic, people and goods within West Harbour and to serve the local land uses. The right-of-way width of Neighbourhood Mobility Streets shall be 20 metres. The following are Neighbourhood Mobility Streets:
- i) Bay Street (north of Strachan)
 - ii) Guise Street West
 - iii) Burlington Street West
 - iv) Ferguson Avenue North (south of Burlington)
 - v) John Street (north of Strachan)
 - vi) Locke Street North
 - vii) Barton Street West
 - viii) Queen Street North
 - ix) Hess Street North
 - x) Stuart Street (west of Bay)
- c) Local Streets provide access to businesses and residences, on-street parking and pedestrian movement as a priority over traffic movement. The right-of-way width of Local Streets shall be 18-20 metres.

6.5.5.5 The Primary Mobility Streets and Neighbourhood Mobility Streets identified on Map B.6.5-5 – West Harbour – Public Realm may be subject to streetscape enhancements within the existing right-of-way. These improvements shall be coordinated with other streetscape initiatives in the area and may include sidewalk widenings, improved street lighting, improve accessibility, additional trees, improved bicycle facilities and/or other landscaping features.

6.5.5.6 The City shall continue to strengthen connections between the Waterfront and the Escarpment, and Downtown Hamilton. The preparation of Detailed Streetscape Plans for Bay Street, James Street and John Street shall be completed as Schedule B Municipal Class EA projects. The Streetscape Master Plans shall establish the vision and overall design intent for improvements of the public realm. The Detailed Streetscape Plans provide a functional detailed design for streetscape improvements and are identified in the Streetscape Master Plans. The Detailed Streetscape Plans shall:

- a) Generally maintain the nature of the existing streetscape, in terms of buildings, front yards, sidewalks, the boulevard and the edges of the roadway.
 - b) Maintain the street function in accordance with the West Harbour Transportation Master Plan.
 - c) Recognize the need to provide a balanced transportation network that serves pedestrians, cyclists, transit and vehicles.
 - d) Recognize the need of the City, in cases of critical subsurface infrastructure issues, to adjust the curb lines, but this shall only be done to the extent needed to address the critical infrastructure issues.
 - e) Utilize the Hamilton Downtown Mobility Streets Master Plan as a reference document only.
- 6.5.5.7 The following should be used to help ensure all streets provide a safe and comfortable pedestrian environment: appropriately-designed sidewalks, *urban braille*, landscaping, special lighting, seating areas, transit shelters, signage system and other amenities.
- 6.5.5.8 Existing alleys shall be maintained and, where feasible, extended to serve residential and commercial development. The City may approve alley closures only where development adjacent to the alley can be serviced from a public street without compromising the urban design objectives of this plan, particularly as they relate to streets and heritage buildings.
- 6.5.5.9 The City may, at its discretion, require dedication of private land prior to approval of plans of subdivision and site plan applications in order to achieve the street network shown in Map B.6.5-5 – West Harbour – Public Realm and the right-of-way widths set out in Policy B.6.5.5.4. New public streets on dedicated lands shall be designed, built and landscaped by the developer to the satisfaction of City staff. The landscaping plan for the property shall include improvements in the boulevard, which shall be paid for and constructed by the developer.
- 6.5.5.10 The City shall continue to implement the *Ferguson Avenue Master Plan* for the public realm in the corridor. Land uses within the corridor shall comply with the policies of the West Harbour Secondary Plan.
- 6.5.5.11 To monitor the traffic generated by new *development*, the City shall develop a transportation tracking method for West Harbour. Where a *development* application exceeds 100 residential units or where major cultural institution or commercial floor area is greater than 500 square metres, a Traffic Impact Study shall be completed and to update the transportation network data as a condition of *development* approval.

Open Space and the Public Realm

- 6.5.5.12 It is the City's objective to establish and maintain, to the extent possible, a comprehensive network of public open spaces in West Harbour linked to open spaces in adjacent neighbourhoods and Downtown, as shown on Map B.6.5-5 - West Harbour - Public Realm. This network shall include:

- a) a system of parks and open spaces on the waterfront, as close to the water's edge as feasible, from the High Level Bridge to Eastwood Park, linked and complemented by the Waterfront Trail and including a physical connection to Dundurn Park;
- b) enhanced green-space and trail connections between Bayfront Park and Ferguson Avenue through the lands on the south side of Strachan Street;
- c) existing parks, i.e., Central Park, Bayview Park, Eastwood Park and Jackie Washington Rotary Park; and,
- d) Notwithstanding Section C.3.3 – Open Space of Volume 1, existing school yards.

6.5.5.13 Public open spaces shall be subject to a high standard of design aimed at promoting safety, comfort, enjoyment, accessibility, usability, and planting. The City may develop and apply design guidelines for publicly-accessible open spaces that demonstrate how these goals can be achieved.

6.5.5.14 New *development* shall contribute to the creation of public open space in West Harbour. The method of contribution, whether a dedication of parkland or cash-in-lieu, shall be determined by the City during its review of plans of subdivision and rezoning applications.

6.5.5.15 Notwithstanding Section 3.3 – Open Space, the City shall work with the Public and Separate School Boards to ensure school yards remain open to the public and the facilities on school grounds have regard for the open space and recreational needs of the local community.

6.5.6 Cultural Heritage Policies

6.5.6.1 West Harbour shall promote the conservation of significant *built heritage resources* and *cultural heritage landscapes*.

6.5.6.2 Section B.3.4 – Cultural Heritage Resource Policies of Volume 1 shall apply to all lands within the West Harbour Secondary Plan area.

6.5.6.3 The City shall demonstrate leadership by pursuing opportunities to conserve municipally-owned heritage resources in West Harbour.

6.5.7 Urban Design Policies

6.5.7.1 In addition to the Section B.3.3 – Urban Design of Volume 1, the policies of Section B.6.5.7 – Urban Design Policies apply in the West Harbour.

6.5.7.2 New *development*, *redevelopment* and alterations to existing buildings in West Harbour shall respect, complement and enhance the best attributes of West Harbour and shall adhere to the following urban design principles:

- a) Create a comfortable and interesting pedestrian environment.
- b) Respect the design, scale, massing, setbacks, height and use of neighbouring buildings, existing and anticipated by this plan.
- c) Generally locate surface parking at the rear or side of buildings.

- d) Provide main entrances and windows on the street-facing walls of buildings, with entrances at grade level.
- e) Ensure barrier-free access from grade level in commercial and mixed use developments.

- 6.5.7.3 The City may establish a design review process to review development applications and proposed public initiatives in Areas of Major Change and Corridors of Gradual Change to help ensure proposals support the objective of this plan to achieve excellence in design.
- 6.5.7.4 The City shall demonstrate leadership by designing new public buildings and spaces and maintaining and upgrading existing public facilities, streets and spaces to a consistent and high standard.
- 6.5.7.5 The integration of public art into the design of buildings and open spaces shall be strongly encouraged.
- 6.5.7.6 The vistas of Hamilton Harbour and the key views leading to the harbour identified on Map B.6.5-5 - West Harbour - Public Realm shall be preserved. As *development* occurs and the public realm is extended, the City may identify additional important vistas and view corridors for preservation without amendment to this Plan.

6.5.8 Public Transit Policies

- 6.5.8.1 In addition to the Section C.4.4 – Public Transit Network of Volume 1, the policies of Section B.6.5.8 – Public Transit shall apply in the West Harbour.
- 6.5.8.2 New *development* and *redevelopment* shall support the use of public transit by creating a comfortable pedestrian environment and providing main entrances on public streets, close to intersections where appropriate.
- 6.5.8.3 The City shall continue to provide convenient public transit to existing development in West Harbour and shall seek to provide at least the same level of transit service to new *development*. It is the City's goal to ensure most dwelling units in the area are within 400 metres walking distance of a transit stop, where permitted by the built pedestrian environment.
- 6.5.8.4 Public street improvements shall maintain or improve transit accessibility.
- 6.5.8.5 In its operation of the street system, the City may employ transit priority measures, such as exclusive lanes for buses, transit-controlled signals and turn restrictions, at strategic locations to maintain or improve the level of public transit service in West Harbour.

6.5.9 Environmental Policies

The policies in this section focus on the natural environment of West Harbour—earth, water and air—and how changes in the built environment can protect and enhance elements of the natural environment. This Section shall be applied in West Harbour in addition to Section C.2.0 – Natural Heritage System of Volume 1.

General Policies

- 6.5.9.1 Environmental Protection Act requirements may apply to sites formerly occupied by industrial, commercial and institutional uses.
- 6.5.9.2 The design and construction of new *development* and *redevelopment* shall incorporate best practices and appropriate building technology to minimize energy consumption, conserve water, reduce waste and improve air quality.
- 6.5.9.3 New *development* and *redevelopment* shall be encouraged to incorporate rooftop terraces, green walls, rooftop gardens and/or other green technologies to improve micro-climatic conditions, energy efficiency, air quality and for storm water management.
- 6.5.9.4 To reduce energy consumption and improve air quality, a balanced transportation network for automobiles, public transit, bicycles, and pedestrians, including efficient routes for walking and cycling, shall be provided and promoted in West Harbour.
- 6.5.9.5 In accordance with federal regulations, filling of the harbour shall generally be prohibited. Only where a significant public and/or environmental benefit will result without unacceptable impacts on aquatic habitats or water quality shall a proposal for minor filling be considered, and then only after submission of a detailed impact study to the relevant government agencies.
- 6.5.9.6 Remaining industrial uses in West Harbour that have had, or continue to have, significantly adverse impacts on the physical environment and quality of life of residents shall be encouraged to relocate to appropriate areas within the city. Such impacts may include soil contamination, groundwater contamination, air pollution, noise pollution, dust and/or odours.

Soil and Groundwater Quality

- 6.5.9.7 Applications for new *development* and *redevelopment* on active and former industrial lands shall include Phase 1 and Phase 2 Environmental Site Assessments to the satisfaction of the Province. Where these assessments reveal the presence of contaminants in concentrations above provincial standards for the intended use of the property, the proponent shall be required to prepare, submit for approval and implement a remediation plan in accordance with provincial policies and guidelines.
- 6.5.9.8 Where City-owned land was previously occupied by industrial uses, or is otherwise suspected of containing contaminated soils, the City shall conduct Phase 1 and Phase 2 Environmental Site Assessments of the lands and, in conjunction, with improvements and/or redevelopment of the land, shall implement a remediation plan to the satisfaction of the Province.

Water Quality

- 6.5.9.9 *Development* shall contribute to the improvement of water quality in Hamilton Harbour.
- 6.5.9.10 Storm water shall be managed using a suite of lot, conveyance and end-of-pipe solutions. Rainwater shall be considered a resource rather than a waste product.

6.5.9.11 The City shall continue to promote and facilitate the disconnecting of down spouts from the combined sewer system.

Aquatic and Terrestrial Habitats

6.5.9.12 It is an objective of this Plan to ensure the protection, restoration and enhancement of aquatic habitat in West Harbour, subject to the review and approval by relevant agencies, including Hamilton Conservation Authority and the Department of Fisheries and Oceans. In particular, the Areas of Significance and Areas of Sensitivity identified on Map B.6.5-6 – West Harbour – Fisheries Policy Areas shall be protected. The City shall encourage and support initiatives to protect and enhance these areas.

6.5.9.13 In conjunction with the planning and implementation of future *development* and public realm improvements envisioned in this Plan, the City, in cooperation with the relevant agencies, shall study opportunities to enhance aquatic habitats within the Areas of Opportunity identified on Map B.6.5-6 – West Harbour – Fisheries Policy Areas.

6.5.9.14 Management of aquatic plants in marina basins shall be coordinated with regulatory government agencies and marina operators to allow safe boating and to minimize environmental impacts and protect and enhance, where possible, the harbour fishery, and that aquatic plant management and removal activities be limited to times of the year when fish spawning is not occurring.

6.5.9.15 Hamilton Harbour is identified on Schedule B – Natural Heritage System of Volume 1 as a Core Area. Environmental Impact Statements shall be required on lands within and adjacent to Hamilton Harbour in accordance with Section C.2 – Natural Heritage System of Volume 1.

6.5.9.16 The City may complete a comprehensive sediment quality investigation for the West Harbour.

6.5.9.17 The City shall require groundwater studies be completed by a proponent for those developments adjacent to the shoreline or on shore landfill as part of the environmental site assessment process.

6.5.9.18 Disturbance of the shoreline, near shore landfill, or the sediments should be avoided or minimized until the associated risks are better understood and these environmental investigations may be done concurrently with the Marine Recreation Master Plan.

6.5.9.19 The shoreline of Hamilton Harbour provides residents with recreational, economic, scenic, and ecological opportunities. To protect the valued terrestrial and aquatic ecosystem of this area, the City shall:

- a) encourage agencies and landowners (including the City) to consider opportunities to enhance and restore areas along the shoreline to a more natural state;
- b) protect existing vegetation and naturalized areas along the shoreline, within the water and bottom of the harbour, along the Iroquois shoreline embankment (between the harbour and York Boulevard) and within the planning area generally. Vegetation in natural areas shall be left to mature so it contributes to the aesthetics of the area. It is recognized that selective

pruning of vegetation may be required at strategic points along the shoreline to permit views of the harbour;

- c) maintain the integrity of natural areas and enhance linkages between natural habitat along the shoreline;
- d) encourage agencies and landowners to use native vegetation species appropriate to the location whenever possible when planting within natural areas;
- e) encourage habitat enhancement and naturalization projects where appropriate at Bayfront Park, Pier 4 Park, Hamiltonian Pier and Waterfront Trail;
- f) manage nuisance wildlife such as Canada geese, gulls and other waterfowl so they are not a nuisance to park use and do not negatively impact the health of beach areas and water quality; and,
- g) retain qualified professionals to manage wildlife in consultation with Remedial Action Plan partners, the City, and residents.

Noise and Vibration

6.5.9.20 The relocation of the Stuart Street Rail Yard, to an appropriate area within the city not adjacent to waterfront open spaces or existing or planned residential neighbourhoods, shall be encouraged.

6.5.9.21 Applications for *development or redevelopment of sensitive land uses* within the Zone of Noise Influence identified on Map B.6.5-3 – West Harbour – Zone of Noise Influence shall include a noise and vibration study that assesses the impacts of the Stuart Street Rail Yard on the proposed *development*. Noise and vibration studies shall be prepared to the satisfaction of the City and the Province, in consultation with CN, and shall undertake appropriate measures to mitigate any adverse effects from noise and vibration that were identified.

6.5.9.22 Applications for *development or redevelopment* within 300 metres of an existing heavy industrial use shall also include a noise and vibration study, prepared to the satisfaction of the City and the Province, that assesses the impacts of the industrial use on the proposed development. The City may invoke conditions on its approval of *development* to ensure noise and vibration mitigation measures are implemented where recommended by such studies.

6.5.9.23 All proposed *development* adjacent to railways, shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided, to the satisfaction of the City and in consultation with CN.

6.5.9.24 All residential and other uses sensitive to noise and vibration shall be set back a minimum of 30 metres from the main CN rail corridor that traverses West Harbour.

6.5.10 Corridors of Gradual Change

The Corridors of Gradual Change are identified on Map B.6.5-2 - West Harbour - Planning Area and Sub-Areas and include the portions of York Boulevard and Cannon Street that border West Harbour, the portion of Barton Street between James Street and Wellington Street. The intent of the policies in this section is to

enhance these corridors through positive, incremental change, acknowledging and reinforcing their mobility function as described in the West Harbour Transportation Master Plan. *Redevelopment* of private lands and public improvements within the municipal right-of-way provide opportunities to improve their vitality as commercial streets, their character and image, and their pedestrian environment.

General Policies

- 6.5.10.1 Section 6.5.10 – Corridors of Gradual Change shall apply to those properties with a lot line fronting the portions of York Boulevard, Cannon Street, Barton Street and James Street identified as Corridors of Gradual Change on Map B.6.5-2 - West Harbour - Planning Area and Sub-Areas. The policies shall also apply to the public road allowance within these corridors. Where land assembled for *redevelopment* includes a lot with frontage on a street within a Corridor of Gradual Change, the policies of this section shall apply to all of the land assembled to a maximum depth generally of 50 metres.
- 6.5.10.2 Streetscape improvements within the right-of-ways of Corridors of Gradual Change shall be guided by Streetscape Master Plans prepared for each Corridor.
- 6.5.10.3 None of the policies of this section is intended to conflict with or amend the Hamilton Downtown Mobility Street Master Plan, as it applies to Cannon Street and James Street. None of the policies of this section are intended to conflict with the Hughson Streetscape Master Plan or the Downtown Transportation Master Plan.
- 6.5.10.4 *Redevelopment* within Corridors of Gradual Change shall respect the scale and character of existing development in adjacent Stable Areas as shown on Map B.6.5-2 – West Harbour – Planning Area and Sub-Areas, providing an appropriate transition in the height and massing of buildings; screening any surface parking, loading and service areas; and minimizing traffic impacts on local streets.
- 6.5.10.5 York Boulevard
- a) As a major entryway to the city, West Harbour and Downtown, the character and image of York Boulevard is of city-wide significance. Changes and improvements to the streetscape of York Boulevard, including its built form and landscaping, shall reflect design excellence and the desired image of the city as a whole.
 - b) *Development* and *redevelopment* on York Boulevard shall help to define the street in a consistent manner by:
 - i) orienting buildings to the street and building to the property line;
 - ii) locating main entrances on York Boulevard;
 - iii) having a consistent height of five to six storeys; and,
 - iv) locating all parking at the rear of buildings.
 - c) In addition to the uses permitted by Policy B.6.5.3.18 – Mixed Use – Medium Density Designation, office buildings shall be permitted in the York Boulevard Corridor.

- d) The maximum permitted height of buildings on York Boulevard is identified on Map B.6.5-4 - West Harbour - Building Heights. Where lot depths allow, the height of buildings shall step down to a maximum of four storeys where the rear of a site is adjacent to low-rise housing.
- e) Notwithstanding Policy B.6.5.3.18 a) and b), ground-floor, street-related commercial uses, such as restaurants, local shops and services, are only permitted at the corners where York Boulevard intersects with north-south streets, with full accessibility at grade and eyes on the street.
- f) *Development* on vacant lots and parking lots on York Boulevard shall be encouraged.
- g) In keeping with the objective to enhance York Boulevard as a key entryway to the city by promoting a consistent and high-quality streetscape environment, the City shall establish streetscape design guidelines to address a range of elements, including landscaping, street furniture, public art, transit shelters, commercial signage, lighting and bicycle facilities. Improvements within the right-of-way and new *development* and *redevelopment* fronting York shall adhere to the guidelines.
- h) The City shall consider operational and physical changes within the right-of-way, such as distinctive paving, enhanced lighting and traffic-calming devices, to facilitate safe pedestrian crossings on York Boulevard at frequent intervals.

6.5.10.6 Cannon Street

- a) *Redevelopment* and improvements in the Cannon Street Corridor shall seek to better connect the neighbourhoods of West Harbour and Downtown, support existing and new commercial uses in strategic locations, create a safe and inviting pedestrian environment, and improve the street's overall image.
- b) There shall be a presumption in favour of the preservation and adaptive reuse of buildings with historic and/or architectural value on Cannon Street in any development or redevelopment proposal. In addition to the uses permitted by Policies B.6.5.3.19 a) and B.6.5.3.20 b), professional office and institutional uses are permitted on such properties.
- c) Redevelopment adjacent to McLaren Park shall avoid locating parking, service and loading areas and blank walls adjacent to the park.
- d) The designated road allowance for Cannon Street is 26.21 metres wide. Land dedications prior to the approval of Site Plan Applications shall be required to achieve this width through the Corridor.
- e) The West Harbour Transportation Master Plan, Downtown Transportation Master Plan, Hamilton Downtown Mobility Street Master Plan and Hughson Streetscape Master Plan shall guide improvements within the Cannon Street right-of-way.

6.5.10.7 Barton Street

- a) Redevelopment and improvements in the Barton Street Corridor shall seek to reinforce its role as a retail street; better connect the residential areas to the north and south; create a safe and inviting pedestrian environment; and enhance the mixed use character of the street.
- b) The City shall prepare a Streetscape Master Plan for Barton Street to address the following: landscaping within the right-of-way; street furniture; transit shelters; commercial signage; lighting; bicycle facilities; and development permitted to encroach in the right-of-way. Improvements within the right-of-way, and development and redevelopment adjacent to Barton shall be guided by the master plan.
- c) *Development* on parking lots fronting Barton Street is encouraged.

6.5.10.8 James Street

- a) James Street is the primary retail street in West Harbour. *Redevelopment* and improvements within the James Street Corridor shall reinforce this function, preserve historic buildings and enhance the character of the street.
- b) The City may reduce the parking requirement for commercial uses on James Street to help preserve and continue the historic pattern of development in portions of the corridor.
- c) The Hamilton Downtown Mobility Street Master Plan, West Harbour Transportation Master Plan and Downtown Transportation Master Plan shall guide improvements within the James Street right-of-way.
- d) The City shall develop and coordinate a parking strategy for James Street intended to support local businesses. The strategy shall address on-street parking regulations; the location and supply of public parking facilities; and opportunities to provide additional off-street public parking.
- e) A public parking garage partly or wholly located within the rail trench and fronted at street level by commercial or community uses shall be permitted on James Street, across from LIUNA Station.

6.5.11 Stable Areas

The Stable Areas are identified on Map B.6.5-2 - West Harbour - Planning Area and Sub-Areas. They comprise the generally low-density neighbourhoods that define the residential character of West Harbour. Significant physical change is not anticipated in Stable Areas. The intent of the policies in this section is to maintain and reinforce the character of existing neighbourhoods and to encourage the replacement of inappropriate industrial and commercial uses with sensitively-designed residential development.

Land Use

- 6.5.11.1 The predominant land use in Stable Areas shall be Low Density Residential 2, with detached, semi-detached and street townhouses being the predominant types of housing.
- 6.5.11.2 Existing high-rise apartment buildings shall be permitted uses. However, where sites occupied by such buildings are proposed for additional development or

redevelopment, the City shall review the permitted densities, heights and setbacks based on the principles and design objectives of this plan and may revise them accordingly.

- 6.5.11.3 Existing industrial and commercial uses in Stable Areas incompatible with neighbouring residential uses due to adverse noise, vibration, air quality and/or traffic impacts shall be encouraged to relocate to appropriate areas in the city.
- 6.5.11.4 Surface parking lots serving commercial or industrial uses outside Stable Areas shall be prohibited within Stable Areas.
- 6.5.11.5 Institutional uses within Stable Areas, including schools and places of worship, shall minimize the size of surface parking areas and landscape the edges of parking areas adjacent to public streets and residential areas.

Public Realm

- 6.5.11.6 The City may study and implement traffic calming measures on local streets to address the impacts of non-local traffic.
- 6.5.11.7 Eastwood Park shall remain a Community Park. The City shall develop and implement a master plan for Eastwood Park to improve its aesthetics and amenities, to better define its edges, and to screen land uses north and east of the park.
- 6.5.11.8 Bayview Park shall remain a Neighbourhood Park. The City shall develop and implement a master plan to improve its amenities. The plan shall include elements that interpret the site's heritage, such as a plaque or landscape feature.

6.5.12 Implementation

This section identifies the instruments, projects, studies and actions the City shall initiate to implement this Secondary Plan.

Municipal Capital Projects

- 6.5.12.1 The City shall prepare a capital budget outlining the following:
 - a) short, medium and long term capital projects arising from this plan;
 - b) cost estimates for the capital projects identified above; and,
 - c) special studies and projects arising from this plan, including timing for completion and their estimated cost.
- 6.5.12.2 The City shall incorporate capital projects and additional studies arising from this Plan into the municipal budgeting process.
- 6.5.12.3 The City shall recognize that there are a number of opportunities for investment and *development* in West Harbour. The Downtown West Harbour Coordinating Committee, with input from other stakeholders, shall continue to be responsible for coordinating municipal capital projects.
- 6.5.12.4 The City shall employ "best-practice" technologies in the design and development of public works in West Harbour and shall seek any available grant funds intended to support such technologies.

Community Improvement Plan

- 6.5.12.5 Community Improvements Plans and other programs and initiatives may be developed to identify, guide, encourage, and track future *development* in the study area.
- 6.5.12.6 West Harbour is designated a Community Improvement Project Area, and the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan applies, and shall continue to apply, to a large portion of West Harbour. The City may revise the ERASE Plan from time to time and may prepare additional Community Improvement Plans for West Harbour. Such plans should identify, rank and coordinate the public improvements set out in this Secondary Plan and others that may arise. Community Improvement Plans should also identify the programs and measures intended to promote *development* and the rehabilitation of existing buildings and properties. The City shall consult with the local community in preparing the Community Improvement Plan.
- 6.5.12.7 The objectives and criteria for all municipal grant and loan programs established under a Community Improvement Plan for West Harbour shall conform to this Secondary Plan.

Land Acquisition and Remediation

- 6.5.12.8 The City shall seek to acquire all remaining private property on the south side of Strachan Street for the purpose of creating a continuous open space corridor between Bay Street and Ferguson Avenue.
- 6.5.12.9 Where City-owned land was previously occupied by industrial uses, or is otherwise suspected of being environmentally contaminated, the City shall conduct Phase 1 and Phase 2 Environmental Assessments of the lands. Prior to, or in conjunction with, improvements to and/or *redevelopment* of the land, the City shall implement a remediation plan to the satisfaction of the Ministry of the Environment. Where appropriate, Environmental Site Assessments and remediation plans shall be coordinated with those required on neighbouring private or public lands.

Master Plans, Studies and Guidelines

- 6.5.12.10 The City shall prepare facilities and landscaping master plans for Bayfront Park, Bayview Park, Eastwood Park, Central Park and Pier 4 Park, in that order. The plans shall be prepared in consultation with the local communities and park users.
- 6.5.12.11 In accordance with Policy B.6.5.14.5, the City shall initiate an urban design study for Barton-Tiffany to guide *development* in the area, help ensure *development* proposals support the objectives of this plan and achieve excellence in design. The study shall include a process of public consultation.
- 6.5.12.12 When the current uses on Pier 9 cease, the City shall initiate a land use and urban design study to determine the approximate mix of uses, height and massing of buildings, and layout of streets and open spaces on the property. The study shall result in a new Secondary Plan for the district.
- 6.5.12.13 The City shall develop, adopt and implement streetscape guidelines or master plans for Corridors of Gradual Change where no such guidelines or plans currently apply. The guidelines and plans shall be coordinated with the

Downtown Mobility Street Master Plan and Hughson Streetscape Master Plan, and shall address such matters as appropriate sidewalk widths, pedestrian crossings, trees and other landscaping, signage, lighting, and bicycle facilities.

6.5.12.14 The City shall initiate a feasibility study for a pedestrian crossing between Dundurn Park and the Waterfront Trail. The study shall consider location and design options for the crossing, and include a cost-benefit analysis of the options.

6.5.12.15 West Harbour Marine Recreation Master Plan

- a) The City shall complete a West Harbour Marine Recreation Master Plan Study to guide *development* and improvements on the City-owned property from Bayfront Park to Pier 7.
- b) The boundaries of the West Harbour Recreation Master Plan Study Area shall be defined prior to commencement of the Study and shall include:
 - i) the Marine Recreational areas designated on Map B.6.5-1 - West Harbour - Land Use Plan; and,
 - ii) areas within Bayfront Park and Pier 4 Park used for marine recreation.
- c) The West Harbour Marine Recreation Master Plan shall adhere to the principles of this plan, as described in Section B.6.5.2 – Planning Principles, and help to achieve the vision for the Waterfront, as described in Policies B.6.5.2.3 and B.6.5.2.4. The specific objectives of the Recreation Master Plan produced by the study shall include, but not be limited to:
 - i) Accommodate and facilitate a range of recreational boating facilities;
 - ii) Maximize public access to the water's edge, balancing the operational needs of marine and boating activities for safe and secure water access;
 - iii) Minimize the size of paved areas for parking and storage;
 - iv) Encourage sharing of facilities among boating organizations; and,
 - v) Ensure safety and security for boaters, trail users and park visitors.
- d) The issues to be addressed by the West Harbour Recreation Marine Master Plan Study shall include, but not be limited to:
 - i) size and location of any new buildings;
 - ii) facilities, independent and/or shared, for boat clubs;
 - iii) extent, location and security of boat storage areas;
 - iv) extent and location of parking and loading areas;
 - v) new public open spaces at the water's edge;
 - vi) location of boat launch areas;

- vii) location and types of breakwalls;
 - viii) alignment and design of the ultimate Waterfront Trail between Bayfront Park and Pier 7;
 - ix) protection and enhancement of aquatic habitats;
 - x) incorporate the Gartner Lee Phase I (July 2003) and II (December 2004) Fisheries study recommendations;
 - xi) park and open space landscaping and programming;
 - xii) nature and location of driveways and/or roadways;
 - xiii) pedestrian and trail user safety;
 - xiv) emergency access;
 - xv) landscaping for stormwater management, energy conservation and water conservation;
 - xvi) auxiliary uses; and,
 - xvii) providing privacy and security for boating clubs and security.
- e) The West Harbour Marine Recreation Master Plan Study shall entail a process of public consultation that includes, at a minimum, regular meetings with a stakeholder advisory committee, public workshops and public open houses. The stakeholder advisory committee shall broadly represent the community, including boating organizations and the North End neighbourhood, as well as federal, provincial and municipal departments, agencies and citizens with an interest in the study area.
- f) The West Harbour Marine Recreation Master Plan Study shall be adopted as an amendment to this Plan prior to *development* or capital improvements proceeding within the West Harbour Marine Recreation Master Plan Study Area. Exceptions are limited to the replacement of destroyed or damaged buildings; repairs to roads, utilities and other public infrastructure; shoreline repair; and completion of a recreation trail from Pier 4 Park to the Canada Marine Discovery Centre.

6.5.12.16 Piers 7 - 8

- a) The City shall work with the Hamilton Port Authority and Parks Canada to prepare an Action Strategy for Piers 7-8 that shall implement the development and improvements envisioned by this Plan. The Action Strategy shall include:
- i) a timetable for the relocation of port-related uses;
 - ii) a timetable for the relocation of existing recreational boat storage;
 - iii) an infrastructure phasing plan;
 - iv) a *development* phasing plan; and,

- v) a relocation plan and timetable for the existing Navy League facilities and Brewer's Marine.
- b) The City, in cooperation with the Hamilton Port Authority and Parks Canada, among other stakeholders, shall seek to identify and establish an appropriate Administrative Body that shall be responsible for implementing the Action Strategy for Piers 7-8. The options for such a body, including a development authority, partnership or corporation, shall be considered.
- c) The Administrative Body established for the development of Piers 7-8 may seek requests for competitive proposals from private developers in order to best implement the vision in this Plan.
- d) The City shall initiate and complete an urban design study of Piers 7-8 to determine the appropriate height, massing and character of new buildings and the appropriate physical relationship between buildings and public open spaces. The primary intent of the study shall be to refine the maximum building envelopes established by this Plan based on an analysis of public views to the harbour, sunlight penetration, privacy and wind conditions. The study shall include a process of public consultation and shall be completed prior to the adoption of new development and Zoning By-law Amendments for Piers 7-8. If the urban design study recommends building heights greater than the maximum heights identified on Map B.6.5-4 - West Harbour - Building Heights, an amendment to this Plan shall be required.
- e) The City may lease or sell land or enter into joint ventures or similar arrangements on Piers 7 and 8, excluding the lands designated Open Space or reserved for streets on Map B.6.5-1 - West Harbour - Land Use Plan, in order to achieve the development objectives for Piers 7 and 8.

Other Implementation Policies

- 6.5.12.17 The City, in consultation with affected communities, may update the Neighbourhood Plans for those portions of Strathcona, Central and Beasley Neighbourhoods not within West Harbour. The updated plans shall have regard for the principles and policies of this Plan. In particular, policies applicable to York Boulevard and Cannon Street and properties on their south sides should generally reflect the corresponding policies for these corridors contained in this Plan.
- 6.5.12.18 The City may establish a Design Review process for major public capital improvement projects in the Waterfront. The Design Review process may include review by an advisory committee, whose membership should include, at a minimum: a representative of the West Harbour residential community; the Ward 2 Councillor; a professional architect; a professional landscape architect; a professional planner or urban designer; and a member of the Hamilton Historical Board. The Design Review process shall encourage participation from the local, national and international design communities.
- 6.5.12.19 The City shall seek the cooperation of CN and the operator of the Stuart Street Rail Yard in identifying and implementing measures that would mitigate the impacts of the rail yard as an industrial use and a physical barrier to waterfront access.

6.5.12.20 All studies required by the policies in this plan shall be submitted prior to any application under the Planning Act, R.S.O., 1990 c. P.13 being deemed a complete application.

Area Specific Policies

Within West Harbour, three areas are planned for significant land use change. These areas are identified as Area Specific Policy on Map B.6.5-2 – West Harbour - Planning Area and Sub-Areas. In addition to the other policies in this Secondary Plan, the following sections shall apply specifically to these areas of major change – Waterfront, Barton-Tiffany, and Ferguson-Wellington Corridor.

6.5.13 Area Specific Policy - Area A – Waterfront

The policies of this Section shall apply to the lands shown on Map B.6.5-2 – West Harbour – Planning Area and Sub-Areas as Area Specific Policy - Area A – Waterfront.

Waterfront Vision

6.5.13.1 *Development* and improvements in the Waterfront shall help realize the City's vision of a waterfront that:

- a) is beautiful, publicly-accessible and inviting;
- b) promotes a healthy world class harbour;
- c) offers a variety of attractions to Hamilton residents and visitors;
- d) facilitates active and passive enjoyment of the harbour;
- e) contains a variety of linked open spaces at the water's edge, including parks, trails, promenades and plazas;
- f) enhances recreational boating opportunities;
- g) accommodates waterfront-appropriate commercial amenities;
- h) accommodates new residential neighbourhoods;
- i) is active throughout the day, the week and the year;
- j) enhances adjacent neighbourhoods and complements the vision for Downtown;
- k) extends the existing grid pattern of streets in West Harbour; and,
- l) displays pride in the city's heritage and excellence in design.

Stuart Street Rail Yard

6.5.13.2 The City acknowledges the importance of the Stuart Street Rail Yard to the regional economy. Nevertheless, it is a central principle of this Plan that the decline of heavy industrial activity in West Harbour is expected to continue. It is the City's objective to have the Rail Yard relocated to a more suitable area of the city, where it shall be more compatible with surrounding uses, existing and planned. The City shall actively seek opportunities to relocate the Rail Yard,

facilitate any proposed relocation to the best of its ability, and, in the interim, encourage the consolidation of facilities and rail track to free up land for other uses. Until such time as it is relocated, the function of the Rail Yard for goods movement shall continue.

Bayfront Park

6.5.13.3 As a regionally-significant open space, Bayfront Park shall continue to be planned, designed and operated to encourage and accommodate a variety of civic events and recreational activities. Future improvements shall be guided by a master plan for the park and should include convenient washrooms and additional trees for shade and wind protection.

6.5.13.4 In addition to the uses permitted by Policy B.6.5.3.23, restaurants, cafés, and food and beverage vendors shall be permitted in Bayfront Park, provided such uses:

- a) are generally located near the entrance to the park, overlooking Macassa Bay;
- b) are small-scale and not greater than two storeys, and in totality do not occupy more than 1,500 square metres;
- c) are accessory to the open space and recreation function of the park;
- d) have no adverse impact on aquatic and terrestrial habitats;
- e) have an architectural quality that enhances the park; and,
- f) comply with any restrictions the City may impose on such uses to limit noise impacts.

6.5.13.5 An above-grade parking structure is permitted on the parking area for Bayfront Park, immediately south of the combined sewer overflow tank. The design of a parking structure in this location shall be of a high architectural standard and shall not obstruct vistas of the harbour and waterfront from Bay Street.

Marine Recreation

6.5.13.6 The City recognizes the special qualities of Hamilton Harbour, including its physical features and wind conditions that make it a unique, attractive and cherished environment for world class recreational boating within the Great Lakes. The City shall continue to promote and facilitate a diversity of such activity in West Harbour as it pursues other objectives for the Waterfront. Improvements to marine recreation facilities, including marina buildings, club houses, indoor and outdoor boat storage, boat ramps, parking, and docks, shall be guided by a Marine Recreation Master Plan for the West Harbour waterfront, as discussed in Section B.6.5.12.15 – West Harbour Marine Recreation Master Plan. Prior to *development* or capital improvements proceeding within Marine Recreational areas, as designated on Map B.6.5-1 - West Harbour - Land Use Plan, City Council shall adopt the Marine Recreational Master Plan by Official Plan Amendment.

Piers 6-8

6.5.13.6 Piers 6-8 shall be the focus of physical improvements and *development* that combine new civic spaces and promenades with residential, cultural and

mixed-use buildings to establish over time a series of linked destinations and a distinct, urban waterfront neighbourhood.

- 6.5.13.7 Pier 6 shall be extended and improved to accommodate small-scale commercial amenities, such as restaurants and cafés, and a public promenade at least 10 metres wide. The extension shall be subject to approval by the relevant agencies with regulatory authority over the harbour. Options for the extension that do not require fill shall be preferred.
- 6.5.13.8 Notwithstanding Policy B.6.5.3.20 – Local Commercial Designation, the only commercial uses permitted on Pier 6 shall be restaurants, take-out restaurants and retail stores, and the maximum height of buildings shall be two storeys. The boundaries of the Local Commercial area on Pier 6 identified in Map B.6.5-1 - West Harbour - Land Use Plan may be adjusted without amendment to this Plan.
- 6.5.13.9 *Development* of Pier 8 shall extend and refine the existing grid of streets and blocks, as indicated on Map B.6.5-1 - West Harbour - Land Use Plan. The precise location of new streets shall be determined in plans of subdivision but shall generally conform with the street pattern in Map B.6.5-1 - West Harbour - Land Use Plan.
- 6.5.13.10 The City shall initiate, in conjunction with *development* on Pier 8, the design and construction of a civic plaza or park. The design and programming of the space shall encourage year-round public use.
- 6.5.13.11 Notwithstanding Policy B.6.5.3.18 – Mixed Use - Medium Density Designation, in the Mixed Use area on Pier 8:
- a) institutional uses of a cultural nature, or *cultural facilities*, such as museums and galleries, shall be permitted and encouraged;
 - b) apartment buildings and apartment buildings with institutional uses of a cultural nature on the ground-floor or lower floors shall be permitted and encouraged;
 - c) public open spaces shall be permitted;
 - d) buildings shall be generally built to the front property line;
 - e) ground-floor commercial uses *ancillary* to a cultural use, such as a restaurant or retail store, shall be permitted, provided they occupy no more than 20% of the total non-residential floor area;
 - f) parking areas shall be provided underground and/or in above-grade structures;
 - g) above-grade parking structures shall be located within buildings and fronted on all levels by commercial, cultural or residential uses;
 - h) front yard parking shall not be permitted;
 - i) private amenity space shall be provided on balconies and terraces and/or within internal courtyards;
 - j) common amenity space shall be consolidated to create useable spaces;

- k) the design and massing of buildings shall minimize shadow and wind impacts on the public realm; and,
- l) the design of new *developments* shall have respect for the light, views and privacy enjoyed by residents in adjacent buildings and areas.

6.5.13.12 In addition to the uses permitted by Policies B.6.5.3.16 – High Density Residential 1a Designation, B.6.5.3.18 – Mixed Use - Medium Density Designation, and B.6.5.3.19 – Prime Retail Designation, a total of one hotel shall be permitted in those areas designated High Density Residential 1a, Mixed Use - Medium Density, and Prime Retail on Piers 7 and 8.

6.5.13.13 In addition to the uses permitted by Policies B.6.5.3.15 – Medium Density Residential 3 Designation, B.6.5.3.16 – High Density Residential 1a Designation, and, B.6.5.3.19 – Prime Retail Designation, a public parking garage shall be permitted on the block north of Guise Street, between the future extensions of Hughson Street and John Street. A public parking garage in this location shall be integrated with, and fronted on all sides and all levels by, residential or commercial uses.

6.5.13.14 In addition to the uses permitted by Policy B.6.5.3.22, restaurants, cafés, and food and beverage vendors shall be permitted in areas designated General Open Space and City Wide Park on Map B.6.5-1 – West Harbour - Land Use Plan provided such uses:

- a) are small-scale and not greater than two storeys, and in totality do not occupy more than 1,500 square metres;
- b) are accessory to the open space and recreation function of the area;
- c) have no adverse impact on aquatic and terrestrial habitats;
- d) have an architectural quality that enhances the open space areas; and,
- e) comply with any restrictions the City may impose on such uses to limit noise impacts.

6.5.13.15 Notwithstanding Policy B.6.5.3.15 a) and Policy B.6.5.3.16 a), street townhouses shall not be permitted on Piers 7-8.

6.5.13.16 Prior to zoning by-law amendments to permit the *development* of any new buildings on Piers 7 and 8, a comprehensive urban design study of the entirety of both piers shall be completed. The study shall determine the appropriate height and massing of new buildings, taking into consideration impacts on public views, sunlight penetration, privacy and wind conditions. If the urban design study recommends building heights greater than the maximum heights permitted by the above-referenced policies, an amendment to this plan shall be required.

6.5.13.17 Prior to approval of any new *development* on a single block or multiple blocks on Piers 7 and 8, a comprehensive traffic calming study shall be completed and implemented. The study shall include the area north of the CN railway line.

- 6.5.13.18 On Piers 7-8, direct driveway access to individual dwelling units, private garages fronting public streets and front yard parking shall not be permitted.
- 6.5.13.19 The Federal Government shall be encouraged, on the lands it owns on Pier 8, to accommodate additional cultural and educational uses that may be proposed and which complement and support the Canada Marine Discovery Centre.
- 6.5.13.20 The City and the Federal Government, in consultation with the Hamilton Port Authority, shall undertake to provide continuous public open space around Pier 8, approximately 30 metres wide and including a water's edge promenade.
- 6.5.13.21 The City shall cooperate with the Hamilton Port Authority to achieve the development objectives for the Pier 8 lands leased to the Port Authority.
- 6.5.13.22 Signage identifying publicly-accessible buildings and public spaces on Pier 8 shall be used for wayfinding via James Street, Victoria Avenue and Burlington Street (east of Ferguson Avenue).

Pier 9

- 6.5.13.23 Notwithstanding Policy B.6.5.3.21- Institutional Designation, the institutional uses on Pier 9 that existed on the date of adoption of this Plan, including the HMCS Star property and the land-based facilities serving visitors to HMCS Haida, shall continue. The City has the right of first refusal on Pier 9, as per the Minutes of Settlement between the City and the Hamilton Port Authority dated October 20, 2000. Should the Federal Government decide to sell lands occupied by HMCS Star, the City shall act on its right of first refusal and seek to acquire the property.
- 6.5.13.24 When the current uses on Pier 9 cease, the City shall initiate a land use and urban design study to determine the appropriate mix of uses, height and massing of buildings, and layout of streets and open spaces on the property. The study shall result in new Secondary Plan policies for the district based on Policy B.6.5.13 – Area Specific Policy - Area A – Waterfront and the following long-term objectives for the district:
- a) Provide continuous public open space along the water's edge;
 - b) Accommodate residential *development* at densities of up to 300 units per hectare of development land (i.e., excluding public open space);
 - c) Accommodate cultural and educational uses;
 - d) Protect important public views and vistas of the harbour and waterfront; and,
 - e) Buffer residential and other *sensitive land uses* from industrial and port-related uses on Pier 10.

Pier 10

- 6.5.13.25 In accordance with the Port of Hamilton Land Use Plan, dated June 2002, and consistent with the City of Hamilton Official Plan, Pier 10 shall continue to be used for existing uses and uses permitted by the Shipping and Navigation land use designation. Should the Port of Hamilton decide to sell Pier 10, the City shall act on its right of first refusal and seek to acquire the property.

6.5.13.26 If and when Pier 10 is owned by the City, the City shall initiate a land use and urban design study to determine the appropriate mix of uses, height and massing of buildings, and layout of streets and open spaces on the property. The study shall result in new Secondary Plan policies for the pier.

Water-based Uses

6.5.13.27 Seasonal water-based uses, such as ferries, water taxis, tour boats and charter boats, are encouraged in the Waterfront. Generally, the land-based components of such uses shall be restricted to Piers 5-8. Any such uses and their proposed location shall be assessed based on the nature, size and docking requirements of the craft; the impacts of the use on the adjacent public realm and views along the waterfront and to the harbour; and the City's ability to provide emergency services to the use and ensure public safety. Such uses shall require approval by City Council and the relevant agencies with regulatory authority over the harbour.

6.5.13.28 Due to their impacts on views of the harbour from water's edge open space and their servicing and access requirements, permanent water-based uses, such as floating hotels and restaurants, shall not be permitted in the Waterfront.

6.5.14 Area Specific Policy - Area B - Barton-Tiffany

The policies of this Section shall apply to the lands shown on Map B.6.5-2 – West Harbour – Planning Area and Sub-Areas as Area Specific Policy – Area B – Barton-Tiffany.

6.5.14.1 The relocation of remaining industrial uses, the remediation of contaminated land, and the conversion of industrial lands to residential uses are promoted in Barton-Tiffany. The boundary of Barton-Tiffany is shown on Map B.6.5-2 - West Harbour - Planning Area and Sub-Areas.

6.5.14.2 The City acknowledges the importance of industry to the regional economy. Nevertheless, it is a central principle of this Plan that the decline of heavy industrial activity in the West Harbour is expected to continue. In keeping with City's objective to have Industrial uses in the West Harbour relocated to a more suitable area of the City, where it shall be more compatible with surrounding uses, existing and planned. The City shall actively help existing Industrial uses in the West Harbour search for new industrial sites.

6.5.14.3 *Development* in the Barton-Tiffany Area shall be in accordance with the following criteria:

- a) Multiple dwellings shall be permitted.
- b) The density of *development* shall be in the range of 60 - 300 units per gross hectare.
- c) The height of building shall be a maximum of four storeys.
- d) Notwithstanding Policy B.6.5.14.3 c) above, buildings greater than four storeys to a maximum of eight storeys may be permitted subject to the completion and approval of an urban design study by the City of Hamilton prior to any required rezoning amendments.

- e) Existing grid patterns of streets, blocks and open spaces, and/or those proposed by this plan, shall be respected.
- f) For streets where a road allowance widening is required, the setback under the zoning by-law shall be taken from the widened road allowance.
- g) Parking areas shall be provided at the rear of sites, underground and/or in above-grade structures, with access from public streets or laneways.
- h) Above-grade parking structures shall be located within buildings and fronted on all levels by residential uses.
- i) Front yard parking shall not be permitted.
- j) The main entrances to buildings shall face public streets.
- k) Private amenity space shall be provided on balconies and terraces, at the front or rear of individual ground-floor units, and/or within internal courtyards outdoors and indoors.
- l) Common amenity space shall be consolidated on the site to create useable spaces.
- m) The design and massing of buildings shall minimize shadow and wind impacts on the public realm.
- n) The design of new developments shall have respect for the light, views and privacy enjoyed by residents in adjacent buildings and areas.
- o) Approval of rezonings for new residential *development* within the Zone of Noise Influence, as delineated on Map B.6.5-3 – West Harbour – Zone of Noise Influence, shall be contingent on submission of a noise and vibration study to the satisfaction of the City and the Ministry of the Environment and agreement by the proponent to implement the recommendations of the study.
- p) Public open spaces shall comply with Policy B.6.5.3.23.

6.5.14.4 Prior to *development* occurring, the City shall complete a comprehensive urban design study and provide guidelines for the Barton-Tiffany Area including the following:

- a) appropriate building heights, set backs and landscaping;
- b) other built form controls intended to protect view sheds, as shown on Map B.6.5-5 - West Harbour - Public Realm, and prevent buildings from creating a barrier or wall effect;
- c) the provision of an east-west continuous open space linkage between Dundurn Park and Bay Street;
- d) the provision of open space; and,
- e) noise attenuation, including such techniques as innovative building design, open space buffers and vegetative planting.

- 6.5.14.5 Where *development* is proposed prior to initiation of an urban design study for Barton-Tiffany, the developer may be required to submit an urban design study for the entire Barton-Tiffany Area. The urban design study shall address the matters set out in Policy B.6.5.14.4 and shall be completed to the satisfaction of the City.
- 6.5.14.6 Further to Policy B.6.5.3.18 – Mixed Use – Medium Density Designation, the *development* of a mixed use node at the intersection of Barton Street and Hess Street, comprised of small-scale, accessible ground-floor retail, restaurant and/or service uses, with residential units above, shall be encouraged.
- 6.5.14.7 The City shall seek to relocate the Public Works facilities on Barton Street and Bay Street to allow the expansion, reconfiguration and improvement of Central Park. The adaptive reuse of all or a portion of the Barton Street Works building for recreational or other public uses shall be considered prior to demolition.
- 6.5.14.8 Subject to the relocation of the affected Public Works facilities, the City shall undertake to expand, reconfigure and improve Central Park as schematically shown on Map B.6.5-1 - West Harbour - Land Use Plan. Any surplus lands created from the expansion and not required for street extensions may be sold for private residential *development*.
- 6.5.14.9 Permit additional residential density where the City determines there is a need to increase densities of development in Barton-Tiffany and Ferguson-Wellington corridor, to assist economically with the clean up of brownfield areas and soil contamination. The density increase shall be subject to the City of Hamilton's ERASE program.

6.5.15 Area Specific Policy - Area C - Ferguson-Wellington Corridor

- 6.5.15.1 The relocation of remaining industrial uses, the remediation of contaminated land, and the conversion of industrial lands to residential, institutional and commercial uses are promoted in the Ferguson-Wellington Corridor.
- 6.5.15.2 Should the land south of Barton Street, north of the proposed pedestrian connection shown on Map B.6.5-5 - West Harbour - Public Realm, east of Ferguson Avenue, west of existing development located between Cathcart Street and Wellington Street be developed for commercial purposes, the proposed street extensions may not be required.
- 6.5.15.3 The following policies shall apply to the lands north of Barton Street, between Ferguson Avenue and Wellington Street, designated Institutional on Map B.6.5-1 - West Harbour - Land Use Plan:
- a) In addition to the uses permitted by Policy B.6.5.3.21 – Institutional Designation, health-related commercial uses, such as professional medical offices, pharmacies and medical supply stores, and hotels shall be permitted.
 - b) New *development* shall front onto one or more of the adjacent public streets.
 - c) New buildings on Barton Street shall be built close to or at the front property line.

- d) Buildings and/or landscaping shall be used to help define and enhance the streetscape of Ferguson Avenue.
- e) *Redevelopment* shall incorporate the preservation, restoration and reuse of the historic building on Barton Street.
- f) Parking shall not be permitted in front of buildings facing Ferguson Avenue and Barton Street.

6.5.15.4 The following policies shall apply to the lands south of Barton Street, north of the proposed pedestrian connection shown on Map B.6.5-5 - West Harbour - Public Realm, east of Ferguson Avenue, west of existing development located between Cathcart Street and Wellington Street, designated Mixed Use - Medium Density on Map B.6.5-1 - West Harbour - Land Use Plan:

- a) In addition to the uses permitted by Policies B.6.5.3.17 a), B.6.5.3.15 a), and B.6.5.3.16 a), local commercial uses set out in Policy B.6.5.3.20 a) shall be permitted.
- b) New buildings on Barton Street shall be built close to or at the front property line with any storeys above the third storey set back from the property line to create a defined street wall.
- c) Buildings and/ or landscaping shall be used to help define and enhance the streetscape of Ferguson Avenue.
- d) Parking shall not be permitted in front of buildings facing Ferguson Avenue and Barton Street.
- e) Driveway access for commercial *development* shall be from Barton Street or Ferguson Avenue. For loading purposes truck access shall be limited to Barton Street.

6.5.15.5 In areas within the Ferguson-Wellington Corridor designated Medium Density Residential 3 Designation and High Density Residential 1a Designation on Map B.6.5-1 - West Harbour - Land Use Plan, direct driveway access to individual dwelling units, private garages fronting public streets and front yard parking shall not be permitted, except where such conditions existed on the date of adoption of this Plan.

6.5.15.6 With the intent of enhancing the streetscapes of Barton Street and Ferguson Street, the City shall encourage the Province to develop and implement a parking and landscaping plan for the Detention Centre site that meets or exceeds the City's standards for institutional uses.

6.5.15.7 The City shall seek to expand and improve Beasley Park to better serve existing residents in the Beasley Neighbourhood and serve new residents in the Ferguson-Wellington Corridor.

6.6 Strathcona Secondary Plan (OPA 11)

The Strathcona Secondary Plan area is located west of downtown Hamilton and is bounded by Highway 403 to the west, Queen Street North to the east, York Boulevard to the north and Main Street West to the south. The Strathcona neighbourhood is a strategic entryway into the City with access points from Highway 403 at Main Street West, King Street West and York Boulevard and is characterized by its historic buildings and stable residential neighbourhood.

The Strathcona Secondary Plan establishes land uses and development standards that guide the *development* of lands located within the Strathcona Secondary Plan area. Section B.6.6 and Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, Map B.6.6-2 Strathcona Secondary Plan: Transportation Classification Plan, Appendix A – Strathcona Secondary Plan: Views and Vistas and Appendix B – Strathcona Secondary Plan: Cultural Heritage Resources, form the Strathcona Secondary Plan.

6.6.1 Vision

Strathcona is a vibrant, diverse, green and livable neighbourhood that values its strong sense of community and historical character, promotes complementary redevelopment and cultivates a healthy, welcoming neighbourhood for all.

6.6.2 Principles

Six planning principles have been developed and represent the foundation of the Strathcona Secondary Plan. The principles provide guidance for accommodating *development*, promoting compatible intensification, preserving the neighbourhood's heritage and open space features and, promoting opportunities for active transportation.

6.6.2.1 Historic

The Strathcona Neighbourhood is an historic neighbourhood, comprised of unique buildings and natural features, including the Iroquois Ridge and views to the Harbour, landmark cultural assets such as Victoria Park, and the Scottish Rite as well as numerous recognizable places of worship that define the neighbourhood's unique sense of place.

6.6.2.2 Vibrant

The Strathcona Neighbourhood is a prospering, dynamic, engaged and proud community, made up of a mix of housing, uses, services and amenities for all ages, incomes, household types and cultures. It is a neighbourhood of choice for people to live, work, play and visit, providing opportunities for new investment and community engagement.

6.6.2.3 Green

The Strathcona Neighbourhood is a green neighbourhood, comprised of valuable open spaces and parks with views, vistas and connections towards the Niagara Escarpment and Hamilton Harbour. The neighbourhood promotes the conservation and protection of its shared resources and green infrastructure while promoting innovative and active transportation options, the efficient use of land and environmentally sustainable design.

6.6.2.4 Livable

The Strathcona Neighbourhood is a safe, attractive and green community for all ages that promotes well designed, human-scaled development where people are prioritized over vehicles. The neighbourhood embraces new employment opportunities, housing types and a diverse range of services and amenities to meet the needs of present and future generations, which promotes living opportunities for all ages.

6.6.2.5 Urban

The Strathcona Neighbourhood is a downtown neighbourhood with a distinctive, compact built form, which contributes to its strong sense of place and identity. Its unique main streets create opportunities for new development and designs that support a pedestrian-focused streetscape and accommodate enhanced connections within and throughout the community.

6.6.2.6 Connected

The Strathcona Neighbourhood connects people and places in a safe, seamless, comfortable way, utilizing traditional and innovative transportation modes. The neighbourhood promotes connections to its heritage, natural environment and public places, making it a healthy and balanced community.

6.6.3 Objectives

The following objectives shall apply to *development* within the Strathcona Secondary Plan area:

Strengthen Existing Neighbourhood

- a) Promote *development* that fosters a healthy, safe, efficient, connected and visually pleasing urban environment;
- b) Promote and protect the heritage character of the neighbourhood;
- c) Encourage and foster a healthy balance of housing, employment, community services and recreation opportunities that are connected, accessible and people-oriented; and,
- d) Encourage *development* to reflect the historic character and cultural heritage of the Strathcona Neighbourhood through high quality urban design.

Urban Design

- a) Encourage design that promotes pedestrian walkability and physical activity, social interaction and enhanced public gathering spaces;
- b) Encourage innovative building and site development which contributes to the physical environment of the community and enhances the desirability of Strathcona as a place to live, work and play;
- c) Integrate views and vistas of historic landscapes, buildings and natural features, where possible, through design;

- d) Promote the expansion of the Urban Braille network along Main Street West, King Street West, Dundurn Street South, Queen Street North/South and York Boulevard; and,
- e) Promote design variety within streetscapes.

Active Transportation, Transit and Transportation Linkages

- a) Enhance the neighbourhood's primary corridors as places for all users, including pedestrians, cyclists, transit riders and drivers;
- b) Support the public transit system and future proposed Rapid Transit Corridor and decrease the reliance on the private automobile;
- c) Enhance and support a safe, attractive and efficient active transportation network; and,
- d) Encourage an integrated transportation network throughout the neighbourhood and to ensure the Strathcona Secondary Plan area remains well connected through various modes of transportation, linkages and trails.

Land Use

- a) Support and strengthen the neighbourhood node along Dundurn Street South, extending just south of Main Street West and just north of King Street West;
- b) Protect and enhance stable residential areas;
- c) Support the provision and maintenance of a mix of housing types and tenures that meets the housing needs of residents throughout their life cycles and provides opportunities for residents to remain within the community;
- d) Enhance and promote King Street West as a pedestrian-oriented commercial corridor that provides a community and cultural focus for the neighbourhood;
- e) Promote flexibility and *development* potential along Main Street West by permitting a limited range of commercial uses, promoting adaptive reuse of existing buildings and retention of historic character;
- f) Promote residential intensification along major and minor arterials throughout the neighbourhood; and,
- g) Ensure compatibility between areas of different land use or development intensity.

Municipal Services and Utilities

- a) Provide adequate services, public facilities and infrastructure to support *development*.

Natural Open Space and Parks

- a) Provide an integrated system of parks and open spaces to serve a wide range of active and passive recreational needs;

- b) Protect and preserve the existing trees and other important natural features within the neighbourhood, while undertaking new plantings where appropriate;
- c) Preserve and enhance public open spaces that are accessible and innovative;
- d) Promote community health through a connected system of multi-use trails, parks and open spaces that are accessible to all residents;
- e) Recognize Victoria Park as the symbolic heart of the community and foster its evolution and role as an informal gathering space and focal point for the neighbourhood; and,
- f) Ensure natural heritage features are protected and enhanced.

6.6.4 General Policies

6.6.4.1 The Strathcona Secondary Plan has been developed to guide *development* within the Secondary Plan area. The following policies direct land uses and other matters common to all parts of the Strathcona Neighbourhood.

- a) For the purposes of this Plan, the term *development* shall also include the term *redevelopment*.
- b) Community gardens shall be permitted in all land use designations, except on lands designated Natural Open Space.
- c) When considering an application for *development*, the following matters shall be evaluated:
 - i) *Compatibility* with adjacent land uses including matters such as shadowing, grading, overlook, noise, lighting, traffic and other nuisance effects;
 - ii) The consideration of transition in height to adjacent and existing residential development; and,
 - iii) The height, massing, scale and arrangement of the buildings and structures are *compatible* with adjacent development and are sympathetic to the character and heritage of the neighbourhood.
- d) All *development* shall be subject to the policies of Section 6.6.10, Urban Design of this Plan.
- e) *Development* shall respect and reflect the existing heritage character of the Strathcona Neighbourhood, and shall be in accordance with the policies of Section 6.6.11, Cultural Heritage Resources of this Plan.
- f) The *development* of new *sensitive land uses* in the vicinity of lands designated Utility should include measures to mitigate noise and vibration associated with the utility, in accordance with all applicable provincial and municipal guidelines and standards, and shall be subject to Policy B.3.6.3 – Noise, Vibration and other Emissions of Volume 1.

- g) Proponents of new *sensitive land uses* in the vicinity of lands designated Business Park shall be responsible for addressing and implementing the necessary mitigation measures, to the satisfaction of the City, and in accordance with all applicable provincial and municipal guidelines and standards.

6.6.5 Residential Designations

The Strathcona Secondary Plan area is characterized by a large stable residential neighbourhood with a strong heritage character and includes a mix of housing types, densities and housing forms. The residential policies shall define the location and scale of each type of residential use, and shall help ensure that a variety of residential housing types are provided to meet the needs of area residents.

- 6.6.5.1 The residential areas within the Strathcona Secondary Plan are designated Low Density Residential 3, Medium Density Residential 2 and High Density Residential, as identified on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, and are subject to the policies of Section 6.6.5.

6.6.5.2 General Residential Policies

In addition to Section E.3.0 – Neighbourhoods Designation of Volume 1, the following policies shall apply to lands designated Residential:

- a) Residential *development* and *infill development* shall reflect and enhance the character of the residential areas through implementation of an architectural style that is sympathetic and complementary to the existing residential areas. Further direction regarding design for *development* is provided in Section 6.6.10, Urban Design Policies.
- b) A broad range and mix of housing types shall be encouraged within residential designations.
- c) *Development* within the Strathcona Secondary Plan area shall provide a mix of housing opportunities in terms of built form, style and tenure that are suitable for residents of different age groups, income levels and household sizes.
- d) Direct vehicle access to new individual dwelling units from arterial roads shall be discouraged and alternative forms of access, such as use of shared or common access points and rear lane arrangements shall be encouraged.
- e) Common element and condominium roads should be connected to the public *active transportation* network via sidewalks.
- f) Reverse frontage lotting patterns shall not be permitted, except where existing on the date of approval of this Secondary Plan.
- g) All *development* proposals shall consider and, wherever possible, address *compatibility* with adjacent uses in accordance with the Residential Intensification policies of Section B.2.4.2 of Volume 1.

- h) The existing character of established Neighbourhoods designated areas shall be maintained. *Residential intensification* within these areas shall enhance and be *compatible* with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification of Volume 1 and other applicable policies of this Plan.
- i) When considering an application for *residential intensification*, the following shall be evaluated:
 - i) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations; and,
 - ii) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form.

6.6.5.3 Low Density Residential 3 Designation

In addition to Section E.3.4 – Low Density Residential of Volume 1, for lands designated Low Density Residential 3 on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the following policies shall apply:

- a) All forms of townhouse dwellings shall also be permitted.
- b) Notwithstanding Policy E.3.4.4 of Volume 1, the *net residential density* range for Low Density Residential 3 areas shall be between 20 – 60 units per net hectare.
- c) Notwithstanding Policy E.3.4.5 of Volume 1, the maximum building height shall be 2.5 storeys.
- d) *Infill development* shall be sympathetic and complementary to the existing character and *cultural heritage attributes* of the neighbourhood, including setbacks, built form, building mass and height, including materials that are *compatible* with the existing adjacent residential forms.

6.6.5.4 Medium Density Residential 2 Designation

In addition to Section E.3.5 – Medium Density Residential of Volume 1, for lands designated Medium Density Residential 2 on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy E.3.5.2 of Volume 1, Medium Density Residential 2 areas shall permit single-detached, semi-detached, duplex, street townhouse dwellings and *multiple dwellings*.
- b) Policy E.3.5.4 of Volume 1 shall not apply.
- c) The minimum building height shall be 2 storeys and the maximum building height shall be 6 storeys.
- d) *New development* shall be sympathetic and complementary to the existing character and cultural heritage features of the neighbourhood, including setbacks, built form and, building mass, height and materials. The

arrangement of buildings and structures on a site shall be *compatible* with the existing adjacent residential forms.

- e) As part of a *multiple dwelling*, excluding a triplex and townhouses, amenity space for occupants of the *multiple dwelling* shall be provided.

6.6.5.5 High Density Residential Designation

In addition to Section E.3.6 – High Density Residential of Volume 1, for lands designated High Density Residential on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy E.3.6.6 a) of Volume 1, the *net residential density* range for High Density Residential areas shall be greater than 100 units per net hectare and not greater than 300 units per net hectare.
- b) The minimum building height shall be 2 storeys and the maximum building height shall be 10 storeys. Additional height may be permitted, subject to the following criteria:
 - i) The *development* shall have frontage on a Major Arterial or Minor Arterial road where possible in order to minimize the impact on areas designated Low Density Residential 3;
 - ii) The completion of required studies, which shall include, but not be limited to: Sun/Shadow Study, Visual Impact Study and Wind Study;
 - iii) Submission of an Urban Design Brief that addresses design issues, including *compatibility* with lower density residential built forms, such as stepping the building back; and,
 - iv) Demonstration that the height, massing, setback and parking areas are *compatible* with adjacent residential development.
- c) Where a High Density *development* abuts an area designated Low Density Residential 3, consideration shall be given to:
 - i) The relationship of the proposed building(s) with the height, massing, and scale of the adjacent low density residential use(s);
 - ii) Promoting a transition in height to the adjacent low density residential use(s); and,
 - iii) *Compatibility* with the adjacent low density residential use(s) with respect to shadowing, overlook, noise, lighting and parking.
- d) As part of a *multiple dwelling*, excluding a triplex and townhouses, amenity space for occupants of the *multiple dwelling* shall be provided.

6.6.6 Commercial and Mixed Use Designations

The commercial and mixed use designations of the Strathcona Secondary Plan area are primarily focused along the neighbourhood's main streets, including: Main Street West, King Street West, Queen Street, York Boulevard and portions of Dundurn Street. These lands are intended to meet the daily and weekly retail

needs of the Strathcona community. Residential and institutional uses are also encouraged in Commercial areas. Commercial areas will not only be a place to focus retail needs, but are intended to be a focus of the community where Strathcona residents can meet and engage in community activities.

A neighbourhood node is identified along Dundurn Street South, between Main Street West and King Street West. The neighbourhood node functions as a gateway into the neighbourhood and the City. It is planned as the focal area for intensification, *development* and to provide both the daily and weekly commercial needs of the neighbourhood and adjacent neighbourhoods. It is characterized by its important transportation connections and will be a focal point for public *transit* linkages and the promotion of *active transportation* options.

6.6.6.1 Mixed Use – Medium Density Designation

In addition to Section E.4.0 – Commercial and Mixed Use Designation of Volume 1, the following policies shall apply to all Commercial and Mixed Use Designations, as identified on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan:

- a) Existing commercial areas shall evolve over time into compact, mixed-use pedestrian-oriented places where people can live, work, shop, learn and play.
- b) Notwithstanding Policies E.4.3.4 (f) and E.4.6.7 of Volume 1, the minimum building height shall be 2 storeys and the maximum building height shall be 6 storeys.
- c) Notwithstanding Policy E.4.6.8 of Volume 1, additional height up to a maximum of 10 storeys may be permitted without amendment to this Plan, provided the applicant demonstrates:
 - i) That potential impacts have been mitigated on adjacent lands designated Low Density Residential 3;
 - ii) Buildings are progressively stepped back from adjacent low rise forms of housing in the Low Density Residential 3 designation and Medium Density Residential 2 designation. The Zoning By-law may include an angular plane requirement to set out an appropriate transition and stepping back of heights; and,
 - iii) Buildings are stepped back from any street to minimize the height appearance from the public realm, where necessary.
- d) Commercial and mixed use *development* shall maintain and enhance the character of the neighbourhood through an architectural style that is sympathetic and complementary to the existing character and heritage of the neighbourhood.
- e) The City shall promote and encourage shared access points along Arterial roads.
- f) Adequate internal traffic circulation, parking, loading and maneuvering facilities and facilities for *active transportation* shall be accommodated on-site.

- g) Landscaping shall form an integral part of all *developments* and shall provide buffering between adjacent residential or *sensitive land uses* and commercial, mixed-use, and parking areas.
- h) *Development* of properties with frontage on a Major Arterial, Minor Arterial or Collector road shall provide pedestrian amenities on site.
- i) Commercial areas are encouraged to be developed in a co-ordinated and comprehensive manner.
- j) New *development* shall balance the needs for improved pedestrian access, opportunities for active forms of transportation and accommodation of public transportation, including *rapid transit*, with existing automobile use and access.
- k) *Housing with supports*, including residential care facilities, shall be permitted on lands designated Mixed Use – Medium Density.
- l) Mixed Use – Medium Density areas shall function as vibrant people places with increased day and night activity through the introduction of residential *development*.
- m) Private and public parking areas shall be subject to the following:
 - i) The parking area should be buffered from the street through the use of building placement or enhanced landscaping; and,
 - ii) The location of parking areas shall not negatively affect the pedestrian environment or access to buildings.
- n) Live-work units shall be encouraged along the south side of Main Street West, in accordance with the policies of 6.6.15.2 d) – Area Specific Policy – Area B of this Plan.
- o) As part of a mixed use building containing both residential and commercial uses, amenity space shall be provided exclusively for the residential component and shall be functionally separated from public areas associated with the commercial component. This requirement shall not apply to live-work units.

Pedestrian Focus Street

- p) A portion of King Street West through the Secondary Plan area is identified as Mixed Use – Medium Density Pedestrian Focus Street on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan. This area shall be a focus for retail activity and encourage enhanced pedestrian oriented design. (OPA 69)
- q) *Development* shall cater to the pedestrian by creating a comfortable, active and visually stimulating walking environment, facilitated through the development of complete streets, buildings oriented to the public sidewalk, and outdoor cafes, and characterized by a high level of streetscape design and activity.
- r) *Development* shall support the *rapid transit* corridor along King Street West.

- s) In addition to Policy E.4.3.4 b) of Volume 1, the maximum building setback shall be 2 metres, except where a visibility triangle is required.

6.6.6.2 Strathcona Neighbourhood Node: Mixed Use – Medium Density

In addition to the policies of Section 6.6.6 – Commercial and Mixed Use Designations of this Plan, for the area identified as the Neighbourhood Node, located on both sides along Dundurn Street South extending just south of Main Street West and just north of King Street West, shown on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the following policies shall apply:

- a) It is intended that the Neighbourhood Node shall function as a focus area for pedestrian connectivity and *development*, promoting *mixed use development*, including commercial and residential uses and employment opportunities to meet the needs of the neighbourhood. The area shall create a unique gateway into the community and the City.
- b) The Neighbourhood Node shall be connected to the *active transportation* network and be a focal point for connecting to the City's public transportation network.
- c) The development of mixed use buildings shall be encouraged.
- d) In addition to Policy E.4.6.6 a) of Volume 1, gas bars and car washes shall be prohibited within the Neighbourhood Node.
- e) Notwithstanding Policy E.4.6.5 a) of Volume 1, applications to amend this Plan and/or the City's Zoning By-law to permit a drive-through facility within the Neighbourhood Node shall only be permitted in accordance with the following:
 - i) The proposed drive-through facility cannot be located in other potential locations in the Mixed Use – Medium Density designation which are not part of the Neighbourhood Node;
 - ii) The proposed drive-through facility complies with the requirements of Policies E.4.3.4 of Volume 1, including demonstration that the proposed drive-through facility:
 - 1) Does not change the existing and planned streetscape character;
 - 2) Maintains the pedestrian environment; and,
 - 3) Does not compromise the safe, efficient and comfortable movement of pedestrians.
 - iii) The proposed drive-through facility shall not preclude the planned function and design intent for the Neighbourhood Node, including:
 - 1) A comfortable, active and visually stimulating walking and shopping environment;
 - 2) A streetscape with buildings and storefronts oriented to the street; and;

- 3) The operation of the LRT and the associated traffic movements.
- iv) The proposed drive-through facility shall not have an adverse impact on surrounding residential neighbourhoods, including potential noise and traffic impacts; and,
- v) The proposed drive-through facility shall address the design principles of Section B.3.3.2 of Volume 1, the built form policies of Section B.3.3.3 of Volume 1, and the Access and Circulation policies of Section B.3.3.9 of Volume 1.
- f) Notwithstanding Policy 6.6.6.1 b) of this Plan, for *development* on the west side of Dundurn Street South, between Main Street West and King Street West, the minimum building height shall be 2 storeys, and the maximum building height shall be 12 storeys.
- g) The City may permit an increase in building height above the permitted height established in 6.6.6.2 f) above, provided that the upper stories are stepped back or terraced, and shall address the following:
 - i) Sun shadow impacts on public sidewalks or public spaces;
 - ii) Wind impacts on public sidewalks;
 - iii) Impacts on streetscapes and views of streetscapes, landmark structures or cultural heritage buildings from the public sidewalks;
 - iv) Proponents shall be required to submit a sun/shadow analysis, wind impact analysis and any other study as may be required by the City, including a visual impact analysis, as part of the complete application requirements for *development* that exceeds the maximum building height.
- h) Within the Neighbourhood Node, *intensification* shall be encouraged. Guidance for promoting appropriate *development* and built form is provided in the supporting Urban Design Guidelines.
- i) The Neighbourhood Node shall have a strong pedestrian focus and enhanced *active transportation* opportunities.
- j) Automobile access will continue to be important to the Neighbourhood Node, but it shall be balanced with the need to improve pedestrian and *transit* access, and provide opportunities for *active transportation*.
- k) Required parking shall be encouraged to be located underground or accommodated in parking structures, where possible. Alternatively, surface parking lots shall be directed to the rear yard or interior side yard of commercial buildings.
- l) Reductions in parking requirements shall be considered to encourage a broader range of uses and densities that support *rapid transit*.

6.6.7 Parks and Open Space Designations

The parks and open space areas of the Strathcona Secondary Plan contribute to the character of the neighbourhood and are an essential component to the day to day life of residents by providing green space opportunities to meet both active and passive recreational needs. Victoria Park is integral to the neighbourhood and provides gathering space for activities that enhance the sense of community.

6.6.7.1 Parks and Open Space Designations

In addition to Section B.3.5.3 – Parkland Policies of Volume 1, the following policies shall apply to lands designated Neighbourhood Park, Community Park, General Open Space and Natural Open Space on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan:

- a) The Strathcona Secondary Plan includes the following Parks and Open Space designations:
 - i) Parkette;
 - ii) Neighbourhood Park;
 - iii) Community Park;
 - iv) General Open Space; and,
 - v) Natural Open Space.
- b) The policies of Section B.3.5.3 – Parkland Policies of Volume 1 shall apply to the Open Space designations identified in Policy 6.6.7.1 a) above.
- c) All existing Parks and Open Space areas in the Strathcona Secondary Plan area shall be retained for use as parks and open space and shall not be redeveloped for other uses. They shall be used and maintained for active and passive recreation uses and conservation management. Important natural features and views and vistas shall be preserved and maintained.
- a) Where future opportunities exist, the provision of additional Neighbourhood Park land shall be encouraged.
- e) The pedestrian trail and bicycle network identified through the Hamilton Cycling Master Plan and the Hamilton Recreational Trails Master Plan shall be implemented throughout the Secondary Plan Area to connect people and places both within the neighbourhood and to adjacent neighbourhoods, subject to the following:
 - i) Walking trails shall be promoted, as shown on Map B.6.6-2 Strathcona Secondary Plan: Transportation Classification Plan and be subject to the policies of Section 6.6.12 – Transportation and Linkages;
 - ii) Cycling connections shall be promoted, as shown on Map B.6.6-2 Strathcona Secondary Plan: Transportation Classification Plan and be subject to the policies of Section 6.6.12 – Transportation and Linkages; and,

- iii) Pedestrian trails and bicycle lanes shall generally be provided on public street rights-of-way, sidewalks and public open space lands.
- iv) Where possible, partnerships between the City and private land owners shall be encouraged to facilitate the extension of existing pedestrian trails and bicycle lanes and the addition of new pedestrian trails and bicycle lanes.
- f) The provision of any additional trails and multi-use pathways on lands designated as Parks and Open Space shall ensure that the integrity of the open space area is maintained.

6.6.7.2 General Open Space

In addition to Section B.3.5.3 – Parkland Policies and C.3.3 – Open Space Designations of Volume 1, the following policies shall apply to lands designated General Open Space on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan:

- a) Development of a pedestrian trail shall be encouraged in the vicinity of the Cathedral of Christ the King, to provide a pedestrian link from the Strathcona Neighbourhood to Kay Drage Park, as identified through the Strathcona Transportation Master Plan.

6.6.7.3 Natural Open Space

In addition to Section B.3.5.3 – Parkland Policies and Section C.3.3 – Open Space Designations of Volume 1, for lands designated Natural Open Space on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the natural features and *ecological functions* shall be protected and enhanced within the neighbourhood.

6.6.8 Institutional Designation

Institutional uses such as schools, places of worship, retirement home and long term care facilities provide opportunities for enhancing the quality of life for residents and are permitted within the Strathcona Secondary Plan area in order to meet the needs of residents both within the Strathcona Neighbourhood as well as the greater community.

6.6.8.1 Institutional Designation

In addition to Section E.3.10 – Community Facilities/Services and Section E.6.0 – Institutional Designation of Volume 1, the following policies shall apply to lands designated Institutional on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan:

- a) Where an existing institutional use ceases operation or a new use is proposed on lands designated Institutional, retention of the existing building(s) and adaptive reuse, where appropriate, shall be encouraged.

6.6.9 Utility Designation

- 6.6.9.1 In addition to Section C.3.4 – Utility Designation, Policy B.3.3.6 – Urban Services and Utilities and Policy B.3.6.3 – Noise, Vibration and other Emissions of Volume 1,

the following policies shall apply to lands designated Utility on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan:

- a) Where feasible, urban services, utilities and overhead wires should be buried underground as part of future planned road reconstruction, streetscape installation projects or *development*;
- b) Utilities shall be planned for and installed on a co-ordinated and integrated basis in order to be more efficient, cost effective and to minimize disruption.

6.6.10 Urban Design

The neighbourhood is characterized by its open spaces, views and vistas, strong history and its connection to other downtown neighbourhoods. The intent of the Urban Design policies is to create and enhance this neighbourhood character by promoting human-scaled design, improving the pedestrian experience, fostering connections between the built form and the neighbourhood's character, and encouraging sustainable design. Public art is also vital to fostering a strong sense of community and enhancing neighbourhood pride.

6.6.10.1 Urban Design Policies

In addition to Section B.3.3 – Urban Design Policies of Volume 1, the following policies shall also apply to lands within the Strathcona Secondary Plan area:

- a) *Development* within the Secondary Plan area shall be sympathetic to and reflect the historic character of the existing built form of the neighbourhood.
- b) Design requirements recommended through the Strathcona Secondary Plan Urban Design Guidelines shall apply to commercial and mixed-use areas, institutional uses and *multiple dwelling* developments. The Guidelines shall not apply to single detached, semi-detached and duplex dwellings.
- c) An Urban Design Brief may be required as part of a complete application requirement in order to demonstrate how the proposal meets the policies of this Secondary Plan, and to demonstrate consistency with the Strathcona Secondary Plan Urban Design Guidelines, where applicable.
- d) *Development* shall contribute to the development of complete streets along the neighbourhood's primary corridors, including Main Street West, King Street West, York Boulevard, Queen Street North/South and portions of Dundurn Street North/South, extending just north of King Street West and just south of Main Street West.
- e) *Development* proposals shall demonstrate *compatibility* with the City-Wide Corridor Planning Principles and Design Guidelines.
- f) *Development* shall be encouraged to incorporate *active transportation* features into the design of new sites. Opportunities to connect to and enhance the existing *active transportation* features of the neighbourhood shall be encouraged.
- g) In order to mitigate the impact of new mixed use development on adjacent lands designated Low Density Residential 3, *development* shall use landscaping, fencing and trees, setbacks, massing, scale and other built form

considerations, or a combination thereof, to minimize the impact and to buffer the adjacent low density residential uses from the new *development*.

- h) Within the Secondary Plan area, King Street West shall be planned as the primary commercial corridor. *Development* along this corridor shall promote a high quality of design, be *transit supportive*, promote pedestrian activity and create public spaces that are accessible. *Development* shall address the following:
 - i) A relationship between the building and the street, so that the *development* contributes positively to the overall built form in the neighbourhood;
 - ii) Where retail uses are proposed, primary access shall be at the street level, with doors and windows opening onto King Street West;
 - iii) Buildings shall be encouraged to be built at the street line;
 - iv) Surface parking shall not be permitted between the building and the street;
 - v) The incorporation of public art installations as an integral part of urban design shall be encouraged; and,
 - vi) Public transportation, cycling infrastructure and pedestrian amenities shall be integrated with existing and new *development*.
- i) *Development* at the intersection of Main Street West and Dundurn Street South shall be designed as a gateway, to promote a sense of arrival into the neighbourhood and portray the community image and identity through: design of the built form, building orientation, unique landscaping, signage and, installation of public art, or any combination thereof, consistent with the direction provided through the Strathcona Secondary Plan Urban Design Guidelines.
- j) The installation of public art in public locations, shall be in accordance with the Public Art Master Plan.
- k) Existing significant views and vistas contribute to the unique identity, sense of place and character of the Strathcona Neighbourhood and are shown on Appendix A – Strathcona Secondary Plan: Views and Vistas. These views and vistas shall be maintained and enhanced, where possible.
- l) In addition to the above policies, *development* along Main Street West, King Street West, York Boulevard, Queen Street and portions of Dundurn Street, extending just south of Main Street West to just north of King Street West, including the Neighbourhood Node, shall be consistent with the Strathcona Secondary Plan Urban Design Guidelines.

6.6.11 Cultural Heritage Resources

The Strathcona Secondary Plan area has a rich history and has contributed to the development of the City of Hamilton. The heritage resources that represent the neighbourhood's history should be identified and *conserved*, where possible, to ensure that the distinctive character remains. The Cultural Heritage policies are

intended to protect the integrity of the neighbourhood's heritage resources and to promote *development* that complements the community's character and fosters an improved sense of place.

6.6.11.1 Cultural Heritage Resource Policies

In addition to Section B.3.4 – Cultural Heritage Resources Policies of Volume 1, the following policies shall also apply to the *cultural heritage resources* within the Strathcona Secondary Plan area:

- a) The Strathcona Neighbourhood is an *established historical neighbourhood* and as such, the following policies shall apply:
 - i) The City shall protect *established historical neighbourhoods*, as identified in the cultural heritage landscape inventory, this secondary plan and other City initiatives, by ensuring that new construction and *development* are sympathetic and complementary to existing *cultural heritage attributes* of the neighbourhood, including lotting and street patterns, building setbacks and building mass, height, and materials.
 - ii) *Intensification* through conversion of existing built heritage resources shall be encouraged only where original building fabric and architectural features are retained and where any new additions, including garages or car ports, are no higher than the existing building and are placed to the rear of the lot or set back substantially from the principal façade. Alterations to principal façades and the paving of front yards shall be avoided.
- b) Within the Strathcona Secondary Plan area, the City shall encourage:
 - i) The conservation of individual *cultural heritage properties* and areas of cultural heritage value, including streetscape features, traditional circulation patterns and important views and vistas; and,
 - ii) New *development* that respects and reflects the design of surrounding heritage buildings.
- c) New *development* on lands containing heritage buildings or *adjacent* to heritage buildings shall be encouraged to:
 - i) Maintain a consistent street orientation;
 - ii) Provide reduced building setbacks from the street where possible, except where a reduced building setback may have a negative impact on the adjacent heritage building, in which case a similar building setback shall be promoted;
 - iii) Ensure building heights reflect the existing built form, wherever possible or encourage built forms that are stepped back at upper levels to reflect established cornice lines of *adjacent* buildings or other horizontal architectural forms or features; and,
 - iv) Reflect the character, massing and materials of surrounding buildings.

- d) The City shall encourage the use of contemporary architectural styles, built forms and materials which respect the heritage context.
- e) Where alterations are proposed to *built heritage resources* within the Strathcona Secondary Plan area, the following principles shall be followed:
 - i) Maintain the basic relations of the horizontal divisions of the building;
 - ii) Maintain the original façade components and materials wherever possible;
 - iii) Replicate the original parts and materials wherever possible; and,
 - iv) Remove elements that are not part of, or hide, the original design.

6.6.11.2 Archaeology Policies

- a) The policies of Section B.3.4.4 – Archaeology Policies of Volume 1 shall apply.

6.6.11.3 Built Heritage Resource Policies

- a) The policies of Section B.3.4.5 – Built Heritage Resource Policies of Volume 1 shall apply.

6.6.11.4 Cultural Heritage Landscapes

In addition to the policies of Section B.3.4.6 – Cultural Heritage Landscapes of Volume 1, the following policies shall also apply:

- a) A *cultural heritage landscape* is a defined geographical area characterized by human settlement activities that have resulted in changes and modifications to the environment, which is now considered to be of heritage value or interest. The Strathcona Neighbourhood has seven *cultural heritage landscapes*, as identified on Appendix B Strathcona Secondary Plan: Heritage Features and are known as:
 - i) Hamilton Cemetery;
 - ii) MacNab's Survey;
 - iii) Cathedral of Christ the King;
 - iv) Mills' Survey;
 - v) Arnold's Survey;
 - vi) Victoria Park; and,
 - vii) New-Beasley.
- b) The City of Hamilton recognizes that Main Street West, King Street West and York Boulevard are identified as areas for change and intensification. New *development* should respect and reflect the existing *cultural heritage landscape* and be *compatible* with surrounding *development*. A *scoped cultural heritage impact assessment* may be required as part of a new

development on lands designated High Density Residential or Mixed Use – Medium Density within *cultural heritage landscape areas 2 – MacNab's Survey, 4 – Mill's Survey and 5 – Arnold's Survey* as identified in Policy 6.6.11.4 a). The scoped *cultural heritage impact assessment* shall include the following:

- i) identification and evaluation of all potentially affected *cultural heritage resource(s)*, including detailed site(s) history and a *cultural heritage resource inventory* containing textual and graphic documentation;
- ii) a description of the proposed *development* or *site alteration* and alternative forms of the *development* or *site alteration*;
- iii) a description of all *cultural heritage resource(s)* to be affected by the development and its alternative forms; and,
- iv) include photo documentation of the building.

Where a scoped *cultural heritage impact assessment* is required, the assessment shall be completed to the satisfaction of the City as part of a Complete Application under the Planning Act, R.S.O., 1990 c. P.13 for *development*.

- c) Where an Official Plan Amendment proposes to redesignate lands to High Density Residential or Mixed Use – Medium Density within *cultural heritage landscape areas 2 – MacNab's Survey, 4 – Mill's Survey and 5 – Arnold's Survey*, as identified in Policy 6.6.11.4 a), a scoped *cultural heritage impact assessment* may be required, consistent with Policy 6.6.11.4 b) above.
- d) As part of the City-wide inventory of *cultural heritage landscapes*, the extent of the *cultural heritage landscapes* identified in Policy 6.6.11.4 a), shall be confirmed.
- e) In addition to Policies B.3.4.6.3 to B.3.4.6.5 of Volume 1, the City may investigate the feasibility of designating properties as heritage conservation districts subject to consultation with residents and the municipal heritage committee, in accordance with the Ontario Heritage Act, and as may be determined by City work plan priorities.

6.6.12 Transportation and Linkages

The Strathcona Transportation Management Plan (STMP) forms the basis for the transportation policies. The policies of this Plan are intended to support the recommendations of the Strathcona Transportation Management Plan and other transportation master plans prepared for the overall City and adjacent neighbourhoods. The transportation system within the Secondary Plan area is intended to accommodate all users and modes of transportation, with a priority placed on developing complete streets through the promotion of *active transportation*, improving pedestrian connections, enhancing public transportation and balancing the needs of automobile and truck users with those of *active transportation* modes.

6.6.12.1 Transportation Policies

In addition to Section C.4.0 – Integrated Transportation Network of Volume 1, the following transportation policies shall also apply to the Strathcona Secondary Plan area:

- a) The integrated transportation network for the Strathcona Secondary Plan area shall consist of public roads, public laneways, pedestrian sidewalks, multi-use pathways, cycling routes, public *transit* routes, the planned accommodation of *higher order transit* along King Street West, truck routes and railway lines. The *transportation system* is detailed on Map B.6.6-2 Strathcona Secondary Plan: Transportation Classification Plan.
- b) All transportation improvements shall be in accordance with the recommendations of relevant plans, including but not limited to:
 - i) Strathcona Transportation Management Plan;
 - ii) Hamilton Transportation Master Plan;
 - iii) Hamilton's Cycling Master Plan;
 - iv) City-wide Truck Route Master Plan;
 - v) Pedestrian Mobility Master Plan;
 - vi) Hamilton Recreational Trails Master Plan; and,
 - vii) City of Hamilton Rapid Transit Initiative.

6.6.12.2 General Transportation Policies

6.6.12.2.1 Development of the transportation system in the Strathcona Secondary Plan area shall proceed on the basis of the recommendations of the Strathcona Transportation Management Plan, as may be amended.

6.6.12.2.2 Roads within the Strathcona Secondary Plan area shall be classified as Arterial, Collector or Local Roads, subject to the following:

- a) Arterial and Collector roads are identified on Map B.6.6-2 Strathcona Secondary Plan: Transportation Classification Plan; and,
- b) Roads shown on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, which are not classified as Arterial or Collector on Map B.6.6-2 Strathcona Secondary Plan: Transportation Classification Plan, shall be considered Local roads.

6.6.12.2.3 Roads classified as Arterial, Collector and Local shall be developed in accordance with Section C.4.5 – Roads Network of Volume 1.

6.6.12.2.4 All intersections should be designed to support safe pedestrian crossing. Major intersections should support pedestrian crossings by providing safe crossing points and connections to public walkways.

- 6.6.12.2.5 Boulevard tree planting should be closely spaced in the vicinity of intersections in order to support pedestrians.
- 6.6.12.2.6 Where warranted, and in accordance with the Strathcona Transportation Management Plan, pedestrian crossings shall be enhanced in order to facilitate the movement of pedestrians throughout the Secondary Plan area.
- 6.6.12.2.7 *Development* along Major Arterial roads and Minor Arterial roads within the Strathcona Secondary Plan area shall have regard to the Council adopted Transit Oriented Development Guidelines and City Wide Corridor Planning Principles and Design Guidelines.
- 6.6.12.2.8 The City shall expand the *urban braille* network along Main Street West, King Street West and a portion of Dundurn Street, between Main Street West and King Street West, through the Secondary Plan area. Consideration shall also be given to incorporating *urban braille* along York Boulevard and Queen Street in order to enhance the accessible sidewalk network and connect to the *urban braille* network in downtown Hamilton.
- 6.6.12.2.9 Where it has been determined through an environmental assessment, area master plan, secondary planning study, or development planning approval process, the City may decide to reduce or waive certain functional requirements, including requiring a reduced right-of-way width, provided it does not affect the safe operation of the roadway.
- 6.6.12.2.10 Where a reduced right-of-way width is established, the City may require the dedication of an easement for the installation and maintenance of municipal infrastructure.
- 6.6.12.2.11 In addition to Policy C.4.5.6 – Right-of-Way Dedications of Volume 1, Dundurn Street South, between Main Street West and King Street West shall have an ultimate right-of-way width of 30.5 metres. Any required land for the dedication shall be taken from the western side of the road. (OPA 142)

New Transportation Corridors

- 6.6.12.2.12 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.

6.6.12.3 Active Transportation Network

- 6.6.12.3.1 *Active transportation*, including walkability, shall be promoted throughout the Secondary Plan area. Where possible, pedestrian amenities and connections shall be enhanced.
- 6.6.12.3.2 Secondary trails, cycling facilities and pedestrian pathways shall be encouraged to promote connections to prominent destinations, such as parks, open spaces, institutional uses and commercial areas.
- 6.6.12.3.3 Where feasible, off-street pedestrian linkages should be expanded to increase the *active transportation* network. Completion or connection of the proposed trails and cycling routes, shown on Map B.6.6-2 Strathcona Secondary Plan:

Transportation Classification Plan, shall be achieved through land dedications and easements, in order to connect existing pathways to future planned routes.

6.6.12.3.4 When *development* occurs, pedestrian amenities shall be required in order to promote a vibrant streetscape and encourage *active transportation* and a continuous street presence. Pedestrian amenities shall include, but not be limited to: street furniture, wayfinding signs, paved walkways and street trees.

6.6.12.3.5 An Urban Design Brief, may be required as part of a Complete Application in order to demonstrate how pedestrian amenities will be accommodated.

6.6.12.3.6 In addition to the recommendations of the Strathcona Transportation Management Plan and any other applicable Master Plans identified in Policy 6.6.12.1 b) above, additional linkages and connections shall be encouraged within the Secondary Plan area, as detailed on Map B.6.6-2 Strathcona Secondary Plan: Transportation Classification Plan.

6.6.12.4 Public Transit Network

6.6.12.4.1 In order to support public *transit*, *intensification* shall be directed towards major and minor arterials, in accordance with the policies of Section 6.6.6 – Commercial and Mixed Use Designations and Section 6.6.5.5 – High Density Residential Designation.

6.6.12.4.2 *Development* along public *transit* routes shall also incorporate a high quality design, promote pedestrian connectivity along the street and incorporate access to public *transit* and public *transit* infrastructure, where feasible.

6.6.12.4.3 The intersection of King Street West and Dundurn Street shall be a primary node for public *transit*.

6.6.12.4.4 Where feasible, public *transit* stops should be designed to maximize *transit* use and access.

Rapid Transit

6.6.12.4.5 A *Rapid Transit* Corridor is proposed along King Street West through the Strathcona Secondary Plan area.

6.6.12.4.6 In order to promote a high quality pedestrian realm adjacent to the *Rapid Transit* Corridor, a 2.5 metre wide sidewalk shall be encouraged on both sides of the corridor.

6.6.12.4.7 Any lands required for the *Rapid Transit* Corridor shall be dedicated to the City, to the satisfaction of the City.

6.6.13 Infrastructure Policies

Municipal services, such as sewers, water, stormwater systems and public/private utilities shall be provided, maintained and upgraded, as may be required, to accommodate the needs of existing and future *development* in the Strathcona Secondary Plan area, in accordance with Section C.5.0 – Infrastructure of Volume 1, and the following:

- 6.6.13.1 Innovative servicing technologies to improve stormwater management, including but not limited to green roofs and grey water recycling, in accordance with City By-laws and provincial regulations, shall be encouraged in building design and development, where feasible.
- 6.6.13.2 The City shall monitor the capacity and reassess the need to manage stormwater runoff, as may be required.
- 6.6.13.3 Infrastructure related works within the Strathcona Secondary Plan area shall have regard for the heritage character of the neighbourhood by maintaining heritage features and landscapes, where feasible.

6.6.14 Natural Heritage System

6.6.14.1 General Natural Heritage System Policies

- 6.6.14.1.1 The Natural Heritage System shown on Schedule B - Natural Heritage System of Volume 1, comprised of privately-owned land is not available for use by the general public nor shall there be any intent or obligation by the City to purchase such lands.
- 6.6.14.1.2 The boundaries of *Core Areas* and *Linkages*, shown on Schedule B - Natural Heritage System of Volume 1, are general in nature. Minor refinements to such boundaries may occur through Environmental Impact Statements, watershed studies or other appropriate studies accepted by the City without an amendment to this Plan. Major changes to boundaries, the removal or addition of *Core Areas* and *Linkages* identified on Schedule B - Natural Heritage System and Schedule B-1-8 – Detailed Natural Heritage Features of Volume 1, shall require amendment to the Official Plan.

6.6.14.2 Natural Heritage System - Core Areas

It is the intent of this policy to preserve and enhance *Core Areas* and to ensure that any *development* or *site alteration* within or *adjacent* to them shall not negatively impact their natural features or their *ecological functions*.

- 6.6.14.2.1 In accordance with the policies of this Plan, Schedule B – Natural Heritage System of Volume 1, identifies *Core Areas* to include *key natural heritage features* and *key hydrological features*. *Core Areas* of the City's Natural Heritage System also include other locally and provincially significant natural areas. Schedule B – Natural Heritage System of Volume 1 shall be amended when new *Core Areas* are identified.
- 6.6.14.2.2 *Core Areas* include *key natural heritage features*, *key hydrological features* and provincially significant and *local natural areas* that are more specifically identified by Schedule B-1-8 – Detailed Natural Heritage Features of Volume 1. *Core Areas* are the most important components in terms of biodiversity, productivity, and ecological and hydrological functions.
- 6.6.14.2.3 The natural features and *ecological functions* of *Core Areas* shall be protected and where possible and deemed feasible to the satisfaction of the City enhanced. To accomplish this protection and enhancement, vegetation removal and encroachment into *Core Areas* shall generally not be permitted, and appropriate *vegetation protection zones* shall be applied to all *Core Areas*.

6.6.14.3 Core Areas - Outside the Greenbelt Plan Area

6.6.14.3.1 Permitted uses within *Core Areas* as identified on Schedule B – Natural Heritage System of Volume 1 are established through the designations and policies of Chapter E – Urban Systems and Designations of Volume 1 and the policies 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:

- a) forest, fish and wildlife management;
- b) conservation, and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered;
- c) *existing uses*, in accordance with Section F.1.12 - Existing, Non- Complying and Non- Conforming Uses of Volume 1, and according to the requirements in Section 6.6.14.5 – Environmental Impact Statements;
- d) *passive recreation uses* and small scale *structures* for recreation uses (such as boardwalks, footbridges, fences, docks, and picnic facilities) where permitted by Conservation Authority policies; however, the *negative impacts* on these features should be minimized; and,
- e) infrastructure projects, in accordance with Section C.5.0 – Infrastructure of Volume 1.

6.6.14.3.2 *New development* and *site alteration* shall not be permitted within provincially significant wetlands or significant coastal wetlands.

6.6.14.3.3 *New development* and *site alteration* shall not be permitted within *significant woodlands, significant valleylands, significant wildlife habitat* and *significant areas of natural and scientific interest* unless it has been demonstrated that there shall be no *negative impacts* on the natural features or on their *ecological functions*.

6.6.14.3.4 *New development* and *site alteration* shall not be permitted on *adjacent lands* to the natural heritage features and areas identified in Policies 6.6.14.3.2 and 6.6.14.3.3 unless the *ecological function* of the *adjacent lands* has been evaluated and it has been demonstrated that there shall be no *negative impacts* on the natural features or on their *ecological functions*.

6.6.14.3.5 *New development* or *site alteration* subject to Policies 6.6.14.3.3 and 6.6.14.3.4 requires, prior to approval, the submission and approval of an Environmental Impact Statement which demonstrates to the satisfaction of the City that:

- a) There shall be no negative impacts on the *Core Areas* natural features or their *ecological functions*.
- b) *Connectivity* between *Core Areas* shall be maintained, or where possible and deemed feasible to the satisfaction of the City, enhanced for the movement of surface and ground water, plants and wildlife across the landscape.

- c) The removal of other natural features shall be avoided or minimized by the planning and design of the proposed use or *site alteration* wherever possible and deemed feasible to the satisfaction of the City.

6.6.14.3.6 An Environmental Impact Statement shall propose a *vegetation protection zone* which:

- a) has sufficient width to protect the *Core Area* and its *ecological functions* from impacts of the proposed land use or *site alteration* occurring during and after construction, and where possible and deemed feasible to the satisfaction of the City, restores or enhances the *Core Area* and/or its *ecological functions*; and,

- b) is established to achieve, and be maintained as *natural self-sustaining vegetation*.

6.6.14.3.7 Where *vegetation protection zone* widths have not been specified by watershed and sub-watershed plans, secondary, Environmental assessments and other studies, the following *vegetation protection zone* widths shall be evaluated and addressed by Environmental Impact Statements. Other agencies, such as Conservation Authorities, may have different *vegetation protection zone* requirements.

- a) *Woodlands* – 10-metre *vegetation protection zone*, measured from the edge (drip line) of the *woodland*;

- b) *Significant woodlands* – 15-metre *vegetation protection zone*, measured from the edge (drip line) of the *significant woodland*;

- c) *Significant Valleylands* – As required by the relevant Conservation Authority; and,

- d) *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.

6.6.14.3.8 *Vegetation protection zone* widths greater or less than those specified in Policy 6.6.14.3.7 a) to d) above may be required if ecological features and functions warrant it, as determined through an approved Environmental Impact Statement. Widths shall be determined on a site-specific basis, by considering factors such as the sensitivity of the habitat, the potential impacts of the proposed land use, the intended function of the *vegetation protection zone*, and the physiography of the site.

6.6.14.3.9 Permitted uses within a *vegetation protection zone* shall be dependent on the sensitivity of the feature, and determined through approved studies. Generally, permitted uses within a *vegetation protection zone* shall be limited to low impact uses, such as vegetation restoration, resource management, and open space. Permitted uses within the *vegetation protection zone* shall be the same uses as those within the *Core Area* in Policy 6.6.14.3.1 and the *vegetation protection zone* should remain in or be returned to a natural state.

6.6.14.3.10 All plantings within *vegetation protection zones* shall use only non-invasive plant species native to Hamilton. The City may require that applicants for *development*

or *site alteration*, as part of an Environmental Impact Statement, develop a restoration or management plan for the *vegetation protection zone*.

6.6.14.4 Linkages

Linkages are natural areas within the landscape that ecologically connect *Core Areas*. Connections between natural areas provide opportunities for plant and animal movement, hydrological and nutrient cycling, and maintain ecological health and integrity of the overall Natural Heritage System. The City recognizes the importance of *Linkages* shown on Schedule B – Natural Heritage System of Volume 1 in reducing the adverse impacts of habitat fragmentation on natural areas. Habitat fragmentation results in loss of species diversity and reduced ecosystem health and resilience. It is the intent of this policy that *Linkages* be protected, restored, and enhanced to sustain the Natural Heritage System wherever possible.

6.6.14.4.1 The City shall encourage the connection of *Core Areas* within the municipality and adjacent to its municipal boundaries through the identification of *Linkages* in Environmental Impact Statements, Secondary Plans, watershed plans, and other studies.

6.6.14.4.2 On its own properties, including road rights-of-way, utilities, major infrastructure facilities, and storm water management ponds the City shall enhance *Linkages* by restoring natural habitat, where appropriate. The City shall support the naturalization of vegetation in inactive sections of parks and open space areas, where appropriate.

6.6.14.4.3 The City shall require the incorporation of *Linkages* into a design of new *development* requiring approval by this Plan to retain and enhance the cultural, aesthetic, and environmental qualities of the landscape, wherever possible and deemed feasible to the satisfaction of the City.

6.6.14.4.4 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 of Volume 1 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.

6.6.14.4.5 Where new *development* or *site alteration* is proposed within a *Linkage* in the Natural Heritage System as identified in Schedule B – Natural Heritage System of Volume 1, the applicant shall prepare a *Linkage Assessment*. On sites where an Environmental Impact Statement (EIS) is being prepared, the *Linkage Assessment* can be included as part of the EIS report. Any required *Linkage Assessment* shall be completed in accordance with Policy F.3.2.1.11 - *Linkage Assessments* of Volume 1.

6.6.14.4.6 *Linkage Assessments* shall include the following information:

- a) identify and assess the *Linkage* including its vegetative, wildlife, and/or landscape features or functions;
- b) assess the potential impacts on the viability and integrity of the *Linkage* as a result of the development proposal; and,

- c) make recommendations on how to protect, enhance or mitigate impacts on the *Linkage(s)* and its functions through planning, design and construction practices.

6.6.14.4.7 In addition to the *Linkages* identified on Schedule B – Natural Heritage System of Volume 1, there may be *Hedgerows* that are worthy of protection, especially where:

- a) they are composed of mature, healthy trees and generally provide a wide, unbroken linkage between *Core Areas*;
- b) there is evidence that wildlife regularly use them as movement corridors or habitat;
- c) they contain tree species which are threatened, endangered, special concern, provincially or locally rare; or,
- d) groupings of trees which are greater than 100 years old.

6.6.14.5 Environmental Impact Statements (EIS)

6.6.14.5.1 Any required Environmental Impact Statement shall be completed in accordance with Section F.3.2.1 - Environmental Impact Statements of Volume 1, Policies 6.6.14.5.2 to 6.6.14.5.5, including Table 1 of this Plan, and comply with all provisions of Section 6.6.14.3– *Core Areas – Outside of Greenbelt Plan Area*.

6.6.14.5.2 When a *development* proposal has the potential to negatively impact a *Core Area's* natural features or their *ecological functions*, the proponent shall be required to prepare an EIS to the satisfaction of the City in consultation with the relevant Conservation Authority. An EIS inventories and describes the existing *Core Areas* and *ecological functions* of the site in the context of the surrounding landscape. An EIS also assesses the potential *negative impacts* that proposed *development* may have on *Core Areas* and *Linkages* and provides recommendations on natural area boundaries, mitigation measures, and design measures to accommodate or enhance existing natural features and functions.

6.6.14.5.3 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 1 below. The distances for *adjacent lands* provided in Table 1 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.

Table 1: Adjacent Land Distances to Trigger an Environmental Impact Statement (for lands outside the Greenbelt Plan area)

| Natural Heritage Feature | Boundary Definition | Extent of Adjacent Lands (outside of Greenbelt) |
|---|--|---|
| <i>Significant Woodlands</i> | Defined by City of Hamilton | 50 metres, measured from the dripline |
| <i>Significant Wildlife Habitat</i> | As defined by the Province and City of Hamilton. | 50 metres |
| <i>Environmentally Significant Areas (ESAs)</i> | As defined by the City of Hamilton | 50 metres |

6.6.14.5.4 The EIS may be scoped to reflect the type of *development* being proposed and the sensitivity and special characteristics of the natural area. The applicant’s ecological consultant shall prepare a Terms of Reference for the EIS, which outlines the proposed scope of the EIS study. The EIS Terms of Reference shall be completed to the satisfaction of the City, in consultation with the relevant Conservation Authority.

6.6.14.5.5 The EIS must be submitted as part of a complete *development* application to ensure that environmental impacts are considered early in the design process when there is the greatest opportunity to design in harmony with the natural environment. In no case shall an EIS be a condition of approval granted under the Planning Act, R.S.O., 1990 c. P.13 and the completion of an EIS does not guarantee that the *development* application will be approved.

6.6.14.6 Tree and Woodland Protection

6.6.14.6.1 The City recognizes the importance of trees and *woodlands* to the health and quality of life in our community. The City shall encourage sustainable forestry practices and the protection and restoration of trees and forests, including *significant woodlands*, *wooded areas*, *hedgerows*, and tree cover within urban and rural settlement areas.

6.6.14.6.2 Opportunities for tree planting on City-owned lands (such as lands designated Open Space and inactive portions of parks) shall be identified and implemented in co-operation with government agencies and local interest groups. In restoration efforts, the City shall plant only native species, preferably those of local origin.

6.6.14.6.3 Where the City is undertaking infrastructure work, existing *woodland* resources shall be protected and preserved, where feasible. If it is necessary for infrastructure works to destroy any trees, excluding trees that are listed as *threatened or endangered species*, the City shall endeavour to compensate by re-planting on site and/or planting trees elsewhere.

6.6.15 Area Specific Policies

Area Specific Policy – Area A

6.6.15.1 Notwithstanding Policy E.4.6.5 – Permitted Uses of Volume 1, for the lands located on the north side of Main Street West, between Pearl Street South and Ray Street South and on the south side of Main Street West, east of Locke Street South to just west of Queen Street South, designated Mixed Use – Medium Density, shown as Area A on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the following shall apply:

- a) Only the following uses shall be permitted:
 - i) small scale offices, medical office, personal services, financial establishments, live-work units, artists studios;
 - ii) institutional uses;
 - iii) arts and cultural uses;
 - iv) hotel;
 - v) *multiple dwellings*; and,
 - vi) *accessory uses*.
- b) In addition to the uses identified in a) above, a retail establishment and a restaurant shall also be permitted only within an existing building.
- c) Where a *multiple dwelling* is proposed, local commercial uses may also be permitted on the ground floor, subject to the provisions of Section E.3.8 – Local Commercial of Volume 1.
- d) Where live-work units are proposed, the following policies shall also apply:
 - i) Within live-work units only small-scale retail, small-scale offices, restaurants and home business uses shall be permitted;
 - ii) Live-work units shall have commercial uses at grade, and have entrances accessible directly from a Major Arterial Road;
 - iii) Residential access and commercial parking areas shall be separate, to avoid conflict of shared uses; and,
 - iv) Residential amenity space may be accommodated through the provision of balconies or decks.

Area Specific Policy – Area B

6.6.15.2 Notwithstanding Policy 4.6.5 – Permitted Uses of Volume 1, for the lands located on the north side of Main Street West, between New Street and Pearl Street South and on the south side of Main Street West, east of Dundurn Street South to the properties east of Locke Street South, designated Mixed Use – Medium Density, shown as area B on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the following shall apply:

- a) Only the following uses shall be permitted:
 - i) small scale offices, medical office, personal services, financial establishments, live-work units, artists studios;
 - ii) institutional uses;
 - iii) arts and cultural uses;
 - iv) hotel;
 - v) *multiple dwellings*; and,
 - vi) *accessory uses*.
- b) Where a *multiple dwelling* is proposed, local commercial uses may also be permitted on the ground floor, subject to the provisions of Section E.3.8 – Local Commercial of Volume 1.
- c) Any proposed *development* on lands identified as Site Specific Policy B shall be in accordance with the relevant policies of this Plan.
- d) Where live-work units are proposed, the following policies shall also apply:
 - i) Within live-work units only small-scale retail, small-scale offices, restaurants and home business uses shall be permitted;
 - ii) Live-work units shall have commercial uses at grade, and have entrances accessible directly from a Major Arterial Road;
 - iii) Residential access and commercial parking areas shall be separate, to avoid conflict of shared uses; and,
 - iv) Residential amenity space may be accommodated through the provision of balconies or decks.
- e) In addition to the uses permitted in Policy 6.6.15.2 a) – Area Specific Policy – Area B, for the property located at 443 Main Street West, designated Mixed Use – Medium Density, on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, a drive-through facility in conjunction with a restaurant within the building existing at the date of the final approval and coming into effect of the Sections of this Official Plan shall be permitted.

Area Specific Policy – Area C

6.6.15.3 Notwithstanding the maximum building height identified in Policy 6.6.5.5 b) – High Density Residential Designation and 6.6.6.1 b) – Mixed Use – Medium Density Designation of this Plan, shown as Areas C-1 to C-6 on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the following shall apply: (OPA 149)(OPA 177)

- a) For the lands know municipally as 1 Lamoreaux Street, 5 Lamoreaux Street, 9 Lamoreaux Street, 15 Lamoreaux Street, 47 Strathcona Avenue North, 36 Margaret Street and 36 Ray Street South, designated High Density Residential,

shown as Area Specific Policy C-1 on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the maximum building height shall be 3 storeys.

- b) For the lands known municipally as: 250 – 252 Main Street West, 260 – 264 Main Street West, 54 Queen Street South, 36 Queen Street South, 34 Queen Street South, 131-133 George Street, 137 George Street, 257-259 Main Street West, and 255 Main Street West, designated Mixed Use – Medium Density, shown as Area Specific Policy C-2 on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the maximum building height shall be 4 storeys.
- c) For the lands known municipally as 37 Strathcona Avenue North, designated High Density Residential, shown as Area Specific Policy C-3 on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the maximum building height shall be 5 storeys.
- d) For the lands known municipally as 179 George Street and 180 George Street, designated High Density Residential, shown as Area Specific Policy C-4 on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the maximum building height shall be 8 storeys.
- e) For the lands known municipally as 354 King Street West (to be assigned as 7 Queen Street North once constructed), designated Mixed-Use – Medium Density, shown as Area Specific Policy – Area C-5 on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the maximum building height shall be 12 storeys. (OPA 149)
- f) For the lands known municipally as 354 King Street West, designated Mixed-Use – Medium Density, shown as Area Specific Policy – Area L, C-6 on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the maximum building height shall be 25 storeys. (OPA 177)

Site Specific Policy – Area D

6.6.15.4 For lands shown as Site Specific Policy Area D, on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, designated Institutional, and known municipally as 69 Pearl Street North, Policy E.6.2.5 b) of Volume 1 shall not apply.

Site Specific Policy – Area E

6.6.15.5 Notwithstanding Policy 6.6.6.2 d) – Strathcona Neighbourhood Node: Mixed Use – Medium Density, a gas bar shall also be permitted on the property located at 648 King Street West, designated Mixed Use – Medium Density, shown as Area E on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan.

Site Specific Policy – Area F

6.6.15.6 In addition to Policy E.3.6.2 – High Density Residential of Volume 1, for the property located at 398 King Street West, designated High Density Residential, shown as Area F on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, a wellness centre and two emergency shelters shall also be permitted.

Site Specific Policy – Area G

6.6.15.7 For the property located at 16 Strathcona Avenue South, designated Low Density Residential 3, shown as Area G on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the following shall apply:

- a) In addition to Policy E.3.4.3 – Low Density Residential of Volume 1 and Policy 6.6.5.3 a) of this Plan and notwithstanding policy E.3.4.4 of Volume 1 and Policy 6.6.5.3 b) of this Plan, a multiple dwelling containing a maximum of five dwelling units shall also be permitted; and,
- b) Notwithstanding Policy E.3.4.5 of Volume 1 and Policy 6.6.5.3 c) of this Plan, the maximum building height shall be four storeys.

Site Specific Policy – Area H

6.6.15.8 Notwithstanding the uses permitted in Section E.4.6.5 b) – Mixed Use – Medium Density Designation of Volume 1, for the property located at 50 Dundurn Street South, designated Mixed Use – Medium Density, shown as Area H on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, a drive-through facility within the building existing at the date of the final approval and coming in to effect of the Sections of this Official Plan shall be permitted.

Site Specific Policy – Area I

6.6.15.9 For the lands located at 41, 45, 47, 49, 55 and 59 Head Street, 22 and 24 Dundurn Street North, and 620, 622 and 624 King Street West, shown as Area I on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, designated Mixed Use – Medium Density, and identified in part as Pedestrian ~~Predominant-Focus~~ Street and Neighbourhood Node, the following policies shall apply:

- a) Notwithstanding the uses permitted in Policy E.4.6.5 b) – Mixed Use – Medium Density Designation of Volume 1, one drive-through facility shall be permitted, provided the following conditions are met:
 - i. It is established in conjunction with a restaurant use; and,
 - ii. The development of the restaurant with a drive-through facility shall occur simultaneously and together with the development of a mixed use building, as part of one comprehensive development.
- b) The mixed use building shall be subject to the following:
 - i. The mixed use building shall contain commercial and residential uses.
 - ii. Notwithstanding the uses permitted in Section E.4.6.5, only residential uses are permitted along the frontage facing Head Street.
 - iii. Notwithstanding Policy E.4.3.4 d), on the ground floor of the mixed use building, commercial uses shall front onto King Street West and residential uses shall front onto Head Street.
 - iv. Notwithstanding Sections E.4.6.7, E.4.6.8 and E.4.6.10, residential units facing Head Street shall have a maximum height of 3 storeys and shall have the appearance of semi-detached dwellings.

- v. Notwithstanding Policy B.6.6.6.1 s), the maximum 2 metre setback shall not apply to the mixed use building.
 - vi. Notwithstanding Policies E.4.3.4 b) and B.6.6.10 h) iv), surface parking, driveways, and lanes may be permitted between the mixed use building and the street.
 - vii. The design of the mixed use building shall include consideration of transitions in height and grading to adjacent and existing residential development to ensure compatibility with adjacent land uses.
 - viii. Following the construction of the mixed use building and the restaurant with a drive through facility on the subject lands, the residential units that front onto Head Street may be severed.
- c) Access to non-residential uses shall not be permitted from Head Street.
 - d) Notwithstanding Policy E.4.3.4 a), a minimum of 45% of the block face fronting on King Street West shall be developed with buildings.
 - e) Notwithstanding Policy B.6.6.6.1 b), for development other than the 3 storey residential uses facing Head Street identified in Policy B.6.6.15.9 b) iv), the minimum building height shall be 1 storey and the maximum building height shall be 6 storeys.
 - f) Prior to any increase in height for the mixed use building above 2 stories, other than the 3 storey residential uses facing Head Street identified in Policy B.6.6.15.9 b) iv), the applicant shall be required to demonstrate that the potential impacts have been mitigated on adjacent lands designated Low Density Residential 3.
 - g) Notwithstanding Policies B.6.6.15.9 a) through f) above, any *major redevelopment* of the site shall be in accordance with the policies of the Secondary Plan, subject to the following:
 - i. Notwithstanding Sections E.4.6.5, E.4.6.7 and E.4.6.8, only single detached or semi-detached dwelling units shall be permitted facing Head Street, to a maximum height of 3 storeys.
 - ii. Notwithstanding the uses permitted in Policy E.4.6.5 b) – Mixed Use – Medium Density Designation of Volume 1, one drive-through facility in conjunction with a restaurant shall be permitted.

Site Specific Policy – Area J

6.6.15.10 For the lands located at 148, 152 and 154 George Street, designated Low Density Residential 3, shown as Area J on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the following policies shall apply:

- a) In addition to the uses permitted in Policy E.3.4.3 – Low Density Designation of Volume 1, and Policy B.6.6.5.3(a), the following uses shall also be permitted:
 - i. institutional uses, educational establishments, and cultural facilities
 - ii. hotel, including an accessory restaurant
 - iii. artist's studios

- iv. multiple dwelling
 - v. live-work units
 - vi. professional and medical offices and personal services, which shall only be located within a building existing on the date of approval of this plan or on the ground floor of a building, and may include an accessory restaurant.
 - vii. Uses accessory to (i) through (vi) above
 - viii. parking lot accessory to uses contained within the block bounded by King Street West, Queen Street South, George Street, and Ray Street South. In this regard, the City may require an offsite parking agreement.
- b) Notwithstanding Policy E.3.4.4 of Volume 1, and Policy B.6.6.5.3b), the *net residential density* shall not exceed 100 units per net hectare.
- c) Notwithstanding Policy E.3.4.5 of Volume 1, and Policy B.6.6.5.3c), the maximum building height shall be 5 storeys, subject to the following:
- i. Any height above 2.5 storeys shall be stepped back a minimum of 3 metres from the building face along George Street and Ray Street South, to create a transition in height from the neighbourhood to the south and west. In this regard, the Zoning By-law may include an angular plane requirement to set out an appropriate transition and stepping back of heights.
 - ii. Any buildings with a total height greater than 2.5 storeys shall provide a landscaped area between the building and the property boundary fronting George Street and Ray Street South which is sympathetic and complimentary to the existing character of the neighbourhood.
- d) Permitted uses may be located in single or mixed use buildings, except as set out in policy B.6.6.15.10a)vi) for professional and medical offices and personal services.
- e) For any *development* which includes a multiple dwelling or non-residential uses, as part of a single use or mixed use *development*, the following shall apply:
- i. Development shall maintain and enhance the character of the neighbourhood through an architectural style that is sympathetic and complementary to the existing character and heritage of the neighbourhood.
 - ii. Adequate internal traffic circulation, parking, loading and maneuvering facilities and facilities for active transportation shall be accommodated on-site.
 - iii. Landscaping shall form an integral part of all development and shall provide buffering between adjacent residential or sensitive land uses and commercial, mixed-use, and parking areas.
 - iv. Parking areas shall be subject to the following:
 - a) All parking areas shall be buffered from the street through the use of building placement or enhanced landscaping; and,
 - b) The location of parking areas shall not negatively affect the pedestrian environment or access to buildings.
 - v. As part of a mixed use building containing both residential and non-residential uses, amenity space shall be provided exclusively for the

residential component and shall be functionally separated from public areas associated with the non-residential component. This requirement shall not apply to live-work units.

- f) Parking areas shall be subject to enhanced design standards to minimize the impact of the parking area on the interior of the neighbourhood. Design standards may include features such as decorative fencing, low walls, covered structures, or other innovative design features, in addition to enhanced landscaping.
- g) All *development* shall be *compatible* with and may be integrated with adjacent lands designated as Mixed – Use Medium Density.
- h) *Development* shall respect and maintain the low density residential character of George Street through the use of setbacks, massing, and scale. Facades facing George Street shall maintain a residential character through the use of design features, building materials, and other appropriate design measures.
- i) In addition to Policy B.6.6.11.4b), for uses permitted under Policy B.6.6.15.10a), a scoped *cultural heritage impact assessment* may be required prior to *development*.

Site Specific Policy – Area K

6.6.15.11 For the lands located at 331, 337 and 339 York Boulevard, and 96, 100 and 120 Ray Street North, designated Mixed Use – Medium Density and Low Density Residential 3, shown as Area K on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy E.4.6.8 of Volume 1 and Policy 6.6.6.1 c), for the lands located at 331 and 337-339 York Boulevard, 120 Ray Street North and the easterly portion of 100 Ray Street North, designated Mixed Use – Medium Density, additional height up to a maximum of 12 storeys may be permitted without amendment to this Plan, provided the applicant demonstrates:
 - i. That potential impacts have been mitigated on adjacent lands designated Low Density Residential 3;
 - ii. That buildings are progressively stepped back from adjacent low rise forms of housing in the Low Density Residential 3 designation. The Zoning By-law may include an angular plane requirement to set out an appropriate transition and stepping back of heights; and,
 - iii. That buildings are stepped back from any street to minimize the height appearance from the public realm, where necessary.
- b) For the lands located at 96 Ray Street and the westerly portion of 100 Ray Street, designated Low Density Residential 3, the following policies shall apply:
 - i. Notwithstanding Policy 6.6.5.3 c), a maximum building height of 3 storeys shall be permitted. For any building adjacent to Ray Street North with a height of 3 storeys, the third storey shall require a minimum 3 metre step-back from the building face along Ray Street North.

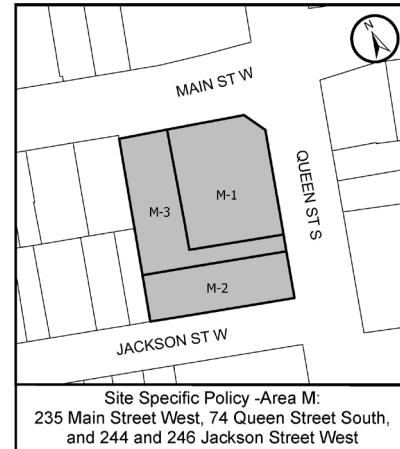
- ii. Notwithstanding policy E.3.4.4 of Volume 1 and Policy 6.6.5.3 b) a maximum of 16 dwelling units shall be permitted if the lands are developed comprehensively and in conjunction with the lands in the Mixed Use – Medium Density Designation.
- iii. If the lands are not developed comprehensively with and in conjunction with the lands in the Mixed Use – Medium Density Designation, Policy 6.6.5.3 b) shall apply.
- iv. Access to the Mixed Use – Medium Density designated lands shall be permitted through the lands designated Low Density Residential 3.

Area Specific Policy – Area L (OPA 65)(OPA 98)

6.6.15.12 The following policies shall apply to certain lands located on King Street between Pearl Street and Queen Street, designated Mixed Use – Medium Density and identified as Area Specific Policy – Area L on Map B.6.6-1 – Strathcona – Land Use Plan:

- a) In addition to Section E.4.6.6 and notwithstanding Sections E.4.6.5 a) of Volume 1, the following uses shall be prohibited:
 - i. drive through facilities;
 - ii. gas bars and car washes; and,
 - iii. vehicular service stations.
- b) Applications to amend this Plan and/or the City's Zoning By-law to permit a drive-through facility within Area Specific Policy – Area L shall require demonstration that the proposed drive-through facility:
 - i. cannot be located in other potential locations in the Mixed Use – Medium Density designation which are not part of the *pedestrian predominant focus street* or Area Specific Policy – Area L;
 - ii. shall not change the existing and planned streetscape character;
 - iii. maintains the pedestrian environment;
 - iv. shall not compromise the safe, efficient and comfortable movement of pedestrians;
 - v. shall not preclude the planned function and design intent of the LRT Corridor, including:
 - 1) a comfortable, active and visually stimulating walking and shopping environment;
 - 2) a streetscape with buildings and storefronts oriented to the street; and,
 - 3) the operation of the LRT and the associated traffic movements.

- vi. shall not have an adverse impact on surrounding residential neighbourhoods, including potential noise and traffic impacts; and,
- vii. addresses the design principles of Section B.3.3.2, the built form policies of Section B.3.3.3, the Access and Circulation policies of Section B.3.3.9 of Volume 1 and Policy B.6.6.10 of Volume 2.



Site Specific Policy – Area M (OPA 139)

6.6.15.13 Notwithstanding Policy E.4.6.7 and E.4.6.8 of Volume 1, and Policy B.6.6.1 b) of Volume 2, for the lands located at 235 Main Street West, 74 Queen Street South, and 244 and 246 Jackson Street West, designated Mixed Use – Medium Density and identified as Site Specific Policy – Area M, the following building heights shall apply:

- i. for Area M-1 the maximum building height shall be 23 storeys;
- ii. for Area M-2 the maximum building height shall be 3 storeys; and,
- iii. for Area M-3 the maximum building height shall be 6 storeys.

Site Specific Policy – Area N (OPA 147)

6.6.15.14 For the lands located at 196 George Street, designated Medium Density Residential 2 and identified as Site Specific Policy – Area N on Map B.6.6-1 – Strathcona Secondary Plan – Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy E.3.5.7 of Volume 1, the *net residential density* for a 12 unit *multiple dwelling* shall be greater than 60 units per hectare and not greater than 113 units per hectare.
- b) Notwithstanding Policy E.3.5.8 of Volume 1 and Policy B.6.6.5.4 c) of Volume 2, the minimum building height shall be 2 storeys and the maximum building height shall be 2.5 storeys for a 12 unit *multiple dwelling*.

6.6.16 Glossary

In addition to Chapter G – Glossary of Volume 1, the following definitions shall also apply:

Core Areas: means key natural heritage features, key hydrologic features, and local natural areas.

Development (Urban): means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act, R.S.O., 1990 c. P.13 but does not include:

- a) activities that create or maintain infrastructure used by a public body and authorized under an environment assessment process; or,

- b) works subject to the Drainage Act. (PPS, 2005, amended)

Environmentally Significant Areas (ESAs): means locally significant areas that meet any one of the following criteria:

- a) the area is a good representative of a biotic community characteristic of the natural landscapes of the City and not adequately represented in existing protected areas or the area is a good representative of pre-settlement biotic community;
- b) there are biotic communities that are rare in the City, Province, or Canada;
- c) the area is a large natural area (20 hectares or more in size); it may be sufficiently large to provide habitat for species requiring large habitat areas;
- d) there is habitat for species considered significant in the City, Province, or Canada;
- e) the site fulfills a significant hydrological function (groundwater recharge or discharge, ground or surface water quality, or flood attenuation);
- f) the site contains a regionally significant earth science Area of Natural and Scientific Interest (ANSI);
- g) there is a high diversity of native species or biotic communities;
- h) the area provides *essential* habitat for the continuation of species; for example, significant areas of species concentrations, areas *essential* for certain stage of the life cycle, source areas for species;
- i) there are significant seasonal concentrations of wildlife;
- j) the area acts as a link between natural areas or functions as a corridor for wildlife;
- k) the area is in good natural condition, with few non-native species, particularly invasive non-natives; or,
- l) the area contains significant *fish habitat*.

Key Hydrologic Features: these features mean:

- a) Permanent and *intermittent streams*;
- b) *Lakes* (and their *littoral zones*);
- c) *Seepage areas and springs*; and,
- d) *Wetlands*.

Key Natural Heritage Features: means the following:

- a) *Significant habitat of endangered and threatened species*;
- b) *Fish habitat*;
- c) *Wetlands*;
- d) *Life Science Areas of Natural and Scientific Interest (ANSIs)*;
- e) *Significant valleylands*;
- f) *Significant wildlife habitat*;

- g) *Sand barrens, savannahs, and tallgrass prairies*; and
- h) *Alvars*.

Linkages: means natural areas within the landscape that ecologically connect Core Areas. They are avenues along which plants and animals can propagate, genetic interchange can occur, populations can move in response to environmental changes and life cycle requirements, and species can be replenished from other natural areas. Conserving linkages also protects and enhances Core Areas.

Major redevelopment: for the purposes of Site Specific Policy – Area I, means either:

- i. The complete removal of the commercial portion of the mixed use building and replacement with a new building; or
- ii. the removal of the majority of the commercial portion of the mixed use building and replacement with a new building or addition; or
- iii. a substantial addition to the mixed use building that will occupy or otherwise cover a substantial portion of the parking area with new built form.

“Major Redevelopment” does not include any improvements necessary to the mixed use building to maintain its purpose and function.

Significant Wildlife Habitat: means wildlife habitat areas which are ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. Significant Wildlife Habitat will be identified based on criteria established by the Province. (PPS, 2005)

Significant Woodland: means an area which is ecologically important in terms of:

- a) Features such as species composition, age of trees, stand history;
- b) Functionally important due to its contribution to the broader landscape because of its location, size, or due to the amount of forest cover in the planning area; and
- c) Economically important due to site quality, species composition or past management history. (PPS, 2005)

The presence of European Buckhorn, Common Lilac, and Staghorn Sumac shall be irrelevant to the determination of whether a woodland is a significant woodland.

In the City of Hamilton, significant woodlands must meet two or more of the following criteria:

| Criterion | Description |
|-----------|-------------|
|-----------|-------------|

| Size | <table border="1"> <thead> <tr> <th>Forest Cover (by planning unit)</th> <th>Minimum patch size for significance</th> </tr> </thead> <tbody> <tr> <td>< 5 %</td> <td>1 ha.</td> </tr> <tr> <td>5-10 %</td> <td>2 ha.</td> </tr> <tr> <td>11-15 %</td> <td>4 ha.</td> </tr> <tr> <td>16-20 %</td> <td>10 ha.</td> </tr> <tr> <td>21-30 %</td> <td>15 ha.</td> </tr> </tbody> </table> | Forest Cover (by planning unit) | Minimum patch size for significance | < 5 % | 1 ha. | 5-10 % | 2 ha. | 11-15 % | 4 ha. | 16-20 % | 10 ha. | 21-30 % | 15 ha. |
|--|---|-------------------------------------|-------------------------------------|-------|-------|--------|-------|---------|-------|---------|--------|---------|--------|
| | Forest Cover (by planning unit) | Minimum patch size for significance | | | | | | | | | | | |
| | < 5 % | 1 ha. | | | | | | | | | | | |
| | 5-10 % | 2 ha. | | | | | | | | | | | |
| | 11-15 % | 4 ha. | | | | | | | | | | | |
| | 16-20 % | 10 ha. | | | | | | | | | | | |
| 21-30 % | 15 ha. | | | | | | | | | | | | |
| Woodlands shall meet a minimum average width of 40 metres. | | | | | | | | | | | | | |
| Interior Forest | Woodlands that contain interior forest habitat. Interior forest habitat is defined as 100 metres from edge. | | | | | | | | | | | | |
| Proximity/Connectivity | Woodlands that are located within 50 metres of a significant natural area (defined as wetlands 0.5 hectares or greater in size, ESAs, PSWs, and Life Science ANSIs). | | | | | | | | | | | | |
| Proximity to Water | Woodlands where any portion is within 30 metres of any hydrological feature, including all streams, headwater areas, wetlands, and lakes. | | | | | | | | | | | | |
| Age | Woodlands with 10 or more native trees/hectare greater than 100 years old. | | | | | | | | | | | | |
| Rare Species | Any woodland containing threatened, endangered, special concern, provincially or locally rare species. | | | | | | | | | | | | |

Wildlife Habitat: means areas where plants, animals, and other organisms live, and find adequate amounts of food, water, shelter, and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species. (PPS, 2005)

6.7 Centennial Neighbourhoods Secondary Plan (OPA 92)

The Centennial Neighbourhoods Secondary Plan area is generally bounded by the Red Hill Valley Parkway to the west, Lake Avenue to the east, the Queen Elizabeth Way (QEW) to the north, and by local streets and properties just south of Queenston Road to the south. The area contains a wide variety of land uses and residential densities.

The focal point of the Secondary Plan is the Centennial Sub-Regional Service Node, or the "Centennial Node", which is a major centre of retail activity for the City with a regional function. The Centennial Node is centred on the intersection of Queenston Road and Centennial Parkway and extends north of this intersection along Centennial Parkway North and west along Queenston Road. The major anchor for the Node is a shopping mall (Eastgate Square Mall) located on the northwest corner of Queenston Road and Centennial Parkway.

The Centennial Node plays an important role in the future *transit* network of the City, as it is planned as a terminus point for *Light Rail Transit* services and is also serviced by interregional transit. The Centennial Node also has an important function as part of the City's urban structure by connecting different areas of the City. It connects to other existing and planned nodes in the City via a primary corridor on Queenston Road west of Centennial Parkway and secondary corridors on Centennial Parkway and on Queenston Road east of Centennial Parkway.

The Urban Hamilton Official Plan vision for Sub-Regional Service Nodes is that these areas are to be planned to achieve a mix of uses and significant densities which are supportive of *higher order transit*. Commercial uses are an important component of Sub-Regional Service Nodes. Sub-Regional Service Nodes will also accommodate a significant proportion of City-wide *residential intensification*. The planning framework for the Centennial Node supports provincial policy directions regarding the efficient use of land, intensifying within existing *built-up areas*, and creating *transit-supportive* densities around *higher order transit* station areas and along priority *transit* corridors. (OPA 142)

Surrounding the Centennial Node are residential neighbourhoods with a variety of residential densities and other community uses, such as parks, open spaces and institutional uses. The residential uses and other associated uses work together to form a complete community where people have opportunities to live, work, learn, and play. The neighbourhoods supply a variety of different housing types which support various household needs and incomes. These neighbourhoods may accommodate some residential *intensification* over time, primarily along arterial roads or on larger sites where changes are comprehensively reviewed; however they are generally regarded as stable.

North of Barton Street East, a large *employment area* provides an important employment function, by contributing to the provision of jobs in close proximity to where people live, and by contributing to the City's overall supply of employment lands. The *employment area* benefits from valuable transportation connections, as the area is also a key entryway into the City, with access points from the Red Hill Valley Parkway and the QEW, and abuts the future Confederation GO station.

The primary purpose of the Centennial Neighbourhoods Secondary Plan is to guide *redevelopment* and *intensification* within the Centennial Node to

achieve more transit-supportive densities and an appropriate mix of uses, while maintaining the regional commercial function of the Node. This is balanced with the need to ensure that the Node is appropriately integrated with surrounding neighbourhoods in the community and existing employment areas. As such, the Secondary Plan provides direction for both the Centennial Node and adjacent neighbourhoods and employment areas.

Section B.6.7 – Centennial Neighbourhoods Secondary Plan, Map B.6.7-1 - Centennial Neighbourhoods – Land Use Plan, Map B.6.7-2 – Centennial Neighbourhoods – Maximum Building Heights in the Node, Map B.6.7-3 - Centennial Neighbourhoods - Transportation and Connections Plan, Map B.6.7-4 – Centennial Neighbourhoods – Site Specific Policy Areas, and Appendix A – Centennial Neighbourhoods – Transition Areas, constitute the Centennial Neighbourhoods Secondary Plan.

6.7.1 Vision

The Centennial Neighbourhoods Secondary Plan area is home to some of the City's most vibrant shopping, recreation, living and mixed use spaces. The Centennial Node will feature a *higher order transit* corridor and two major *transit* hubs, which are supported by compact, *mixed use development* along the Queenston Road and Centennial Parkway corridors.

The Secondary Plan area's existing residential neighbourhoods are safe, well connected and *affordable*. The area's attractive and accessible public spaces, green spaces and streetscapes, along with its strong network of transportation *infrastructure* provide a unique sense of place that makes the Centennial Neighbourhoods an interesting, dynamic and exciting place.

6.7.2 Principles

Eleven planning principles represent the foundation of the Centennial Neighbourhoods Secondary Plan. The principles provide direction for accommodating *development*, promoting *compatible intensification*, preserving the area's green spaces and promoting opportunities for *active transportation*.

6.7.2.1 The Centennial Neighbourhoods Secondary Plan is based on the following principles:

- a) Protect and enhance parks and natural areas;
- b) Create safe, connected, vibrant streetscapes;
- c) Provide more opportunities and spaces for people to meet, relax and socialize;
- d) Promote *active transportation* throughout the community;
- e) Provide opportunities for mixed use development and intensification in strategic locations;
- f) Promote transit-oriented *development*;
- g) Provide a variety of housing choices;

- h) Protect existing residential neighbourhoods from *incompatible development*;
- i) Provide sustainable *infrastructure*;
- j) Improve the appearance and function of the public realm; and,
- k) Provide opportunities for a greater variety of recreational choices.

6.7.3 Policy Goals

In addition to the policy goals in Volume 1, Chapters B, C, and E, the following policy goals shall provide direction for planning and *development* in the Centennial Neighbourhoods Secondary Plan:

6.7.3.1 Land Use

- a) Support and implement the *planned function* of the Sub-Regional Service Node identified on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan;
- b) Protect and enhance existing residential areas;
- c) Support the provision and maintenance of a mix of housing types and tenures that meet the housing needs of residents throughout their life cycle and provide opportunities for residents to remain within the community;
- d) Ensure *compatibility* between areas of different land uses, densities and heights;
- e) Promote *development* that fosters a healthy, safe, efficient, connected and visually pleasing urban environment;
- f) Encourage and foster a healthy balance of housing, employment, community services and recreation opportunities that are connected, accessible and people-oriented;
- g) Direct the majority of *intensification* to the Sub-Regional Service Node;
- h) Encourage residential infill *development* within existing residential neighbourhoods;
- i) Promote and encourage appropriate *development* in proximity to *higher order transit* stations in support of and to take advantage of investment in public transit; (OPA 142)
- j) Support Eastgate Square Mall as a regional commercial shopping centre while providing direction and opportunity for mixed use *redevelopment* of the site over the planning horizon of this plan;
- k) Provide appropriate community facilities and amenities to serve current and future residents; and,

- l) Support the transition of the Centennial Node from low density, auto-dependent lands uses and built form to a more compact, transit supportive environment.

6.7.3.2 Urban Design

- a) Provide high quality urban design and a consistent, identifiable neighbourhood image;
- b) Ensure design promotes pedestrian walkability, cycling, physical activity, social interaction and public gathering spaces;
- c) Encourage innovative building and site *development* and green infrastructure which contributes to the physical environment of the community, is forward looking in response to climate change, and enhances desirability as a place to live, learn, work and play;
- d) Promote design variety within streetscapes and identified Streetscape Improvement Areas;
- e) Promote interesting gateway and design features at Gateway Improvement Areas and Prominent Intersections identified on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections;
- f) Encourage public space enhancements in *higher order transit* station areas to support opportunities for gathering and social interaction; and, (OPA 142)
- g) Ensure appropriate transitions between different building heights and uses.

6.7.3.3 Active Transportation, Transit and Transportation Linkages

- a) Enhance the neighbourhood's primary corridors as places for all modes of transportation and users of all ages, abilities, and incomes in an equitable manner, including pedestrians, cyclists, transit riders and drivers;
- b) Support the public *transit* system, future *rapid transit* corridors and connections to the GO *transit* station to decrease reliance on the private automobile;
- c) Promote, enhance and support a safe, healthy, attractive, accessible and efficient *active transportation* network through the application of a complete streets approach that supports all modes of transportation;
- d) Encourage an integrated transportation network throughout the Secondary Plan area; and,
- e) Minimize and encourage consolidation of access driveways along primary corridors for improved safety.

6.7.3.4 Municipal Services and Utilities

- a) Provide adequate services, public facilities and *infrastructure* to support *development*.

6.7.3.5 Open Space and Parks

- a) Provide an integrated and interconnected system of parks and open spaces that are accessible to all residents, to serve a wide range of active and passive recreational needs;
- b) Maintain and enhance existing neighbourhood and community parkland, and strategically review opportunities to acquire additional parkland when and where appropriate;
- c) Provide appropriate programming and facilities within existing parks to serve the surrounding neighbourhoods;
- d) Preserve and protect significant natural heritage features; and,
- e) Maintain and enhance the urban tree canopy.

6.7.4 General Policies

6.7.4.1 The Centennial Neighbourhoods Secondary Plan shall guide *development* within the Secondary Plan area. The following policies apply to the Secondary Plan area:

- a) The Centennial Neighbourhoods Secondary Plan area shall include a range of housing forms and tenures and a mix of employment, commercial, institutional and open space uses.
- b) The Centennial Neighbourhoods Secondary Plan contains 3 *higher order transit* station areas, which are shown on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections around the following locations:
 - i) the planned *Light Rail Transit* stop at the intersection of Queenston Road and Nash Road;
 - ii) the planned *Light Rail Transit* stop on Queenston Road south of Eastgate Square Mall; and,
 - iii) the planned GO bus and rail station at the southwest corner of Centennial Parkway North and Goderich Road.
- c) *Higher order transit* station areas include lands within the Sub-Regional Service Node as well as commercial areas, employment areas and a variety of high density and medium density residential uses in stable neighbourhoods outside the Node. Together, population and employment growth in these areas contribute to achieving *transit-supportive* densities around these *transit* stations.
- d) The *higher order transit* station areas around the 2 proposed *Light Rail Transit* stops are planned to achieve a minimum density of 160 residents and jobs per hectare in the long term.

- e) There are lands designated High Density Residential and Mixed Use – High Density which are not located within a *higher order transit* station area, but are important contributors to the function of these *transit* stations.
- f) Reductions in parking requirements for *development* proposals may be considered where *Transportation Demand Management* measures are implemented and a Parking Justification Study has been submitted which demonstrates that parking can be adequately accommodated on site, to the satisfaction of the City.
- g) The City may require consultation with the Design Review Panel prior to any public or private *development* approvals, to ensure that the design objectives and policies of this Plan are reflected in all projects. Applications for an Official Plan Amendment or Zoning By-law Amendment which may alter the planned function and vision of the Secondary Plan shall be referred to the Design Review Panel.

6.7.5 Centennial Sub-Regional Service Node (Centennial Node)

The Centennial Sub-Regional Service Node is generally identified by the Urban Hamilton Official Plan (UHOP) on Schedule E - Urban Structure of Volume 1. The detailed boundary of the Node is identified on Map B.6.7-1 Centennial Neighbourhoods – Land Use Plan. For the purposes of this Plan, the Sub- Regional Service Node is referred to as the Centennial Node.

The Centennial Node has historically been characterized by predominantly single storey auto-oriented *development*. The Centennial Node is planned to transform over time to a multi-storey built form, through infilling, additions to existing buildings and *redevelopment*. This transformation will include the introduction of additional medium and high density residential uses in the Node.

The transformation of the Centennial Node will facilitate a more pedestrian focused and *transit-supportive* environment, contributing to a unique sense of place within the Secondary Plan area.

It is recognized that this transformation will take time, and may continue beyond the planning period of this Plan. Some auto oriented uses and built forms will continue to exist in the area in the interim. It is expected that change to built form and land uses will occur incrementally as other changes occur in the area, such as the introduction of GO *transit* services and light rail *transit* to the Centennial Node.

- 6.7.5.1 In addition to Section E.2.3.2 Sub-Regional Service Nodes of Volume 1, within the area identified as the Sub-Regional Service Node shown on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan, the following policies shall apply:

- a) The Centennial Node shall function as a mixed use area with retail uses, residential uses and other population serving employment uses such as but not limited to offices, personal services and local institutions. Retail shall be an important part of the Node, providing a regional function serving the needs of residents across the City and surrounding area as well as serving the weekly and daily shopping needs of residents within the Centennial Node and in surrounding neighbourhoods.

- b) The regional retail function of the Centennial Node is an essential part of the Node's function, and is dependent on maintaining a significant amount of retail floor space in the Node. There are a number of large sites in the Centennial Node which contribute significantly to the existing overall retail floor space amount. Accordingly, where *redevelopment* is proposed on sites larger than 2 hectares which will reduce the amount of *existing* retail commercial uses, a retail impact study may be required which demonstrates to the satisfaction of the City that the planned retail function of the Centennial Node is not being negatively impacted.
- c) The Centennial Node shall be the focus for commercial, residential and mixed use growth, *development* and *intensification* within the Centennial Neighbourhoods Secondary Plan. The majority of new *development*, particularly commercial and *mixed use development*, shall be directed to locate within the Node boundary.
- d) The Centennial Node shall be connected to the *active transportation* network, the City's public transportation network, future *rapid transit* and interregional public transportation services and shall have a strong pedestrian focus.
- e) Automobile access will continue to be important to the Centennial Node; however, it shall be balanced with the need to improve *transit* access and opportunities for *active transportation*.
- f) The Centennial Node is planned to achieve a minimum density target of 100 people and jobs per hectare by the year 2031. It is anticipated that the Node will achieve a density between 100 and 150 persons and jobs per hectare by 2031. The Centennial Node may continue to increase in density beyond 150 persons and jobs per hectare after 2031 provided adequate *infrastructure* is available and the transportation network is functioning adequately to accommodate additional density.
- g) The minimum building height for all buildings on lands with frontage on Queenston Road shall be 3 storeys. (OPA 142)
- h) Large scale commercial sites, including Eastgate Square Mall, are important to the retail function of the Centennial Node. The continued maintenance and function of large scale commercial sites is desirable. It is recognized that large commercial sites may need to transition gradually over the long term to the more mixed use form of *development* envisioned by the Secondary Plan.
- i) Notwithstanding Policy E.4.3.4 a) and b) of Volume 1, Policy B.6.7.5.1 g) and Policies B.6.7.7.5 a) and b), to support the continued use and gradual transition of commercial sites, for properties designated Mixed Use – Medium Density or Mixed Use – High Density, the following requirements shall apply:
 - i) For sites with an area greater than 2 hectares, small scale new buildings for commercial uses may be permitted which do not meet the minimum building heights.
 - ii) Buildings existing on the date of approval of this Plan that do not meet minimum building heights and/or setback requirements are permitted. Limited small scale additions or expansions to existing buildings may also be permitted. (OPA 142)

- j) Lands designated High Density Residential 1 within the Centennial Node identified on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan shall be subject to Section E. 3.6 – High Density Residential of Volume 1, Policy B.6.7.6.2 and Policy B.6.7.6.7.
- k) Where there is a Transition Area shown on all or a portion of a property shown on Appendix A – Centennial Neighbourhoods – Transition Areas, Policy B.6.7.13 shall apply.

6.7.6 Residential Designations

Outside of the Centennial Node, the Centennial Neighbourhoods Secondary Plan area has stable residential neighbourhoods with a mix of housing types, densities and housing forms. The residential policies define the location and scale of each type of residential use, and shall help ensure that a variety of residential housing types are provided to meet the housing needs of area residents.

6.7.6.1 The residential areas within the Centennial Neighbourhoods Secondary Plan are designated Low Density Residential 2, Low Density Residential 3, Medium Density Residential 2, Medium Density Residential 3 and High Density Residential 1 as identified on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan. Generally the residential designations recognize existing residential land uses within the Secondary Plan area.

6.7.6.2 General Residential Policies

In addition to Section E.3.0 – Neighbourhoods Designation of Volume 1, the following policies shall also apply:

- a) *Development* shall provide a mix of housing opportunities in terms of built form, style and tenure that are suitable for residents of different age groups, income levels and household sizes.
- b) Reverse frontage lotting patterns shall not be permitted, and new multiple dwelling residential *development* shall be oriented to the street.
- c) The existing character of established residential neighbourhoods shall be respected. *Residential intensification* within these areas shall comply with Section B.2.4 – Residential Intensification of Volume 1 and other applicable policies of this Plan.
- d) Existing rental housing is an important asset to the Centennial Neighbourhoods area and contributes significantly to the supply of *affordable* housing. The preservation and proper maintenance of the supply of rental housing is strongly encouraged. Conversions of rental housing to condominium ownership shall comply with Policy B.3.2.5 of Volume 1.

6.7.6.3 Low Density Residential 2 Designation

In addition to Section E.3.4 – Low Density Residential of Volume 1, for lands designated Low Density Residential 2 on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy E.3.4.3 of Volume 1, for lands designated Low Density Residential 2, only single detached, semi-detached, and duplex dwellings shall be permitted.
- b) Notwithstanding Policy E.3.4.4 of Volume 1, the maximum *net residential density* shall be 40 units per hectare.

6.7.6.4 Low Density Residential 3 Designation

In addition to Section E.3.4 – Low Density Residential of Volume 1, for lands designated Low Density Residential 3 on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan, the following policies shall apply:

- a) In addition to Policy E.3.4.3 of Volume 1, the following additional residential uses shall be permitted:
 - i) fourplex dwellings; and,
 - ii) all forms of townhouses.
- b) The *net residential density* shall be 40 units or greater per hectare and not greater than 60 units per hectare.

6.7.6.5 Medium Density Residential 2 Designation

Notwithstanding Policy E.3.5.7 of Volume 1, for lands designated Medium Density Residential 2 on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan the *net residential density* shall be 60 units or greater per hectare and not greater than 75 units per hectare.

6.7.6.6 Medium Density Residential 3 Designation

Notwithstanding Policy E.3.5.7 of Volume 1, for lands designated Medium Density Residential 3 on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan, the *net residential density* shall 75 units or greater per hectare and not greater than 100 units per hectare.

6.7.6.7 High Density Residential 1 Designation

In addition to Section E.3.6 – High Density Residential of Volume 1, for lands designated High Density Residential 1 on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy E.3.6.6 b) of Volume 1, additional density may be permitted up to 300 units per hectare without amendment to this Plan, subject to Policy B.6.7.6.7e).
- b) Outside of the Centennial Node, the maximum building height shall be 8 storeys or the *existing* building height as recognized on the date of the adoption of this Plan, whichever is greater.
- c) For lands within the boundary of the Centennial Node, the maximum building height shall be in accordance with the heights shown on Map B.6.7-2 – Centennial Neighbourhoods – Maximum Building Heights in the Node.

- d) Where *development* abuts an area designated Low Density Residential or Medium Density Residential, as identified on Appendix A – Centennial Neighbourhoods – Transition Areas, *development* shall provide an appropriate transition in accordance with Policy B.6.7.13.
- e) A *development* application with a density that is greater than 200 units per hectare shall require a Zoning By-law Amendment to permit the increase in density, except where the density is already permitted by the Zoning By-law regulations existing as of the time of adoption of the Secondary Plan.

6.7.7 Commercial and Mixed Use Designations

The mixed use designations of the Centennial Neighbourhoods Secondary Plan area are generally focused within the Centennial Node along the primary corridors of Centennial Parkway and Queenston Road. District Commercial, Arterial Commercial and Local Commercial uses are located outside of the Node. The commercial and mixed use areas provide an important regional retail function, as well as meeting the daily and weekly retail needs of the surrounding neighbourhoods. The mixed use areas within the Centennial Node are intended to transition over time to a more compact, pedestrian focused and *transit-supportive* environment that supports *higher order transit* and *major transit station areas* within the Secondary Plan.

6.7.7.1 The commercial areas within the Centennial Neighbourhoods Secondary Plan are designated Mixed Use – Medium Density, Mixed Use – High Density, Local Commercial, District Commercial and Arterial Commercial, as identified on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan.

6.7.7.2 General Commercial Policies

- a) Existing commercial areas shall evolve over time through infilling, additions to existing buildings and *redevelopment* into mixed use, pedestrian-oriented places.
- b) *Development* shall be consistent with the policies of Section 6.7.15 – Transportation and Connections.
- c) Adequate internal traffic circulation, parking, loading and manoeuvring facilities shall be accommodated on-site.
- d) The *redevelopment* of commercial areas is encouraged in a coordinated and comprehensive manner.
- e) New *development* shall balance the needs for improved pedestrian access, opportunities for active forms of transportation and accommodation of public transportation, including *rapid transit*, with existing automobile use and access.
- f) *Development* within the mixed use designations shall contribute to vibrant people places with increased day and night activity through the introduction of residential uses.
- g) As part of a mixed use building containing both residential and commercial uses, amenity space shall be provided exclusively for the residential

component and shall be functionally separated from public areas associated with the commercial component.

- h) When major *redevelopment* occurs on a site larger than 2.5 hectares existing as of the date of approval of this Plan, the *redevelopment* shall include an appropriate mix of uses, in accordance with Policy E.2.3.2.14 of Volume 1. The Zoning By-law shall define the proportion of commercial and non-commercial uses to be provided on a site.
- i) Notwithstanding Policy E.2.3.2.14 of Volume 1 and Policy B.6.7.7.2 h), a mix of commercial and other uses shall not be required for major *redevelopment* on lands greater than 2.5 hectares abutting industrial designations or uses, if it is determined that the uses:
 - i) are not *compatible* with the industrial uses, having regard for provincial guidelines concerning *compatibility* between industrial facilities and *sensitive land uses*; or,
 - ii) due to other adverse impacts caused by the industrial uses.
- j) In addition to Policies E.4.5.5 b), E.4.5.21, E.4.6.6 b) and E.4.6.29 of Volume 1, applications to amend this Plan or the Zoning By-law to permit a drive-through facility, gas bar, motor vehicle service station or car wash shall require demonstration that the proposed facility:
 - i) cannot be located in other potential locations in the Local Commercial, Mixed Use – Medium Density or Mixed Use – High Density designations which are not part of the *Light Rail Transit* corridor;
 - ii) shall not change the planned streetscape character;
 - iii) enhances the pedestrian environment;
 - iv) shall not compromise the safe, efficient and comfortable movement of pedestrians;
 - v) shall not preclude the *planned function* and design intent for the *Light Rail Transit* corridor including:
 - 1) a comfortable, active and visually stimulating walking and shopping environment;
 - 2) a streetscape with buildings and storefronts oriented to the street; and,
 - 3) the operation of the *Light Rail Transit* and the associated traffic movements in the *Light Rail Transit* corridor.
 - vi) shall not have an adverse impact on surrounding residential neighbourhoods, including but not limited to potential noise and traffic impacts; and,
 - vii) addresses the General Policies and Principles of Section B.3.3.2, the Built Form policies of Section B.3.3.3, and the Access and Circulation policies of Section B.3.3.9 of Volume 1.

Existing Motor Vehicle Dealerships in the Centennial Node

- k) Several *existing* motor vehicle dealerships are located within the boundary of the Centennial Node. These are transitional uses that pre-date the Centennial Neighbourhoods Secondary Plan and are legal non-complying. It is the intent of the Plan that these uses will cease to exist within the Centennial Node over time. Many of the *existing* motor vehicle dealerships have existed in the area for a significant period of time and may have achieved an acceptable level of tolerance that can be continued in the interim. The following policies shall apply to these uses:
- i) Legal non-complying motor vehicle dealerships may be recognized as an *existing* use in the Zoning By-law in accordance with Policy F.1.12.8 of Volume 1.
 - ii) Notwithstanding Policy F.1.12.9 of Volume 1, *existing* motor vehicle dealerships shall not expand beyond the boundary of legally zoned sites *existing* as of the date of approval of this Plan.
 - iii) All additions or alterations to buildings *existing* at the date of the approval of this Plan shall enhance the pedestrian environment by providing distinctive high quality landscape elements and a high level of streetscape design at grade along the street.
 - iv) New buildings or the demolition of existing buildings and replacement with new buildings shall only be permitted if the proposal complies with Policy E.4.3.4 of Volume 1 and Policies B.6.7.7.5 and B.6.7.12.1.
 - v) Notwithstanding Policy B.6.7.7.2 k) iv) and Policy E.4.3.4 a) of Volume 1, for *existing* car dealership uses, minor reductions from the block face requirement may be considered for new buildings when the *development* complies with all other applicable provisions of Policy E.4.3.4 of Volume 1 and Policies B.6.7.7.5 and B.6.7.12.1.
 - vi) Notwithstanding Policy E.4.3.4 b) of Volume 1 and Policy B.6.7.7.2 k) v), landscaped areas with limited outdoor display of vehicles may be permitted between a building and the street, and shall be regulated by the Zoning By-law.

6.7.7.3 Mixed Use – Medium Density Designation

In addition to Section E.4.6 - Mixed Use – Medium Density Designation of Volume 1, the following policies shall apply to the Mixed Use – Medium Density Designation, as identified on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan:

- a) Maximum building heights shall be in accordance with Schedule B.6.7-2 Centennial Neighbourhoods - Maximum Building Heights in the Node.
- b) Minimum building heights shall be in accordance with Policy B.6.7.5.1 g) and Policy B.6.7.7.5 a), as applicable.
- c) Any *development* with a proposed height of 7 or 8 storeys shall meet the requirements of Policy E.4.6.8 of Volume 1.

- d) Where a Transition Area is located on any portion of a property, as identified on Appendix A – Centennial Neighbourhoods – Transition Areas, the *development* shall demonstrate an appropriate transition to adjacent uses and is subject to Policy B.6.7.13. (OPA 142)
- e) Notwithstanding Policy E.4.6.5 a) of Volume 1 and in addition to Policy E.4.6.6 of Volume 1, the following uses shall be prohibited, even as an accessory use, along Queenston Road, west of Nash Road:
 - i) drive through facilities; and,
 - ii) gas bars and car washes.

6.7.7.4 Mixed Use – High Density Designation

In addition to Section E.4.5 - Mixed Use – High Density Designation of Volume 1, the following policies shall apply to the Mixed Use – High Density Designation, as identified on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan:

- a) Maximum building heights shall be in accordance with Schedule B.6.7-2 – Centennial Neighbourhoods – Maximum Building Heights in the Node.
- b) Minimum building heights shall be in accordance with Policy B.6.7.5.1 g) and Policy B.6.7.7.5 a), as applicable.
- c) Where residential *development* is proposed, the intent is that the form of *development* shall be high density building(s), where each building, if considered as a free-standing solely residential building, achieves a density of approximately 100 units per hectare or greater. For large sites, where only a portion of a site is being *redeveloped*, the intent is that this target density be achieved for that portion of the site affected by the *redevelopment* proposal, including building areas, parking and landscaping areas and internal driveway aisles and accesses, not the entire site.
- d) Notwithstanding Policy B.6.7.7.4 a) and in addition to Policy B.6.7.12.1 c), additional height may be permitted above the heights noted on Map B.6.7-2 – Centennial Neighbourhoods – Maximum Building Heights in the Node without amendment to the Secondary Plan, subject to the following requirements:
 - i) The additional height shall be limited to a maximum of 5 additional storeys;
 - ii) The increase in height is authorized through a Zoning By-law amendment;
 - iii) *Development* shall have frontage on a Major Arterial or Minor Arterial road; and,
 - iv) *Development* shall not preclude the ability of other properties in the Centennial Node to develop in accordance with the heights permitted on Map B.6.7-2 – Centennial Neighbourhoods – Maximum Building Heights, in terms of *infrastructure* and transportation network capacity. An infrastructure and servicing study and traffic impact study may be required to demonstrate conformity with this policy.

- e) Where a Transition Area is located on any portion of a property, as identified on Appendix F – Centennial Neighbourhoods – Transition Areas, *development* shall demonstrate an appropriate transition to adjacent uses and is subject to Policy B.6.7.13.

6.7.7.5 Pedestrian Focus Streets

In addition to Section E.4.3 – Pedestrian Focus Streets - of Volume 1 the following policies shall apply to all lands identified as *pedestrian focus streets* on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan:

- a) All lands designated Mixed Use – Medium Density and Mixed Use – High Density identified as *pedestrian focus streets* shall have a minimum height of 2 storeys.
- b) Notwithstanding Policy B.6.7.7.5 a), for properties adjacent to Queenston Road, the minimum height shall be 3 storeys, in accordance with Policy B.6.7.5.1 g).
- c) *Pedestrian focus streets* shall be a focus for retail activity and shall provide pedestrian oriented design at grade along the street.
- d) Street design that invites all forms of *active transportation* while accommodating automobiles and *transit* vehicles is commonly referred to as complete streets. *Development* shall provide a high level of streetscape design to assist in the creation of complete streets.
- e) New buildings shall be built close to the street to provide street presence and enclosure.
- f) Building entrances shall be emphasized as a focal point of a building's façade and be placed in highly visible locations where they provide opportunity to animate the street.
- g) Minor setbacks of portions of a building from the primary building face in order to enhance the public realm and accommodate public amenity space shall be permitted.
- h) Notwithstanding Policy E.4.3.4 b) of Volume 1, where multiple buildings are located on a single site, buildings may be located in the interior of the site as long as the development provides an adequate block face along the *pedestrian focus street*, in accordance with Policy E.4.3.4 a) of Volume 1 and the Zoning By-law.

6.7.7.6 Local Commercial Designation

Section E.3.8 - Local Commercial of Volume 1 shall apply to lands designated Local Commercial on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan.

6.7.7.6.1 Notwithstanding Policy E.3.8.2 a) of Volume 1, the following uses shall be prohibited on lands designated Local Commercial along Queenston Road, even as accessory uses:

- i) drive through facilities; and,

- ii) motor vehicle service stations.

6.7.7.7 District Commercial Designation

Section E.4.7 – District Commercial of Volume 1 shall apply to lands designated District Commercial on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan.

6.7.7.8 Arterial Commercial Designation

Section E.4.8 – Arterial Commercial Designation of Volume 1 shall apply to lands designated Arterial Commercial on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan.

6.7.8 Employment Area Designations

Employment areas in the Secondary Plan are located north of Barton Street East. East of Centennial Parkway North, employment uses are generally located along Barton Street East. West of Centennial Parkway North is a large area of industrial uses located adjacent to the planned GO *transit* rail and bus facility, a *higher order transit* station. The continued functioning of employment areas is supported. Heavier industrial uses are directed to the northwest corner of the industrial area, to promote *compatibility* between industrial uses and planned mixed use *intensification* along Centennial Parkway North. (OPA 142)

- 6.7.8.1 Employment Areas are designated General Industrial, Light Industrial and Business Park on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan.
- 6.7.8.2 Section E.5.3 – Employment Area – Industrial Land Use Designation of Volume 1 shall apply to lands designated General Industrial and Light Industrial.
- 6.7.8.3 Section E.5.4 – Employment Area – Business Park Designation of Volume 1 shall apply to lands designated Business Park.
- 6.7.8.4 In addition to Policy E.5.3.5 of Volume 1, for sites designated General Industrial or Light Industrial on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan which are visible from the Red Hill Valley Parkway, enhanced landscaping, tree planting and higher quality building design shall be provided in the areas visible from the Red Hill Valley Parkway to improve both the City's and the employment area's image.
- 6.7.8.5 Notwithstanding the permitted uses in Policy E.5.3.2 of Volume 1, for lands designated Light Industrial on Map B.6.7-1 – Centennial Neighbourhoods Secondary Plan – Land Use Plan, new industrial uses which result in significant potential for frequent noise, vibration, odours, dust, or other emissions shall be prohibited.
- 6.7.8.6 In addition to Policies E.5.3.5 and E.5.4.7 of Volume 1, *development* of lands designated General Industrial, Light Industrial or Business Park on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan shall be subject to the industrial design requirements in Policy B.6.7.12.5.

6.7.9 Parks and Open Space Designations

The parks and open space areas of the Centennial Neighbourhoods Secondary Plan contribute to the character of the neighbourhood and are an essential component in the day to day life of residents, by providing green space opportunities to meet both active and passive recreational needs.

6.7.9.1 Parks and Open Space Designations

In addition to Section B.3.5.3 – Parkland Policies – and Section C.3.3 – Open Space Designations of Volume 1, the following policies shall apply to lands designated Neighbourhood Park, Community Park, General Open Space and Natural Open Space on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan:

- a) All existing parks in the Secondary Plan area shall be retained for use as parks and shall not be *developed* for other uses.
- b) Significant natural features shall be preserved and maintained.
- c) Where future opportunities exist, the provision of additional Neighbourhood Parkland shall be encouraged.
- d) The provision of additional trails and multi-use pathways on lands designated as Parks or Open Space is encouraged.

6.7.9.2 Natural Open Space

In addition to Policy B.3.5.3.5 b) – Parkland Policies and Section C.3.3 – Open Space Designations of Volume 1, on lands designated Natural Open Space on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan, natural features and *ecological functions* shall be protected and enhanced.

6.7.10 Institutional Designation

Institutional uses such as schools, places of worship, *cultural facilities* and long term care facilities are important to quality of life for residents. Existing institutional uses are recognized throughout the Secondary Plan area.

- 6.7.10.1 In addition to Policy E.6.2.6 of Volume 1, on lands designated institutional on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan which are no longer required for institutional uses, Medium Density Residential 2 development may be permitted without an amendment to this Plan, subject to Policies B.6.7.6.2 and B.6.7.6.5.

6.7.11 Utility Designation

- 6.7.11.1 In addition to Section C.3.4 – Utility Designation, and Section B.3.3.6 – Urban Services and Utilities of Volume 1, the following policies shall apply to lands designated Utility on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan:

- a) A major hydroelectric operation owned by Hydro One (2549 Barton Street East) is designated utilities on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan and connects to utility corridors outside of the Secondary Plan.

Grading and drainage of land within or adjacent to the hydroelectric site shall have regard for comments from Hydro One or its successor.

- b) Where feasible, urban services, utilities and overhead wires should be buried underground as part of future planned road reconstruction, streetscape installation projects or *development*.
- c) Utilities shall be planned for and installed on a coordinated and integrated basis in order to be more efficient and cost effective and to minimize disruptions.

6.7.12 Urban Design

As *redevelopment* and *intensification* occur within the Secondary Plan, urban design plays an important role in fostering an attractive, liveable and functional community. High quality building and site design creates a sense of place and can provide other significant community benefits, such as encouraging physical activity and social interaction, reducing crime and mitigating impacts on climate change.

The intent of the Urban Design policies is to promote human-scaled design, improve the pedestrian and cyclist experience, and ensure built form respects the neighbourhood's character and contributes to sustainable *development*.

6.7.12.1 General Urban Design Policies

In addition to Section B.3.3 – Urban Design Policies of Volume 1, the following policies shall also apply to lands within the Centennial Neighbourhoods Secondary Plan area:

- a) Policies B.6.7.12.1 b) to n) shall apply to commercial and mixed use areas, institutional uses, townhouses and *multiple dwelling developments*. They shall not apply to employment areas and single detached, semi-detached and duplex dwellings.
- b) For any *development* application with a proposed height greater than 6 storeys, and for properties in the area of a gateway or prominent intersection, an Urban Design Report and a Sun/Shadow Study shall be required which demonstrate the following design elements:
 - i) How the proposed building and site design relate to the existing and planned context of the area, including taking into account the relationship of the site to other existing or planned buildings in the area;
 - ii) That potential adverse impacts on adjacent uses have been mitigated, including that proposed buildings or *structures* do not unduly overshadow, block light, or result in loss of privacy for adjacent buildings;
 - iii) That buildings are oriented and massed to minimize shadow impacts on the public realm and on private amenity areas both on adjacent lands and within the *development*; and,
 - iv) That buildings are progressively stepped back from adjacent areas designated for low and medium density residential uses, institutional uses,

open space, or other *sensitive land uses*, where necessary to achieve 6.7.12.1 b) ii) and iii).

- c) *Development* shall be consistent with the City-Wide Corridor Planning Principles and Design Guidelines.
- d) The City shall consider recommendations in the Streetscape and Public Realm Design Study described in Policy B.6.7.17 a) when evaluating *development* proposals.
- e) Connections to existing *active transportation* features of the neighbourhood shall be provided through the provision of sidewalks and other amenities such as street furniture and short and long-term bicycle parking.
- f) Landscaping shall form an integral part of all *developments*. Distinctive, high-quality landscape elements shall be provided.
- g) Sites shall incorporate a mix of hard and soft-scaping treatments to ensure a comfortable transition between public and private realm.
- h) *Development* fronting on Queenston Road or Centennial Parkway shall have a high quality design, promote pedestrian activity, be *transit-supportive*, and is encouraged to create accessible public spaces. Public transportation access, *cycling infrastructure* and pedestrian amenities shall be integrated with existing and new *development*.
- i) Private and public parking areas shall be subject to the following:
 - i) Parking areas shall be buffered from the street through the use of building placement or where this is not possible, with enhanced landscaping; and,
 - ii) The location of parking areas shall not negatively affect the pedestrian and cycling environment or access to buildings.
 - iii) New *development* is encouraged to provide electric vehicle (EV) charging stations.
 - iv) The provision of additional surface parking areas in excess of Zoning By-law requirements is discouraged.
 - v) The construction or reconstruction of large surface parking areas shall incorporate landscaping, including landscaped islands, into the design of parking areas.

6.7.12.2 Gateway Improvement Areas and Prominent Intersections

Section B.3.3.4 - Gateways of Volume 1 shall apply to Gateway Improvement Areas and Prominent Intersections shown on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections. In addition to Section B.3.3.4 – Gateways of Volume 1, the following policies shall also apply:

- a) Gateway Improvement Areas have been identified in the following general areas and are intended to promote a sense of arrival into the Centennial Neighbourhoods. These locations include:

- i) Centennial Parkway North, at Goderich Road;
 - ii) Queenston Road, just east of the Red Hill Valley Parkway;
 - iii) Centennial Parkway and Queenston Road intersection; and,
 - iv) Barton Street East and Nash Road North intersection.
- b) A Prominent Intersection has been identified at the intersection of Barton Street East and Centennial Parkway North. A Prominent Intersection is not intended to portray a sense of arrival into the neighbourhood but is a visually prominent area which also requires special design considerations.
- c) Gateway and Prominent Intersection design shall be consistent with any design directions adopted by Council pursuant to Policy B.6.7.17 a), and with the recommendations of the Centennial Neighbourhoods Transportation Management Plan.

6.7.12.3 Streetscape and Public Realm

- a) Proposed *higher order transit* station areas have been conceptually identified on Map B.6.7-3 – Centennial Neighbourhoods – Transportation Connections. The design of *development* in these areas is encouraged to provide publicly accessible spaces connected to the public realm to create a vibrant streetscape and provide more opportunities for social interaction. (OPA 142)
- b) The *development* of corner sites around existing and proposed *higher order transit* stations presents an opportunity for publicly accessible corner plazas to be created as part of *development*. Plaza type public spaces can animate the street, make development human scale and pedestrian friendly and provide places for people to relax and socialize. These types of public spaces are encouraged as part of the design of new *development* at corner sites. (OPA 142)
- c) Pedestrian and cycling connections between the public realm and the private realm shall be encouraged wherever possible to improve pedestrian and cycling access to properties.
- d) Streetscape design shall provide for ease and continuity of pedestrian movement and a comfortable, barrier-free pedestrian environment. Streetscape elements may include, but are not limited to, street furniture, pavement markings, wayfinding signage, planters or gardens, tree planting, and public art.
- e) The design, style and choice of pavement materials, street furniture and landscape treatments within the public realm should be consistent and coordinated.

6.7.12.4 Streetscape Improvement Areas

- a) Streetscape Improvement areas are identified on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections. Along streets which are

identified as streetscape improvement areas, the following policies shall apply:

- i) In the public realm, the City shall implement streetscape improvements in accordance with Policy B.6.7.17 b).
- ii) Streetscape improvements within the private realm shall be provided as part of *development*, subject to Section B.6.7.12 – Urban Design, Section B.6.7.15 – Transportation, and shall be guided by any design direction established in accordance with Policy B.6.7.17 a).

6.7.12.5 Industrial Design

In addition to Policy E.5.3.5 and Policy E.5.4.7 of Volume 1, the following policies shall apply within the Light Industrial and Business Park designations shown on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan:

- a) *Development* shall be consistent with any streetscape design guidelines adopted by Council for the Centennial Neighbourhoods Secondary Plan area pursuant to Policy B.6.7.17 a).
- b) Building design is encouraged to incorporate sustainable design measures including but not limited to Leadership in Energy and Environmental Design (LEED).
- c) Buildings that incorporate sustainable design measures shall be encouraged to have orientation, massing, material selection and landscaping as a visible representation of their sustainable design.
- d) Buildings shall front onto the street to help shape the public realm. Where a plant or warehouse component is proposed, the principal entrance and office area should be located closer to the street, and pedestrian connections provided throughout the site to the street, for visibility and street presence, where feasible.
- e) Pedestrian connections shall be provided to buildings and public sidewalks.
- f) Buildings shall have architectural variation in form and materials.
- g) Appropriate screening of storage, service and loading areas shall be required.

6.7.13 Transition Areas

Transition areas are areas within the Centennial Node where a Mixed Use or High Density Residential designation abuts areas outside the Node which are a different use and/or intensity. There are two types of transition areas within the Centennial Neighbourhoods Secondary Plan, neighbourhood transition areas and industrial transition areas. Neighbourhood transition areas are areas that abut low or medium density residential uses or other *sensitive land uses* in adjacent stable neighbourhoods. Industrial transition areas are areas which abut industrial uses. The intent of the transition areas policies is to ensure that *development* within the Node transitions appropriately to the existing land uses and densities outside the Node. Transition areas are shown conceptually on Appendix A – Centennial Neighbourhoods – Transition Areas.

Neighbourhood Transition Areas

- a) Where lands within the Centennial Node designated High Density Residential 1, Mixed Use-High Density or Mixed Use-Medium Density about low or medium density residential uses or other sensitive land uses, *development* shall respect the character and existing built form of these areas by providing an appropriate transition in scale and heights between the proposed development and the adjacent neighbourhood.
- b) Proposals for *development* shall demonstrate the transition to *existing* residential, open space or institutional uses.
- c) *Development* shall use various transition elements, including landscaped buffers, fencing, trees, setbacks, massing, scale or other built form considerations, or a combination thereof to minimize the impact of new high density or *mixed use development* on adjacent *existing* uses.
- d) All *developments* shall provide appropriate screening between existing *sensitive land uses* and commercial uses, mixed uses, and parking areas.

Industrial Transition Areas

- e) Proponents of new *sensitive land uses* within 300 metres of lands designated General Industrial, Light Industrial or Business Park shall demonstrate *compatibility* with existing industrial uses and shall be responsible for addressing and implementing necessary mitigation measures to the satisfaction of the City and in accordance with all applicable provincial and municipal guidelines and standards. The City may require the submission of a land use compatibility study or other studies deemed appropriate with an application for *development* to identify potential adverse impacts including but not limited to noise, vibration, odours, dust or other emissions, and to determine appropriate mitigation measures.
- f) Any new *sensitive land uses* north of Barton Street shall be located a minimum of 70 metres from lands designated Light Industrial or Business Park. This separation distance shall not include parking areas *ancillary* to a *sensitive land use*.
- g) deleted by OPA 167
- h) Proponents of new *sensitive land uses* within 400 metres of the railway that crosses Centennial Parkway North shall complete a *Noise Study*, and shall implement any control measures necessary to meet provincial sound level criteria and the criteria contained in Section B.3.6.3 of Volume 1.

6.7.14 Cultural Heritage Policies

In addition to Section B.3.4 of Volume 1, the following policies shall apply:

- 6.7.14.1 *Cultural heritage landscapes* shall be *conserved* and protected with the intent of retaining major characteristics through the review of Planning Act applications. The Red Hill Valley, as shown on Appendix F – Cultural Heritage Resources of Volume 1, is a *cultural heritage landscape*.

6.7.14.2 As part of the City-wide inventory of *cultural heritage landscapes*, the extent of the Red Hill Valley *cultural heritage landscape* identified in Policy B.6.7.14.1 shall be confirmed.

6.7.15 Transportation and Connections

The Centennial Neighbourhoods Transportation Management Plan (CNTMP) provides direction for the transportation network in the Centennial Neighbourhoods. The policies of this Plan are intended to support the recommendations of the CNTMP and other transportation master plans prepared for the overall City and adjacent neighbourhoods. The *transportation system* within the Secondary Plan area is intended to accommodate all users and modes of transportation, with a priority placed on developing complete streets through the promotion of *active transportation*, improving pedestrian and cycling connections, enhancing public transportation and balancing the needs of automobile and truck users with those of *active transportation* modes.

Transportation is one of the leading sources of greenhouse gas emissions in Hamilton. In addition to providing public health benefits, increasing opportunities for *active transportation* and *transit* use is an important way to reduce our contribution to emissions to mitigate our impacts on climate change.

6.7.15.1 General Transportation Policies

In addition to Section C.4.0 – Integrated Transportation Network of Volume 1, the following transportation policies shall also apply:

- a) The integrated transportation network for the Centennial Neighbourhoods Secondary Plan area shall consist of public roads, public laneways, pedestrian sidewalks, multi-use pathways, cycling routes, public *transit* routes, the planned accommodation of *rapid transit* along Queenston Road and Centennial Parkway, interregional transit, truck routes and railway lines. The *transportation system* is detailed on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections Plan.
- b) All transportation improvements shall be in accordance with the recommendations of relevant City approved plans, including but not limited to:
 - i) Centennial Neighbourhoods Transportation Management Plan;
 - ii) Hamilton Transportation Master Plan;
 - iii) Hamilton's Cycling Master Plan;
 - iv) City-wide Truck Route Master Plan;
 - v) Pedestrian Mobility Master Plan; and,
 - vi) Hamilton Recreational Trails Master Plan.
- c) *Development* of the *transportation system* in the Centennial Neighbourhoods Secondary Plan area shall proceed on the basis of the recommendations of

the CNTMP, and in accordance with the documents listed in Policy B.6.7.15.1 b).

- d) Transportation improvements shall support the direction of this plan to encourage *active transportation* and *transit* trips in daily living.
- e) All major intersections should be designed to support safe pedestrian crossing points and connections to public walkways. Where warranted, and in accordance with the CNTMP, pedestrian crossings shall be enhanced in order to facilitate the movement of pedestrians throughout the Secondary Plan area.
- f) In the vicinity of intersections, boulevard tree plantings should be closely spaced in order to enhance the pedestrian environment.
- g) Consideration shall be given to incorporating *Urban Braille* along Major and Minor Arterial Roads within the Centennial Node Boundary in order to enhance the accessible sidewalk network.
- h) The City shall plan for and protect corridors and rights-of-way for all modes of transportation and *infrastructure* facilities to meet current and projected needs.
- i) Where feasible, access points along major arterial and minor arterial roads shall be consolidated to reduce driveways for improved safety.

6.7.15.2 Active Transportation Network

- a) The City shall promote *active transportation* through the application of the Pedestrian Mobility Plan, Cycling Master Plan, Recreational Trails Master Plan and the Complete Liveable Better streets framework in the Hamilton Transportation Master Plan to enhance walkability and bikeability throughout the Secondary Plan area.
- b) Trails, cycling facilities and pedestrian pathways shall be encouraged to connect people to prominent destinations, such as parks, open spaces, institutional uses and commercial areas.
- c) Where lands shown as locations for proposed trails and connections on Map B.6.7-3 – Centennial Neighbourhoods – Transportation Connections are privately owned, the trails and connections shall be achieved through land dedications, easements, or any other measures deemed appropriate.
- d) An *active transportation* connection shall be encouraged over the Red Hill Valley Parkway as shown on Schedule B.6.7-3 Transportation and Connections Plan to provide an additional connection for walking and cycling.
- e) When *development* occurs on properties fronting on Major or Minor Arterial Roads, on-site pedestrian and cycling amenities shall be required in order to encourage *active transportation*.
- f) Any missing sidewalks adjacent to *developments*, as identified in the Centennial Neighbourhoods Transportation Management Plan, shall be constructed as part of the *development*.

- g) The pedestrian and bicycle network shall be implemented in accordance with the Hamilton Cycling Master Plan, the Hamilton Recreational Trails Master Plan and the Centennial Neighbourhoods Transportation Management Plan. Proposed trails, sidewalks, connections, cycling *infrastructure* and greenways are shown on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections in accordance with the recommendations of these plans.
- h) Additional pedestrian trails and bicycle lanes may be provided on public street rights-of-way and public open space lands without amendment to this Plan.
- i) Generally, Neighbourhood Greenways are residential streets where pedestrians and cyclists are given priority over other forms of transportation. Proposed Neighbourhood Greenways are identified on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections.
- j) Neighbourhood Greenways shall be established in accordance with the Centennial Neighbourhoods Transportation Management Plan to calm traffic and improve walking and cycling connections. Public realm improvements may include, but are not limited to:
 - i) Street furniture and amenities (e.g. seating, planters or gardens, public art, bicycle racks, pedestrian-scale lighting, water fountains, tree or shade canopies);
 - ii) Way-finding signage and pavement markings;
 - iii) Traffic speed and volume management (e.g. traffic calming, signs and pavement markings);
 - iv) Bike lanes to narrow road width;
 - v) Other measures that may give bicycles priority; and,
 - vi) Sustainable stormwater *infrastructure* (e.g. LID).

6.7.15.3 Public Transit Network and Rapid Transit

- a) *Development* along public *transit* routes shall incorporate access to public *transit* and public *transit infrastructure*, where feasible.
- b) Proposed *higher order transit* stations and *higher order transit* station areas are identified on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections. Minor changes to the location of *higher order transit* stations associated with planned *rapid transit* on Queenston Road may be permitted without amendment to this plan. (OPA 142)
- c) The *higher order transit* station on Queenston Road near Centennial Parkway may continue to be used as a hub for bus *transit* as well as *rapid transit*. (OPA 142)
- d) Where feasible, public *transit* stops should be designed to maximize *transit* use and access.

- e) A *rapid transit* corridor is proposed along Queenston Road west of Centennial Parkway through the Centennial Neighbourhoods Secondary Plan area.
- f) Any lands required for *rapid transit* corridors and *transit* facilities shall be dedicated to the City, to the satisfaction of the City, in accordance with Section C.4.5.6 of Volume 1.
- g) The extension of Goderich Road to Kenora Ave is shown on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections. This extension will improve road network connectivity and provide pedestrian and cycling access to the GO Transit Rail and Bus station from Kenora Avenue. This extension may be established at the time of *redevelopment* of the lands directly to the west of the GO Station lands, or through other means.
- h) Cycling connections shall be provided between the Light Rail Transit stop adjacent to Eastgate Square Mall and the wider cycling infrastructure network in the area.

6.7.16 Infrastructure, Energy and Sustainability Policies

Municipal services, such as sewers, water, stormwater systems and public/private utilities shall be provided, maintained and upgraded, as may be required, to accommodate the needs of existing and future *development* in the Centennial Neighbourhoods Secondary Plan area.

6.7.16.1 In addition to with Section C.5.0 – Infrastructure of Volume 1, the following policies shall also apply:

- a) The City shall monitor the capacity and reassess the need to manage stormwater runoff, as may be required.
- b) To increase energy efficiency and reduce the environmental impact of buildings, all commercial, institutional, mixed use and *multiple dwelling* buildings will be encouraged to:
 - i) Build to higher energy efficient standards as outlined in the Ontario Building Code;
 - ii) Have green roofs and cool roofing materials;
 - iii) Provide solar capture equipment;
 - iv) Utilize grey water recycling;
 - v) Plant trees and other vegetation to provide shade and additional tree canopy; or,
 - vi) Any combination of the above.
- c) The approval of *development* applications shall be contingent on the availability of water and wastewater capacity.

- d) Low Impact Development (LID) is a design technique which contributes to aquatic habitat protection, can help regulate water runoff, improve water quality and reduce the flooding risks associated with extreme weather events. *Redevelopment*, including the *redevelopment* or creation of parking lots, shall utilize Low Impact Development (LID) measures in site design where feasible to reduce water runoff and improve water quality.

6.7.17 Implementation

- a) The City shall undertake a Streetscape and Public Realm Design Study of the Streetscape Improvement areas identified conceptually on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections. The study shall provide recommendations for the design of the public realm and the interface between private development and the public realm.
- b) The study may provide recommendations for, but is not limited to, any of the following elements:
- i) Streetscape improvements for the public realm that establish a unique sense of place for each street;
 - ii) Public realm treatments for Gateway Improvement Areas and Prominent Intersections identified on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections;
 - iii) Proposed signage in accordance with the City's Wayfinding Strategy;
 - iv) Design direction for the interface between the private realm and streetscapes and other public realm elements;
 - v) Design direction for *development* around Gateway Improvement Areas and Prominent Intersections;
 - vi) Detailed guidance for the design, size and location of new privately owned public spaces within *developments*; and,
 - vii) Identification of cost estimates for capital improvements, to allow for incorporation into the capital budget planning process and growth related development charges.
- c) There will be a long-term need to upgrade and improve the area's three major public open spaces to ensure that they have the diversity of amenities and programming needed to accommodate additional residents moving into the areas as a result of *intensification*. These public spaces are Sam Manson Park, Henry and Beatrice Warden Park and the Domenic Agostino Community Centre lands. The City will periodically review the facilities, amenities and programs offered in these spaces and plan for appropriate upgrades on an incremental basis as *intensification* occurs.
- d) A Municipal Servicing Study shall be undertaken by the City to confirm network capacity and determine if there are any specific water, sanitary and stormwater *infrastructure* gaps within the area, as well as verify downstream and upstream impacts through system modelling. The City shall ensure the cost of any necessary growth-related improvements is incorporated into the capital budget planning process. (OPA 142)

- e) *Development* proposals shall consider the City's *Transportation Demand Management Land Development Guidelines*. A proposal for *development* may be required to submit a *Transportation Demand Management Options Report*, at the discretion of the City, to review measures that can be taken to encourage sustainable travel choices.
- f) During the next municipal review of the Urban Hamilton Official Plan the City shall consider amending Schedule E – Urban Structure of Volume 1 to extend the Secondary Corridor on Centennial Parkway north to the GO transit station.
- g) For the purposes of this Plan, the term *development* shall also include the term *redevelopment*.
- h) Notwithstanding Policy E.4.5.16 of Volume 1, the Zoning By-law shall establish provisions to implement the policies of this Plan, including but not limited to minimum and maximum setbacks, requirements for heights, densities, permitted uses, and other specific directions on built form.
- i) *Development* proposals may include infrastructure for drainage control located on private lands. Where deemed necessary, the City may require the registration of Site Plan agreements on title of a property, to give the City legal authority to ensure that these controls continue to function appropriately in the future.
- j) *Higher order transit* station areas in this Plan will be reviewed as part of a future *municipal comprehensive review* process which will confirm *major transit station area* delineations and *major transit station area* density targets.

6.7.18 Area and Site Specific Policies

Area and Site Specific Policy Areas have been identified on Map B.6.7-4 – Centennial Neighbourhoods Secondary Plan – Site Specific Policy Areas. (OPA 142)

6.7.18.1 Site Specific Policy – Area A (395 and 397 Centennial Parkway North) (OPA 167)

For the lands located at 395 and 397 Centennial Parkway North, designated Utilities and shown as Site Specific Policy – Area A on Map B.6.7-4 – Centennial Neighbourhoods – Area and Site Specific Policy Areas, the following policies shall apply: (OPA 142) (OPA 167)

- a) Notwithstanding the permitted uses in Policy E.5.3.2 of Volume 1, these lands shall only be used for an interregional bus and rail transportation facility.
- b) The site shall be designed to accommodate a seamless integration of various modes of transportation including rail, bus, future *rapid transit*, vehicles, pedestrians, and cyclists.
- c) The site shall provide a safe, interesting, and engaging public realm. Over the long term, a public space shall be incorporated into the site design adjacent to Centennial Parkway North to provide opportunities for gathering and socialization.

- d) The *transit* station shall be well-designed for a high quality user experience that encourages appropriate connections via walking or cycling and makes the *transit* system more attractive to potential users. The design of the station shall be consistent with the urban design policies of Section B.6.7.12.
- e) The site shall be designed to minimize its ecological footprint through measures such as low impact design, the use of sustainable energy, and innovative water, landscape and waste management practices, where feasible.
- f) Enhanced landscaping shall be provided along the edges of the property and throughout the site.
- g) Any future Official Plan Amendment and comprehensive redevelopment Application for any mixed land uses, including sensitive land uses, developed as part of the *higher order transit* station, will only be considered at such a time when the waste management facility at 460 Kenora Avenue, identified as Site Specific Policy – Area C on Map B.6.7-4, Centennial Neighbourhoods – Area and Site Specific Policy Areas, be re-located elsewhere and decommissioned. (OPA 167)

6.7.18.2 Site Specific Policy – Area B (71, 83 and 85 Centennial Parkway South)

For the lands located at 71, 83 and 85 Centennial Parkway South, designated Medium Density Residential 3 and shown as Site Specific Policy – Area B on Map B.6.7-4 – Centennial Neighbourhoods Secondary Plan – Area and Site Specific Policy Areas, the following policies shall apply: (OPA 142)

- a) In addition to Policy E.3.5.2 of Volume 1, *housing with supports* shall also be permitted.
- b) A retirement home shall be considered a *multiple dwelling*.
- c) Notwithstanding Policy E.3.5.8 of Volume 1, additional building height to a maximum of 8 storeys may be permitted.
- d) Notwithstanding Policy E.3.5.7 of Volume 1 and Policy 6.7.6.6, the maximum *net residential density* shall be 135 units per hectare.
- e) For the purpose of density requirements, two retirement home dwelling units may be considered as one dwelling unit, where units do not contain full kitchens.

6.7.18.3 Site Specific Policy – Area C (460 Kenora Avenue)

For the lands located at 460 Kenora Avenue, designated Light Industrial and shown as Site Specific Policy – Area C on Map B.6.7-4 – Centennial Neighbourhoods Secondary Plan – Area and Site Specific Policy Areas, the following additional policies shall apply: (OPA 142)

- a) Notwithstanding Policy E.5.3.8 – Hazardous Waste Management Facilities and in addition to Policy E.5.3.2 – Employment Area – Industrial Land Designation of Volume 1, the existing *waste management facility* shall be permitted.

- b) To reduce the potential for negative impacts such as odors on the mixed use areas along Centennial Parkway north, consideration shall be given to re-locating this facility to a new location in the east Hamilton or Stoney Creek area if a suitable alternative site can be located.
- c) Any proposal to expand the *existing waste management facility* at this location shall be required to consider the adjacent lands designated mixed use and any impacts to the potential for future residential *development*.
- d) If the *existing waste management facility* use ceases at this location, only light industrial uses shall be permitted, in accordance with Policy B.6.7.8.5.
- e) The future extension of Goderich Road to Kenora Avenue through these lands is shown on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections. At such time as the existing use as a *waste management facility* ceases on these lands, the City will extend Goderich Road to Kenora Avenue to provide improved road, pedestrian and cycling connectivity to the GO station.

6.7.18.4 Site Specific Policy – Area D (502 to 560 Centennial Parkway North)

For the lands located at 502 to 560 Centennial Parkway North, designated District Commercial and Business Park and shown as Site Specific Policy – Area D on Map B.6.7-4 – Centennial Neighbourhoods Secondary Plan – Area and Site Specific Policy Areas, the following policies shall apply: (OPA 142)

- a) The lands shall be developed with a mix of retail and non-retail uses and serve as a mixed use gateway into the City.
- b) On the lands designated District Commercial, the following policies shall apply:
 - i) In addition to the uses permitted in Policy E.4.7.2 – District Commercial of Volume 1, the following uses shall also be permitted:
 1. one department store;
 2. hotel and convention centre;
 3. entertainment uses; and
 4. arts and cultural uses.
 - ii) 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.
 - iii) Notwithstanding Policy E.4.7.2 c) – District Commercial of Volume 1, no residential uses shall be permitted.
 - iv) Notwithstanding Policies E.4.7.3 c) and E.4.7.7 of Volume 1, the maximum amount of gross floor area for one department store shall not exceed 18,581 square metres.
- c) On the lands designated Business Park, the following policies shall apply:

- i) Notwithstanding the uses permitted in Policy E.5.4.3 of Volume 1, the following uses shall not be permitted:
 - 1. retail establishments as *ancillary* uses, except as provided in policy 6.7.18.4 c) ii);
 - 2. *waste processing facilities* and *waste transfer facilities*.
- ii) Notwithstanding Policies E.5.4.5 and E.5.4.6 of Volume 1, the following uses shall be permitted:
 - 1. office buildings with a minimum gross floor area of 2,000 square metres and a maximum gross floor area of 3,999 square metres; and
 - 2. limited *ancillary* uses and convenience retail, as defined in the Zoning By-law, on the ground floor of an office building with a minimum gross floor area of 2,000 square metres and a maximum gross floor area of 3,999 square metres.
- d) 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:
 - i) The maximum gross floor area for all *development* shall not exceed 45,058 square metres.
 - ii) *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 commercial uses. An additional 1 square metre of retail and service commercial uses shall be permitted for every 1 square metre of non-retail, employment and service uses, as identified in the Zoning By-law, for which construction has substantially commenced on the site.
 - iii) Notwithstanding Policy 6.7.18.4 d) i) an increase in the total maximum gross floor area for all *development* may be permitted without amendment to this Plan subject to the following requirements:
 - 1. The maximum gross floor area for all retail and service commercial uses shall not exceed 34,142 square metres.
 - 2. Office uses shall be limited, and shall be secondary to the primary function of the lands to serve the daily and weekly shopping needs of residents in the surrounding neighbourhoods.
 - 3. The City may require the submission of studies to demonstrate that an increase in gross floor area can be appropriately accommodated on the site. Required studies may include, but are not limited to, a Servicing Report and a Transportation Impact Study. In this regard, the Zoning By-law may establish a holding provision on the lands for *development* in excess of 45,058 square metres of gross floor area, to implement this provision.
- e) Prior to *development* the proponent shall complete urban design guidelines for the *development* of the site, to the satisfaction of the City.

- f) Urban design guidelines shall be in accordance with the Design Principles and Policies in Policies B.6.7.18.4 g) and h). 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.
- g) The following Design Principles shall apply:
- i) 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, cycle friendly, and *transit-supportive*.
 - ii) Notwithstanding Section B.3.3 – Urban Design and Policies E.4.7.11 to E.4.7.17 – District Commercial Design of Volume 1, the site shall:
 - 1. Support a high quality form of urban design including streetscapes, views and vistas, gateways, walkways, and amenity spaces;
 - 2. Be a “gateway” location into the City that promotes a sense of arrival;
 - 3. Be a mixed use area with a range of commercial uses, employment uses, and amenity spaces;
 - 4. Concentrate the arrangement of uses and buildings such that it encourages comfortable pedestrian and cycling activity on and surrounding the site, and which facilitates public *transit* ridership;
 - 5. 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;
 - 6. 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;
 - 7. Have a strong edge and frame facing the bounding public streets, including the placement and design of buildings and high quality landscaping;
 - 8. Incorporate framing views and vistas within the site by aligning buildings and building elements to create terminus views; and
 - 9. Appropriately transition to surrounding properties in terms of buffering and screening.
- h) The lands shall be developed in accordance with the following urban design policies:
- i) Entrance Gateways
 - 1. 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.

2. 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.
 3. 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.
 4. 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.
- ii) For all buildings on the site, the following built form policies apply:
1. Buildings shall be sited and designed to enhance the public nature of streets, amenity spaces, and pedestrian realm.
 2. Buildings should generally be sited parallel to the public street.
 3. The principal building façade shall contain 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, colours and other elements 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 adjacent public streets and the internal pedestrian walkways.
 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, with respect 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.
- iii) 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.
- iv) 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.
- v) 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 elements, and projecting bays. Large blank walls and a continuous, repetitive façade shall not be permitted.
 3. Buildings shall have articulated façades 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.

vi) Pedestrian Realm

1. 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.
2. 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.
3. Barrier-free design of buildings, streets, and publicly accessible exterior spaces shall be implemented.
4. Crosswalks and differentiated paving materials and patterns shall be constructed at primary crossings of principal internal streets to provide connectivity between the site's different areas.
5. Parking areas, servicing lanes, utility and mechanical equipment, and drop off and loading zones shall be designed and located in a manner that has minimal physical impact on public sidewalks and accessible exterior spaces. Shared driveways and service lanes at the side and rear of buildings are to be provided for these functions.

vii) Landscaped Areas

1. Landscaping shall be used to enhance the overall aesthetic qualities of the *development*. Landscape treatment may include a range of different hard and soft landscape elements and features to create provide outdoor amenity spaces, pedestrian comfort, soften the site's edges, highlight entrance gateways, prominent buildings, screen loading and service areas, and buffer the site from neighbouring uses, as necessary.
2. Landscaped areas shall be provided as a screen or buffer to address the interface with the publicly accessible or visual areas of the site.
3. Landscaped buffers and/or visual barriers shall be provided to screen loading and service areas from users using the bounding public streets or internal drive aisles.

4. Landscaped islands shall be provided throughout parking lots to identify, reinforce and connect pedestrian routes, separate roads from parking areas, define edges, and to visually and physically divide large parking areas into smaller sections.

viii) Parking Entrances, Loading Zones and Service Lanes

1. The location of entrances to parking areas, loading zones, and service lanes shall be coordinated with the location of pedestrian and cycling routes to limit vehicular and pedestrian/cycling movement conflicts on the site.
2. 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.
3. 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.
4. Wherever possible, on-site loading zones and service lanes shall be consolidated and shared at the rear or side of buildings.
5. On-street parking along internal drive aisles is encouraged to provide the 'look and feel' of a public street. This shall not occur on the main drive aisle into the site.

iv) Vehicular Access

1. 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.

i) For the lands known municipally as 510 Centennial Parkway North, designated District Commercial, shown as Site Specific Policy - Area D - 1 on Map – B.6.7-4 Centennial Neighbourhood Secondary Plan Area and Site Specific Policy Area Map, the following policies shall also apply:

- i) That in addition to Policy B.6.7.18.4 b) i) of Volume 2, the use of a warehouse, including a maximum of one mini storage multi-storey facility shall also be permitted;
- ii) That notwithstanding Policy B.6.7.18.4 d) i) of Volume 2, the maximum gross floor area for all *development* shall not exceed 45,058 square metres. The gross floor area for a mini storage facility shall be excluded from the maximum total gross floor area; and,
- iii) That notwithstanding Policy E.4.7.3 c) of Volume 1, a single use over 10,000 square metres in gross floor area shall be prohibited, except for one multi-storey warehouse (mini storage facility), which shall not exceed a maximum total gross floor area of 12,900 square metres, shall also be permitted. (OPA 176)

6.7.18.5 Area Specific Policy – Area E (505 to 537 Queenston Road)

For lands located at 505 to 537 Queenston Road, designated Medium Density Residential 3 and shown as Area Specific Policy – Area E on Map B.6.7-4 – Centennial Neighbourhoods – Area and Site Specific Policy Areas, the following policies shall apply: (OPA 142)

- a) In addition to Policy E.3.5.2 of Volume 1, limited commercial uses shall also be permitted within *existing* buildings.
- b) Commercial uses shall be restricted to low impact uses such as offices, service uses and small scale retail uses. High traffic generating uses such as restaurants and commercial entertainment shall not be permitted.
- c) Appropriate buffering shall be provided between commercial uses and adjacent residential uses to mitigate potential adverse impacts, such as negative visual impacts, reduced privacy, increased noise, and light from parking areas. In this regard, measures such as setbacks, landscape strips and visual barriers may be used.
- d) Enlargements or additions to existing buildings may be permitted only if they are in keeping with the established built form and residential character of the area.
- e) *Development* shall be sympathetic to and shall ensure *compatibility* with the low profile residential character of the area, and shall provide streetscape features and enhancements consistent with the residential character of the area, including the provision of landscaping along Queenston Road and Woodman Drive.
- f) Notwithstanding Policy E.3.5.7 of Volume 1 and Policy B.6.7.6.6, where lot consolidation has taken place, an increase in *net residential density* greater than 100 units per hectare and not greater than 200 units per hectare shall be permitted.

6.7.18.6 **Site Specific Policy – Area F (75 Centennial Parkway North (Eastgate Square Mall))**

For the lands located at 75 Centennial Parkway North (Eastgate Square Mall), designated Mixed Use – High Density and shown as Site Specific Policy – Area F on Map B.6.7-4 – Centennial Neighbourhoods – Site Specific Policy Areas, the following policies shall apply:

- a) Site Specific Policy Area F (Eastgate Square Mall) is the largest commercial site in the Centennial Neighbourhoods Secondary Plan, and is the focal point of the Centennial Node. It is essential to the function of the area as a Sub-Regional Node, providing a regional retail function as well as meeting the weekly and daily shopping needs of surrounding areas. This commercial function shall be maintained and supported. (OPA 142)
- b) The lands are encouraged to evolve over the long term to a more compact, pedestrian friendly form that accommodates a mix of uses in addition to retail, such as but not limited to service commercial, residential, office and entertainment uses.

- c) The lands are intended to be an important location for access to public transit, including *higher order transit*. A major *transit* station shall be located adjacent to the site which shall provide the site with access to *higher order transit*. The site may also continue to have a *transit* terminal function for bus transit.
- d) Notwithstanding Policies B.6.7.5.1 g) and B.6.7.7.5 b), for *development* fronting onto Centennial Parkway North, the minimum height shall be 2 storeys, except as permitted by Policy B.6.7.5.1 i).
- e) Notwithstanding Policy B.6.7.18.6 d), and Policies B.6.7.5.1 g) and B.6.7.7.5 b), for the area with a maximum height of 3 storeys, shown on Map B.6.7-2 – Centennial Neighbourhoods Secondary Plan – Maximum Building Heights in the Node, the minimum height shall be 2 storeys.
- f) *Development* along the westerly and northerly edges of the site, adjacent to a residential designation, shall be a maximum of 3 storeys in height, as shown on Map B.6.7-2 – Centennial Neighbourhoods – Maximum Building Heights in the Node.
- g) Minor changes to the limits of the area with a maximum height of 3 storeys, identified on Map B.6.7-2 – Centennial Neighbourhoods – Maximum Building Heights in the Node may be permitted without amendment to this plan.
- h) New *development* is intended to have a gradation of building heights across the site, with the lowest heights along the westerly and northerly edges of the site, transitioning to higher heights along Queenston Road and Centennial Parkway, and towards the intersection of Queenston Road and Centennial Parkway. The implementing Zoning By-law shall establish requirements for heights to ensure that this gradation is achieved, to provide an appropriate transition between taller buildings and existing low density residential areas.
- i) The area generally near the intersection of Queenston Road and Centennial Parkway is intended to be a focal point for the site, where the greatest amount of activity is taking place. Accordingly, the following policies shall apply to this area:
 - i) The tallest buildings on the site should be located within or near this area.
 - ii) *Redevelopment* in this area shall be integrated with and supportive of any *transit* facilities on or adjacent to the site.
 - iii) Public spaces which are located in prominent areas and are integrated with the streetscape environment contribute to a vibrant, active streetscape and provide opportunities for people to meet, relax and socialize, which is consistent with the goals of this plan. Major *redevelopment* shall include a publicly accessible open space or plaza area which provides opportunities for gathering and social interaction. This shall be located within the *pedestrian focus* area of the site, as identified on Map B.6.7-1 – Land Use Plan.
 - iv) *Redevelopment* shall include gateway design elements in accordance with Policy B.6.7.12.2.

- j) When *redevelopment* occurs, elements of the *pedestrian focus streets* are encouraged to be extended throughout the site through the provision of visible, attractive pedestrian linkages.
- k) Bike parking shall be required for any *redevelopment* on the site.
- l) The site shall be considered for future bike share program facilities.
- m) Nothing in the policies of this Plan is intended to prevent the potential future subdivision of the site into smaller parcels of land.
- n) Significant changes to the built form on the site, which shall be considered major redevelopment for the purposes of Policy E.2.3.2.14 of Volume 1 and Policy B.6.7.7.2 h) and shall be regulated by the Zoning By-law, include:
 - i) changes to the primary use of the lands for an enclosed shopping mall;
 - ii) the demolition of a significant amount of the gross floor area *existing* on the site on the date of approval of this Plan as part of a *development*; or,
 - iii) a significant increase in gross floor area from that *existing* on the date of approval of this Plan.
- o) If the current use, form or function of the lands as a shopping mall is proposed to be changed, by adding residential uses or by significant changes to the commercial built form, a public realm and built form plan shall be submitted with a *development* application, which shall demonstrate how the *development* achieves the following design elements:
 - i) A high quality public realm design including streetscapes, views and vistas, gateways, walkways, and amenity spaces;
 - ii) An arrangement of uses and buildings that encourages comfortable pedestrian activity on and surrounding the site, and which facilitates public *transit* ridership;
 - iii) A well-connected internal circulation system that comfortably and efficiently links all buildings, *transit* facilities, parking areas, and amenity spaces within the site to the bounding public streets;
 - iv) A strong urban presentation to the street featuring amenities such as sidewalks, hard and soft landscaping, outdoor patios and other streetscape elements;
 - v) Framing of views and vistas within the site by aligning buildings and building elements to create terminus views; and,
 - vi) Appropriate transitions to surrounding properties in terms of buffering and screening.
- p) If *redevelopment* is proposed for a portion of the site, and the current use, form or function of the lands as a shopping mall is proposed to be changed by adding residential uses or by significant changes to the commercial built form, a concept plan of the entire site shall be submitted with a *development* application identifying:

- i) How the area can be developed in accordance with the vision and direction described in this Plan and particularly in Policy B.6.7.18.6; and,
- ii) That the proposed *development* will achieve the vision and directions of this Plan.
- q) The concept plan shall not be considered an approved *development* plan. The concept plan may be amended from time to time in response to changes in the market or other considerations.
- r) Notwithstanding Policy B.6.7.7.5 f), the existing shopping mall may have entrances that are located along any portion of the building's façade, and which are significantly set back from the street.

6.7.18.7 Site Specific Policy – Area G (33 Cromwell Crescent)

For the lands located at 33 Cromwell Crescent, designated Institutional and shown as Site Specific Policy – Area G on Map B.6.7-4 – Centennial Neighbourhoods – Site Specific Policy Areas, the following policies shall apply:

- a) In addition to Policy E.6.2.6 of Volume 1, *multiple dwellings* and all forms of townhouses shall also be permitted.
- b) At such time as the institutional use on the lands ceases, the lands are intended to be comprehensively redeveloped for residential purposes in accordance with the following policies:
 - i) Only single detached, semi-detached or street townhouse dwellings shall be permitted fronting onto Cromwell Crescent.
 - ii) Any *redevelopment* shall not provide vehicular access to Cromwell Crescent, with the exception of single detached, semi-detached or street townhouse dwellings with individual driveway accesses.
 - iii) *Development* shall be *compatible* with adjacent existing residential dwellings. Notwithstanding that the site is designated Institutional, Transition Areas policies B.6.7.13 a) to d) shall apply to *development* on site specific policy area G.
 - iv) The maximum building height shall be 6 storeys.

6.7.18.8 Area Specific Policy – Area H (2255 and 2371 Barton Street East) (OPA 167)

For the lands located at 2255 and 2371 Barton Street East, designated Arterial Commercial, shown as Area Specific Policy – Area H on Map B.6.7-4 – Centennial Neighbourhoods Secondary Plan – Area and Site Specific Policy Areas, notwithstanding Policies E.4.8.2 and E.4.8.3 of Volume 1, a food store shall also be permitted on the subject lands. (OPA 142) (OPA 167)

6.7.18.9 Site Specific Policy – Area I (45 Goderich Road)

For the lands located at 45 Goderich Road, designated Arterial Commercial and shown as Site Specific Policy – Area I on Map B.6.7-4 - Centennial

Neighbourhoods Secondary Plan – Area and Site Specific Policy Areas, the following policies shall apply: (OPA 142)

- a) In addition to Policy E.4.8.2 of Volume 1, office uses shall also be permitted, except a medical clinic.
- b) Offices shall not exceed 4,000 square metres of gross floor area for each free standing building.

6.7.18.10 Site Specific Policy – Area J (860 Queenston Road)

For the lands located at 860 Queenston Road, designated Mixed Use – Medium Density and Natural Open Space, and shown as Site Specific Policy – Area J on Map B.6.7-4 – Centennial Neighbourhoods Secondary Plan – Area and Site Specific Policy Areas, the following policies shall apply: (OPA 142)

- a) Notwithstanding any other policy of this Secondary Plan, the lands designated High Density Residential 1 shall be developed for a 14 storey *multiple dwelling* with a maximum of 219 dwelling units, in accordance with the Local Planning Appeal Tribunal Decision for PL170282, dated July 3, 2018.
- b) Notwithstanding Policies 6.7.5.1 g) and 6.7.7.5 b), for the lands designated Mixed Use – Medium Density, the building *existing* on the date of approval of this plan shall be permitted.

6.7.18.11 Site Specific Policy – Area K (398, 400, and 402 Nash Road North and 30, 50, and 54 Bancroft Street)

For the lands located at 398, 400, 402 Nash Road North and 30, 50, 54 Bancroft Street, designated Light Industrial and shown as Site Specific Policy – Area K on Map B.6.7-4 – Centennial Neighbourhoods Secondary Plan – Area and Site Specific Policy Areas, Commercial Recreation shall also be permitted in addition to the uses permitted in Policy E.5.3.2 – Industrial Land Designation of Volume 1. (OPA 142)

6.7.18.12 Area Specific Policy – Area L (670, 674, 686, 692, 700 and 706 Queenston Road)

For the lands located at 670, 674, 686, 692, 700 and 706 Queenston Road, designated Mixed Use – High Density and shown as Area Specific Policy – Area L on Map B.6.7-4 – Centennial Neighbourhoods Secondary Plan – Area and Site Specific Policy Areas, the following policies shall apply: (OPA 142)

- a) New *development* is intended to have a gradation of building heights across the site, with the highest heights in the *pedestrian focus street* area, and lower heights on the southern portion of the site, outside of the *pedestrian focus street* area.
- b) In the southern portion of the lands outside of the *pedestrian focus street* area, the following policies shall apply:
 - i) Notwithstanding Policy B.6.7.7.4 c), residential uses may have densities in the range of 60 to 100 units per hectare.

- ii) Notwithstanding Policies B.6.7.5.1 g) and B.6.7.7.5 b), a minimum height of 2 storeys may be permitted.
- c) *Redevelopment* in the *pedestrian focus street* area shall be integrated with and supportive of any *transit* facilities adjacent to the site.
- d) The reconstruction of any portion of an *existing* building on the site, which does not result in significant changes to the commercial built form, shall not be considered major *redevelopment*.
- e) The *existing* drive through facilities and gas bar located in the *pedestrian focus street* area may be recognized as *existing* uses in the Zoning By-law in accordance with Policy F.1.12.8 of Volume 1.
- f) In addition to Policy B.6.7.18.12 e), and notwithstanding the requirements of Policies E.4.3.4 a) and b) and E.4.5.21 of Volume 1, the *existing* drive through facilities and gas bar may be demolished and rebuilt in similar locations in accordance with the specific area provisions in the Zoning By-law.
- g) The following policies shall apply to the relocation of any of the *existing* drive through facilities on the site, outside of the specific areas identified in the Zoning By-law:
 - i) Notwithstanding Policy E.4.5.5 b) of Volume 1, Policy E.4.5.21 a) of Volume 1 shall not apply.
 - ii) The relocation of *existing* drive through facilities shall comply with Policies E.4.5.21 b) to e) of Volume 1.

6.7.18.13 Site Specific Policy – Area M (185 Bancroft Street and 25 Arrowsmith Drive)
(OPA 167)

For the lands located at 185 Bancroft Street and 25 Arrowsmith Drive, designated Mixed Use – High Density and shown as Site Specific Policy – Area M on Map B.6.7-4 – Centennial Neighbourhoods – Area and Site Specific Policy Areas, the following policies shall apply:

- a) In addition to policy B.6.7.7.4 – Mixed Use – High Density Designation, the lands are also intended to include infrastructure and uses related to the use and expansion of the Commuter Bus and Rail Station, identified as a *higher order transit* station on Map B.6.7-3.

6.7.18.14 Site Specific Policy – Area N (OPA 201)

For the lands identified as Site Specific Policy – Area N on Map B.6.7-4 – Centennial Neighbourhoods Secondary Plan – Area and Site Specific Policy Area, designated “Mixed Use – High Density” and known municipally as 651 Queenston Road, the following policy shall apply:

- a) In accordance with Policy B.6.7.7.4 a), and notwithstanding Policy B.6.7.7.4 d), the maximum permitted height shall be 17 storeys.