

DOWNTOWN HAMILTON

Secondary Plan Summary Report



Hamilton

TABLE OF CONTENTS

1.0 INTRODUCTION	1
2.0 BACKGROUND	4
2.1 URBAN FABRIC	4
2.2 THE SECONDARY PLAN AREA	9
2.3 POLICY FRAMEWORK	10
2.4 PLANNING STUDIES AND GUIDELINES	16
3.0 CONSULTATION	31
3.1 TECHNICAL ADVISORY COMMITTEE	32
3.2 COMMUNITY LIAISON COMMITTEE	33
3.3 PUBLIC CONSULTATION EVENTS	34
4.0 THE UPDATED DOWNTOWN HAMILTON SECONDARY PLAN	39
4.1 SECONDARY PLAN CONSIDERATIONS	39
4.2 THE VISION	41

4.3 NIAGARA ESCARPMENT AND TOPOGRAPHY	43
4.4 HEIGHTS	44
4.5 BUILT FORM	48
4.6 NEIGHBOURHOOD TRANSITION	52
4.7 PUBLIC REALM	53
4.8 MICROCLIMATE	54
4.9 HERITAGE CONSERVATION	56
4.10 CULTURE	56
4.11 INFRASTRUCTURE, SUSTAINABILITY, ENERGY AND RESILIENCY	58
4.12 TRANSPORTATION	59
4.13 LAND USE DESIGNATIONS AND SPECIAL POLICY AREAS	61
4.14 AFFORDABLE HOUSING AND INCLUSIONARY ZONING	68
4.15 SECTION 37 BONUSING	70
5.0 IMPLEMENTATION	71
5.1 DOWNTOWN ZONES	72
5.2 HEIGHT MAXIMUMS	74
5.3 TALL BUILDING ZONING REGULATIONS	76
5.4 HOLDING PROVISIONS	80
5.5 PARKING STANDARDS	82
5.6 OTHER IMPLEMENTATION TOOLS	84
6.0 CONCLUSIONS	84
APPENDIX A - POLICY BACKGROUND	87
APPENDIX B - SUMMARY OF CLC AND TAC	92
APPENDIX C - STAKEHOLDER WORKSHOP	96
APPENDIX D - CONSULTATION SUMMARY	114



View of Downtown Hamilton

1.0 INTRODUCTION

“Downtown Hamilton has undergone considerable change over the past 10 years.”

The original Downtown Hamilton Secondary Plan, “Putting People First: The New Land Use Plan for Downtown Hamilton” (2001), was the first formal plan that focused on the Downtown core. The intent of this Plan was to foster a dynamic mix of urban residential, commercial, and institutional activities across the Downtown. In 2001, the Plan was innovative, focusing on the overall roles and physical form of the Downtown in order to renew Downtown’s position as the government, institutional, and cultural centre of the City.

Downtown Hamilton has undergone considerable change since the Plan’s adoption in 2001. The industrial infrastructure of departed manufacturing uses and original commercial fabric of the Downtown is beginning to house an influx of new residents, businesses and professionals. Signs of the Downtown’s cultural and economic revival are increasingly evident. New buildings, revitalized storefronts, animated public spaces, interest in Downtown living, and increased day and nighttime activity are coming together to create an exciting, vibrant Downtown – a key destination within the City and the Region for business, entertainment and cultural activity. Private sector investment is leading the transformation, supported by public investments in infrastructure and the City’s innovative urban renewal incentive programs.

Development in the Downtown has been on the rise, resulting in projects that are reshaping the urban landscape of the area. New building construction and restoration of original heritage structures are creating a diverse and interesting built fabric. The new West Harbour GO Station at James Street North, the revitalization of Gore Park, the one-way street conversions of James Street, John Street and York Boulevard/Wilson Street have also played a role in this changing landscape. New uses that were not contemplated when the original Downtown Hamilton Secondary Plan was approved in 2001 are being proposed. Current trends in built form, tall building development, and higher order transit have contributed to the need to review the Plan to ensure that it is up-to-date and relevant to respond to changes in Downtown development. The time has come to re-establish a land use and development vision for Downtown to guide its continuing revitalization through the next 30 years.

The Downtown Hamilton Secondary Plan review has resulted in a renewed land use plan for the Downtown. The new Plan builds upon the vision and policies of “Putting People First”, while providing new direction that will guide development and change through a 20 – 30 year planning period. The review presented an opportunity to address new Provincial land use policy direction, updated land use directions as set out in the Urban Hamilton Official Plan (UHOP), the expansion of the Plan’s boundaries to include the Downtown Urban Growth Centre (defined the Province) and other City initiatives and studies underway that will impact the Downtown. The updated Plan ensures that the planning direction for the area responds to current needs and is appropriate to guide future growth and development, while ensuring that the “people” remain at the heart of the Plan.

The Plan review has been informed and coordinated with other City studies and initiatives that will have an impact or connection to how land is used and developed within the Downtown:

- Our Future Hamilton Vision (2017)
- GRIDS (Growth Related Integrated Development Strategy (2006)
- Truck Route Master Plan (2007)
- Downtown Transportation Master Plan (2008)
- Shifting Gears (Cycling Master Plan) (2009)
- Gore Park Master Plan (2010)
- Clean and Green Hamilton Strategy (2012)
- John/Rebecca Park Master Plan (2012)
- Step Forward: Hamilton’s Pedestrian Mobility Plan (2012)
- Transforming Hamilton Through Culture: Cultural Plan (2013)
- Hamilton Downtown Built Heritage Inventory (2014)
- James Street North Mobility Hub Study (2014)
- Streetscape Master Plans
- Public Art Master Plan (2017)



View of James St. N.

2.0 BACKGROUND

Downtown Hamilton is home to many prominent civic and cultural buildings located in the vicinity of the original community that established around Gore Park and the historic Downtown core in the 19th century. The first roads and streetcar lines were established along James Street North through this area. In the 1960's, downtown renewal significantly transformed street patterns and introduced Jackson Square and a number of civic buildings to the area. Through decades of change, this area continues to function as the downtown core of Hamilton today, and continues to feature a number of historic buildings and sites including Gore Park, the central Downtown gathering place and public open space.



2.1 URBAN FABRIC

Downtown Hamilton contains the greatest mix and intensity of land uses and continues to be the prime government, institutional, economic, and cultural center of the City. The existing land uses are predominantly commercial, retail, civic/institutional, and residential and there is a wide variety of building types, ages, tenures, and quality. These land uses are set along a largely intact historic grid street pattern. Within the Downtown there are significant and important streetscapes like Ferguson Avenue and King Street through the Gore. These streets provide important linkages through Downtown Hamilton, and have connections with important historical landmarks. King Street benefits from a number of historic buildings typically housing commercial related uses which will enable an active street upon development of the LRT system. Downtown contains many buildings with high cultural heritage value, many of which are designated under the *Ontario Heritage Act* or are Registered Non-Designated. These historic built forms add to the unique fabric of the Downtown.

COMMERCIAL RETAIL FABRIC

James Street and King Street are the Downtown's main retail streets. They are generally well lined with pedestrian-oriented, commercial retail businesses. Covering an entire city block, the Jackson Square complex is a large mixed use development bounded by James Street, King Street, Bay Street and York Boulevard. This complex contains two major shopping malls (Jackson Square and City Centre, generally located along King Street and James Street, respectively). A significant amount of retail, office, and institutional uses are also contained in these developments in towers that rise above the retail complex. The newly renovated Hamilton Public Library and Farmer's Market are integrated into the block along York Boulevard and are major attractions to this area. On the northwest corner of the block, First Ontario Centre (formerly Cops Coliseum) is a major sports and entertainment arena.



Moving north from this block, James Street North has developed into a destination for local retail, restaurants and galleries. These businesses are located primarily in original late 1800s and early 1900s commercial buildings but also in contemporary buildings along this street. This area is known as the James Street North Art District.

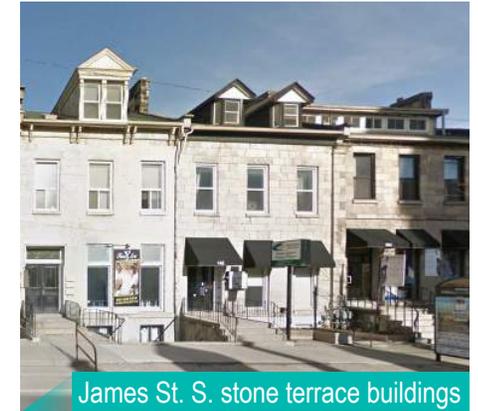
James Street South from King Street towards the Niagara Escarpment has a greater diversity of built forms consisting of taller office and residential buildings, institutional buildings, converted 1800s single detached residential buildings housing office and commercial service uses, as well. The southern end of James Street South, the Hamilton Health Sciences St Joseph's Medical Centre is a large complex of buildings providing a terminus to the commercial and residential built forms in the Downtown Hamilton Secondary Plan Area.

Both James Street North, north of Cannon Street, and James Street South, south of Hunter Street, are new areas to be incorporated into the Downtown Hamilton Secondary Plan.

Extending both east and west along King Street beyond the Jackson Square complex, retail is located in the ground floor of two to four storey commercial buildings, many of which are original commercial built fabric with several renovated properties and newly constructed buildings maintaining the original street wall. King Street East retail street frames Gore Park, Downtown's primary central urban gathering place. East of Gore Park, King Street East retail comprises the International Village Business Improvement District – with a diverse mix of local retail businesses largely in historic commercial buildings with retail on first floor with residential and offices above.

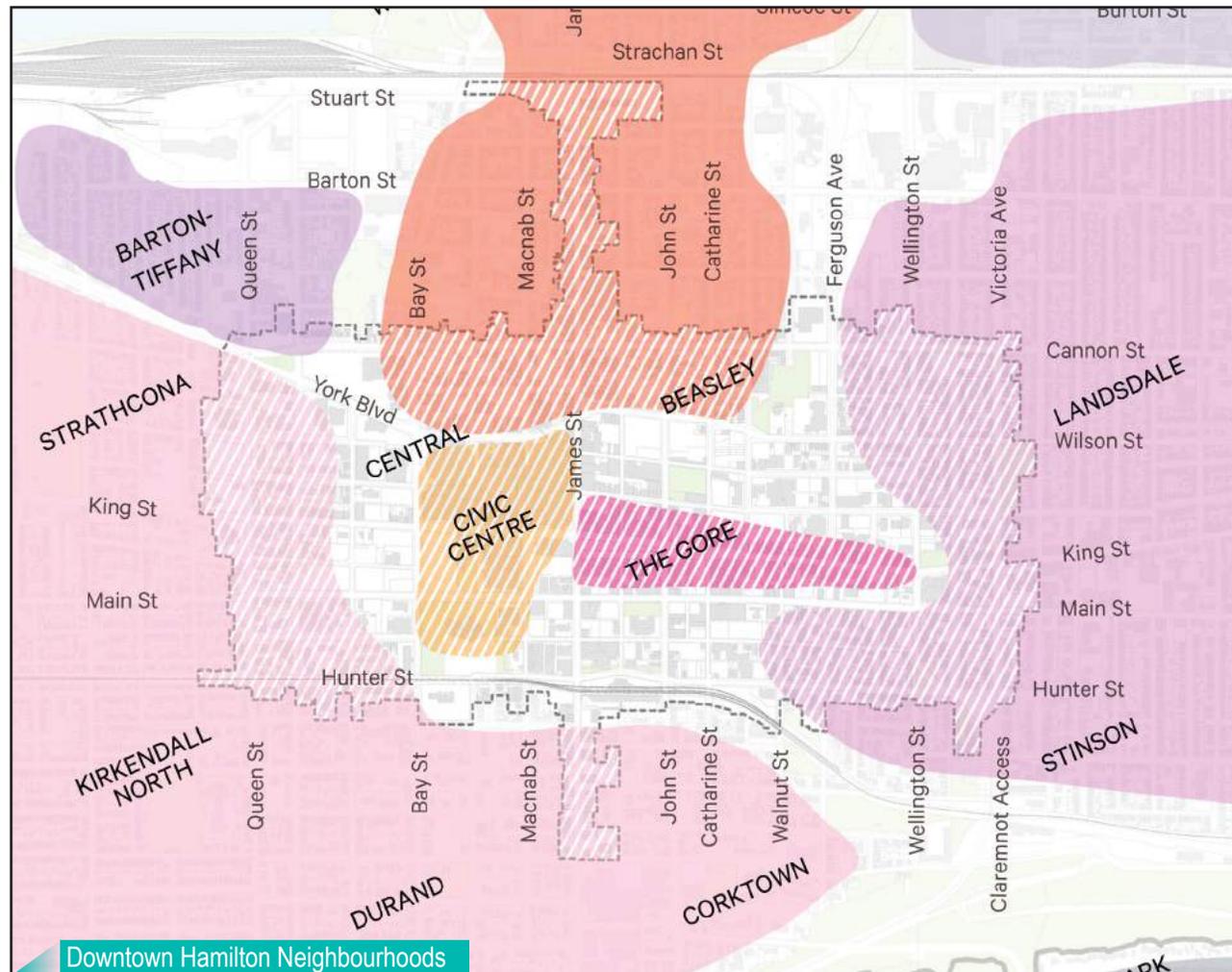
CIVIC, INSTITUTIONAL AND CULTURAL FABRIC

The Downtown contains a significant concentration of local and regional civic amenities such as City Hall and the Provincial Courts. Major commercial recreational and cultural amenities include First Ontario Centre (Copps Coliseum), First Ontario Concert Hall (former Hamilton Place), Hamilton Convention Centre and the Art Gallery of Hamilton and Whitehern Historic House and Garden. Other institutional uses include YMCA and YWCA, schools (e.g. Sir John Macdonald Secondary School, Dr. Edgar Davey Elementary School and McMaster University's Downtown Campus) as well as several places of worship. Multiple historic buildings remain throughout the downtown and have high cultural heritage value. Many buildings are designated under the *Ontario Heritage Act*.



NEIGHBOURHOODS

Hamilton's Downtown grew up as part of six historical neighbourhoods: Beasley, Central, Corktown, Durand, Landsdale and Stinson. Each neighbourhood has its own unique physical character yet each of these neighbourhoods, by proximity, share the commercial, institutional and cultural assets of the Downtown. Over time, these neighbourhoods have developed in unique ways both within and adjacent to the Downtown Hamilton Secondary Plan area creating a diversity of interfaces in use and built forms. Tall, midrise and low rise buildings, single detached, duplex, triplex and townhomes are all found throughout the residential areas of the Downtown as well as in neighbourhoods adjacent to the Secondary Plan area. These residential areas are an important part of the urban fabric of the Downtown.



Strathcona, Durand, Corktown



Landsdale, Stinson



The Gore



Civic Centre



Beasley



PARKS AND OPEN SPACE



Beasley Park



Prince's Square



City Hall Parks

Parkland within the Downtown Hamilton Secondary Plan is currently deficient and opportunities for obtaining additional land for parks are limited. South of King Street, Downtown includes small open spaces in addition to Gore Park which is a City Wide Park. A Community Park known as Beasley Park is located on the south side of Cannon in the eastern portion of the Downtown and a future Neighbourhood Park is proposed for the southeast corner of John Street and Rebecca Street. The City Hall Forecourt and Ferguson Station are categorized as City-Wide Parks. There are also a number of smaller open space areas including the York Boulevard Parkette, Clarendon Access Parkettes, Wellington Park, and Gary Hill Memorial Park.

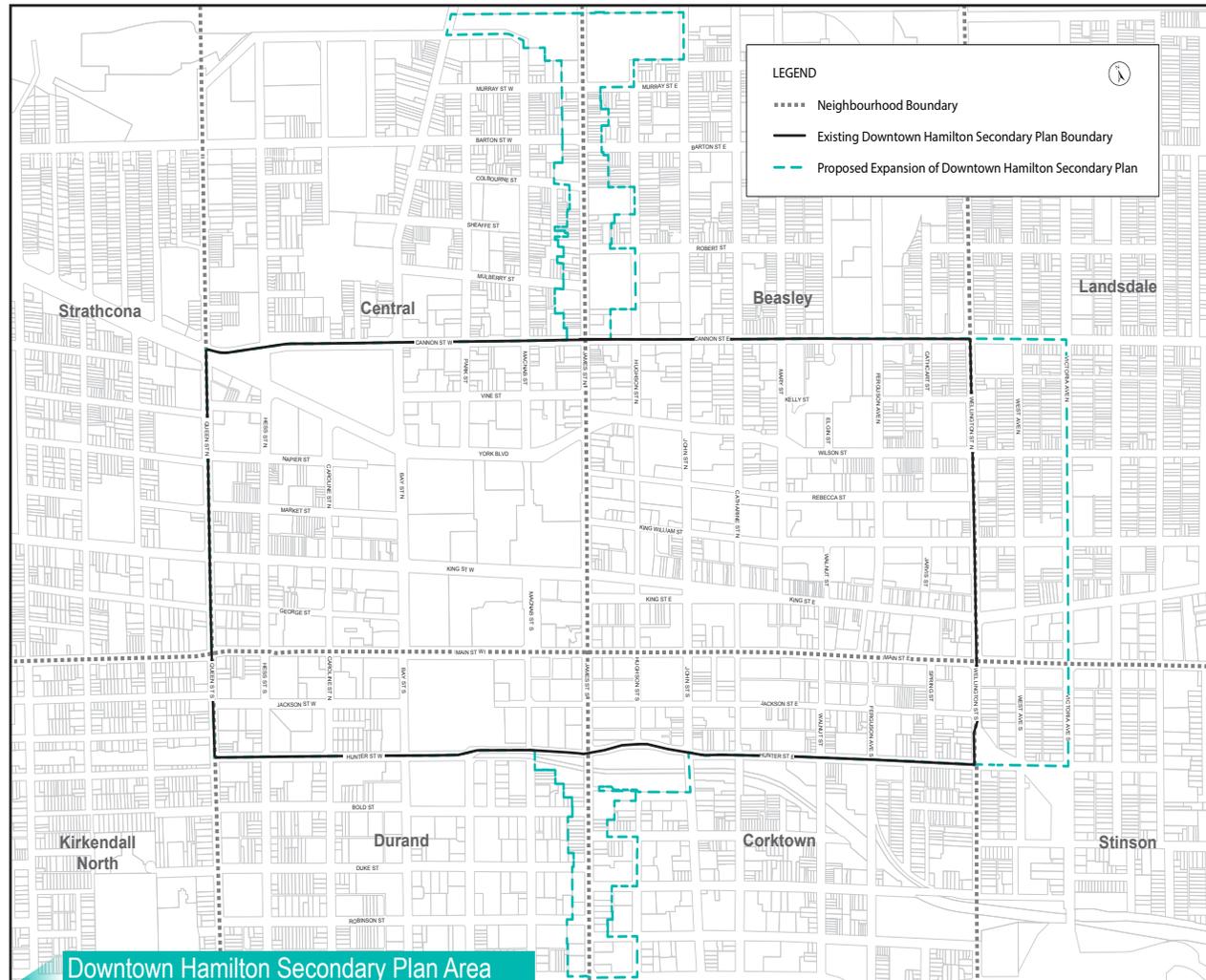
Currently, as an incentive, development within the Downtown area has a reduced parkland dedication rate (5% dedication regardless of density). Therefore, as the Downtown develops and intensifies, innovative publically accessible and privately owned open spaces will be valuable contributions to the broader parks and open space network. Through the update to the Downtown Hamilton Secondary Plan, policies have been included that encourage and recognize the importance of the existing privately owned spaces and encourage development to create new spaces such as forecourts, landscape setbacks, plazas, courtyards, urban gardens, green roofs, and walkways. These spaces will be important in an urban context, to provide opportunities for access to open space in the absence of large programmed spaces. Large expanses of open space is not available in an urban condition, integrating smaller, privately owned open spaces is an urban response, strengthening Downtown's existing open space network and contribute to the pedestrian environment of Downtown.



Gore Park

2.2 THE SECONDARY PLAN AREA

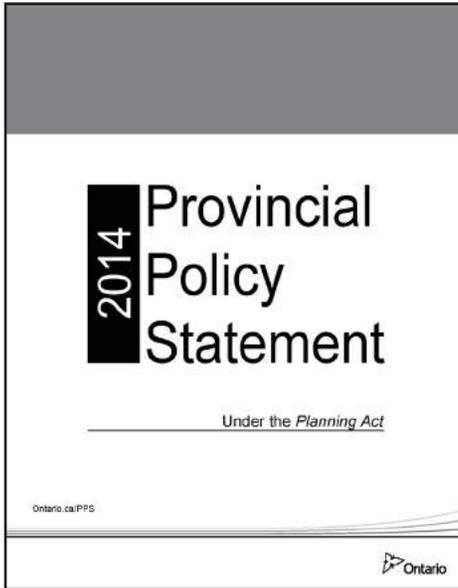
The original Downtown Hamilton Secondary Plan (2001) area includes lands bounded by Cannon Street to the north, Wellington Street to the east, Hunter Street to the South and Queen Street to the west. The update of the Downtown Hamilton Secondary Plan resulted in expanding the existing boundaries so that they align with the Downtown Urban Growth Centre boundary (as identified by the Province's Growth Plan). The updated boundary adds the lands between Wellington Street to Victoria Avenue and the properties fronting onto James Street North from Cannon Street to the West Harbour GO Station and fronting onto James Street South from Hunter Street to Charlton Avenue. The easterly expansion covers parts of two additional neighbourhoods, Landsdale and Stinson.



Downtown Hamilton Secondary Plan Area

2.3 POLICY FRAMEWORK

PROVINCIAL POLICY STATEMENT (2014)



The Provincial Policy Statement (PPS) provides Provincial direction related to key land use planning principles. These principles include building strong communities, wise use and management of resources, and protecting public health and safety. All development and decisions made by a municipality on planning matters must be consistent with the PPS.

Section 1.0 of the PPS sets out policies associated with efficient land use and development patterns that support healthy, livable, and safe communities, protect the environment and public health and safety, and facilitate economic growth.

The primary directive of Section 1.0 of the PPS is to ensure municipalities are planning for complete communities that contain a wide range of amenities, services, and features to cater to a broad range of residents. Settlement areas are intended to be the focus of growth and their vitality and regeneration promoted (Policy 1.1.3.1).

Land use patterns within settlement areas must be based on densities and a mix of land uses that efficiently use land and resources, are appropriate for the infrastructure and public services facilities which are planned or available, minimize negative impacts to air quality and climate change and promote energy efficiency, support active transportation, and are transit-supportive and freight-supportive (Policy 1.1.3.2). Cities must provide a range of uses and opportunities for intensification and redevelopment, and planning authorities are directed to identify appropriate locations and promote opportunities for this, taking into account existing building stock, and the availability of infrastructure required to meet projected needs (Policy 1.1.3.3). The revised Downtown Hamilton Secondary Plan provides direction for the appropriate growth and development of the Downtown area consistent with the policies above. The policies of the revised Downtown Hamilton Secondary Plan support the provision of a variety of housing types, housing affordability, attractive and lively public spaces, as well as a mixture of uses to sustain and promote a vibrant Downtown.

The PPS states that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety (Policy 1.1.3.4). Planning authorities are also required to establish minimum targets for intensification and redevelopment within built-up areas (Policy 1.1.3.5). The Urban Hamilton Official Plan (UHOP) establishes a minimum density target of 250 persons and jobs per hectare, exceeding the targets of the

PPS. The revised Plan provides sufficient opportunity to achieve the minimum target in a variety of built forms. While providing opportunities for development, the policies also provide a number of development standards, including the implementation of Tall Buildings Guidelines, appropriate transitions, protection of the public realm, and significant views to the Niagara Escarpment. These standards will help to protect and mitigate impacts on important features in Downtown Hamilton.

The revised Downtown Hamilton Secondary Plan is also consistent with other policies in the PPS which address:

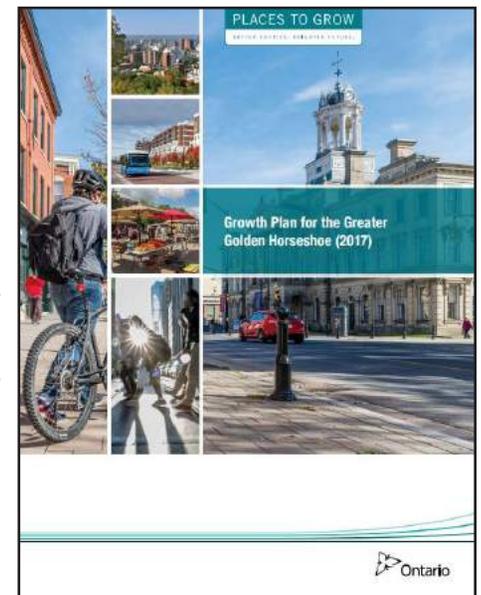
- Accommodating residential growth through intensification and redevelopment (Policy 1.4.1 a));
- Permitting all forms of housing required to meet the social, health and well-being requirements of current and future residents (Policy 1.4.3 b));
- Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety (Policy 1.4.3 e)); and,
- Planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (Policy 1.5.1 a)).

These policies have been given thorough consideration and helped to guide the review and update of the Secondary Plan. The Secondary Plan provides for a variety of intensification and redevelopment opportunities which is an efficient use of land and is transit-supportive and supportive of active transportation. The Downtown Hamilton Secondary Plan is consistent with the PPS.

PLACES TO GROW - GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2017)

On May 18, 2017, the Government of Ontario released the 2017 Growth Plan for the Greater Golden Horseshoe (Growth Plan). The Growth Plan works to support the achievement of complete communities through support for economic development, protection of the natural environment, coordination of infrastructure planning, and development and preservation of land for forecasted population and employment growth over the Plan's horizon. The Growth Plan guides decisions on a wide range of issues, including economic development; land use planning; urban form; housing; natural heritage and natural resource protection; and, provincial infrastructure planning. The *Places to Grow Act* requires that all decisions under the *Planning Act* conform to the Growth Plan.

The Growth Plan provides direction to municipalities on managing growth and emphasizes the importance of intensification and its ability to provide a diverse and compatible mix of land uses, including residential

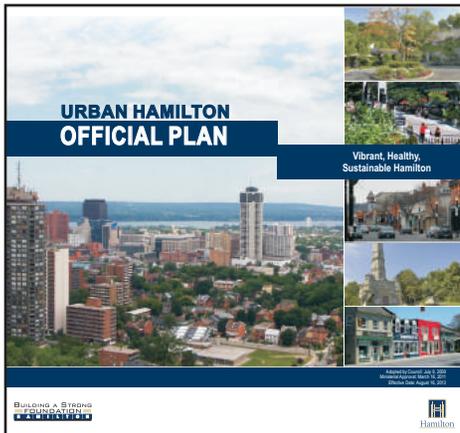


and employment uses to support vibrant neighbourhoods, active transportation goals and enhanced transit opportunities.

The Downtown Hamilton Secondary Plan area is identified as an Urban Growth Centre in the Growth Plan. Urban Growth Centres are to serve as high-density major employment centres that will attract provincially, nationally, or internationally significant employment uses (Policy 2.2.3.1. c)). They are to have the greatest density and accommodate significant population and employment growth (Policy 2.2.3.1. d)). According to the Growth Plan, the Downtown Hamilton Urban Growth Centre will be planned to achieve, by 2031 or earlier, a minimum density target of 200 residents and jobs combined per hectare (Policy 2.2.3 2. b)).

The revised Secondary Plan aligns with the boundary of the Urban Growth Centre identified in the Growth Plan by adding the lands between Wellington Street and Victoria Avenue and the properties fronting on James Street between the West Harbour GO Station and Cannon Street as well as between Hunter Street and Charlton Avenue. Additionally, the revised Secondary Plan boundary allows for development opportunities that will meet and exceed the minimum density targets established by the Growth Plan. Therefore, the revised Secondary Plan conforms to the Growth Plan policies, through the provision of public transit, the efficient use of land, the efficient use of infrastructure, and the provision of high quality public spaces that support and create attractive and vibrant communities.

URBAN HAMILTON OFFICIAL PLAN (UHOP) (2013)



The UHOP is the long range plan to guide growth and development in the urban area of Hamilton. The UHOP identifies the Downtown as the Downtown Urban Growth Centre (UGC) Node, the pre-eminent node within Hamilton. The urban growth targets in the Province's Growth Plan shape the land use policies for this area. The Downtown UGC will have higher densities and a broader range of uses than the rest of the City. While the Growth Plan directs the Downtown UGC to accommodate 200 persons and jobs per combined hectare, the UHOP policies establish a higher standard. The Plan establishes a minimum density target of 250 persons and jobs per hectare directs 20% of City-wide residential intensification (which translates into 5,000-6,000 new residential dwelling units) over the time frame of the Official Plan (i.e. 2013 – 2031) to be accommodated in the Downtown UGC. (Policy E.2.3.1.9 and Policy B.2.4.1.3 a) respectively). The UHOPs planned scale and intensity supports higher-order transit and provides services not only to residents within Downtown but also those residing in areas outside of the Downtown and in neighbouring municipalities.

The UHOP designates the UGC as “Downtown Mixed Use” on schedule E - 1 - Land Use Designations and establishes policies that support the function of the Downtown Urban Growth Centre Node. The Downtown Mixed Use area is the historic centre of the City and is intended to support a full range of land uses, including a variety of retail, service commercial, institutional, cultural, entertainment, office, and a variety of higher density residential, including affordable housing.

The Downtown Mixed Use area is intended to serve as a central focus for the City; retail, office, and service commercial uses are a key element in maintaining that function and ensuring the continued vibrancy of the Downtown. The Downtown Mixed Use area is to be designed as a pedestrian focused area with a high level of comfort and amenities. For a more detailed analysis of the policy context refer to Appendix A.

SETTING SAIL, SECONDARY PLAN FOR THE WEST HARBOUR (2012)

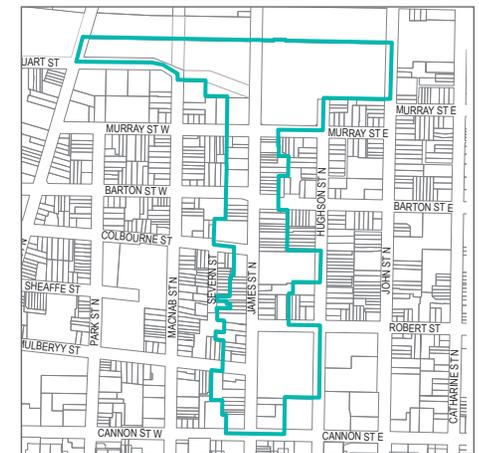
Properties fronting on James Street North from Cannon Street to the West Harbour GO Station are within the Setting Sail Secondary Plan boundary. The majority of these lands are designated as Prime Retail in the Setting Sail Secondary Plan with the exception of some Institutional designations and lands designated Medium Density Residential, Local Commercial and Open Space just north of Murray Street. The Prime Retail designation aligns with the Downtown Mixed Use – Pedestrian Focus designation with focus on the pedestrian experience, through land use permissions and built form policies. The institutional properties are included in the Downtown Mixed Use – Pedestrian Focus designation, with a Site Specific Policy to reflect the significance of the uses and allow for the continued use as an institutional property. The lands designated Medium Density Residential have been included in the Downtown Mixed Use – Pedestrian Focus designation to maintain a continual streetscape and connection to the GO Station. The proposed designation allows for residential development, however will require an active street level use. Lastly, the lands designated Local Commercial have been included in the Downtown Mixed Use designation to maintain consistency throughout the Downtown.

These lands are proposed to be removed from the Setting Sail Secondary Plan and added to the Downtown Hamilton Secondary Plan through this update to align the Plan’s boundaries with those of the Downtown Urban Growth Centre.

URBAN HAMILTON OFFICIAL PLAN NON-DECISION NO. 117

The Ministry of Municipal Affairs and Housing approved the majority of the UHOP in 2011. However, given the existing appeal of Setting Sail Secondary Plan, the Minister issued Non-decision No. 117 on that portion of the UHOP containing the Setting Sail Secondary Plan.

Lands to be removed from the Setting Sail Secondary Plan and added to the Downtown Hamilton Secondary Plan



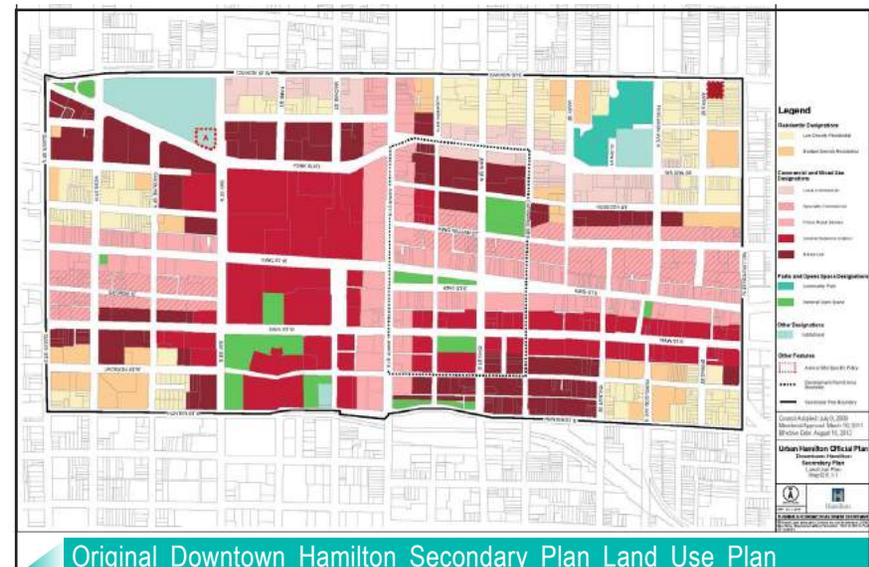
The UHOP version of the Setting Sail Secondary Plan for the West Harbour is subject to Non-decision No. 117; therefore these lands are not in force and effect in the UHOP, rather the document is in force and effect in the former City of Hamilton Official Plan. The amendment for the portion of lands within the Setting Sail Secondary Plan, that are part of the Urban Growth Centre, will be added to the revised Downtown Hamilton Secondary Plan and deleted from the Setting Sail Secondary Plan.

ORIGINAL DOWNTOWN HAMILTON SECONDARY PLAN (2001)

The original Downtown Hamilton Secondary Plan (2001) was developed from a design strategy that was prepared for the revitalization of the Downtown: “Putting People First, Downtown Hamilton Design Strategy (1999)”. This document contained key design directions and targeted actions for downtown revitalization that were used as background for the preparation of the 2001 Secondary Plan. At the time of its development, the design strategy identified key themes to revitalization: the importance of increasing the residential population; creating green, pedestrian-friendly streetscape; marketing the Downtown; preserving heritage buildings; and, using key sites as demonstration projects and catalysts for revitalization. The 2001 Secondary Plan was the means to take the vision of the design strategy and make it a reality.

The 2001 Secondary Plan contemplated two residential designations, Low Density and Medium Density. The higher density forms were directed to the main streets and mixed use areas and were only permitted in the commercial designations. Many of the residential buildings, including the low density built forms, that exist today exceed the density maximums stated in the 2001 Secondary Plan.

The 2001 Secondary Plan focused traditional street related retail along the spines of James Street and King Street. The majority of the stores in these areas are located at grade offering an attractive pedestrian-oriented experience when walking along these streets.



Original Downtown Hamilton Secondary Plan Land Use Plan

A strong emphasis was placed on protecting the Downtown's heritage resources, buildings and landscapes. The 2001 Secondary Plan acknowledges the importance of restoring key heritage resources as a catalyst for the restoration of surrounding buildings established built form policies to encourage new development in areas with unique physical or heritage characteristics to reflect the scale, height and massing of surrounding buildings.

A variety of existing and emerging neighbourhood retail areas consisting of smaller scale convenience and service shops in a variety of locations such as West Cannon Village (Cannon Street between Bay Street and James Street) and Wilson Street between Hughson Street and Ferguson Avenue were identified in the design strategy and recognized by the Local Commercial designation in the 2001 Secondary Plan. These areas were to provide speciality stores and services to the surrounding residential areas. The 2001 Secondary Plan recognized that the future success of these areas is dependent on the ability to attract more residents to the Downtown.

The 2001 Secondary Plan includes clearly defined, yet very modest, height permissions, with the tallest permitted heights at 15 storeys. All development within the Downtown is required to be a minimum of two storeys, with the exception of the Prime Retail designation (along King Street and James Street), which requires a minimum of three storeys. The 2001 Secondary Plan policies allowed increases in height if the proposal could mitigate the sun shadow impacts, wind impacts and visual impacts on the surrounding area.



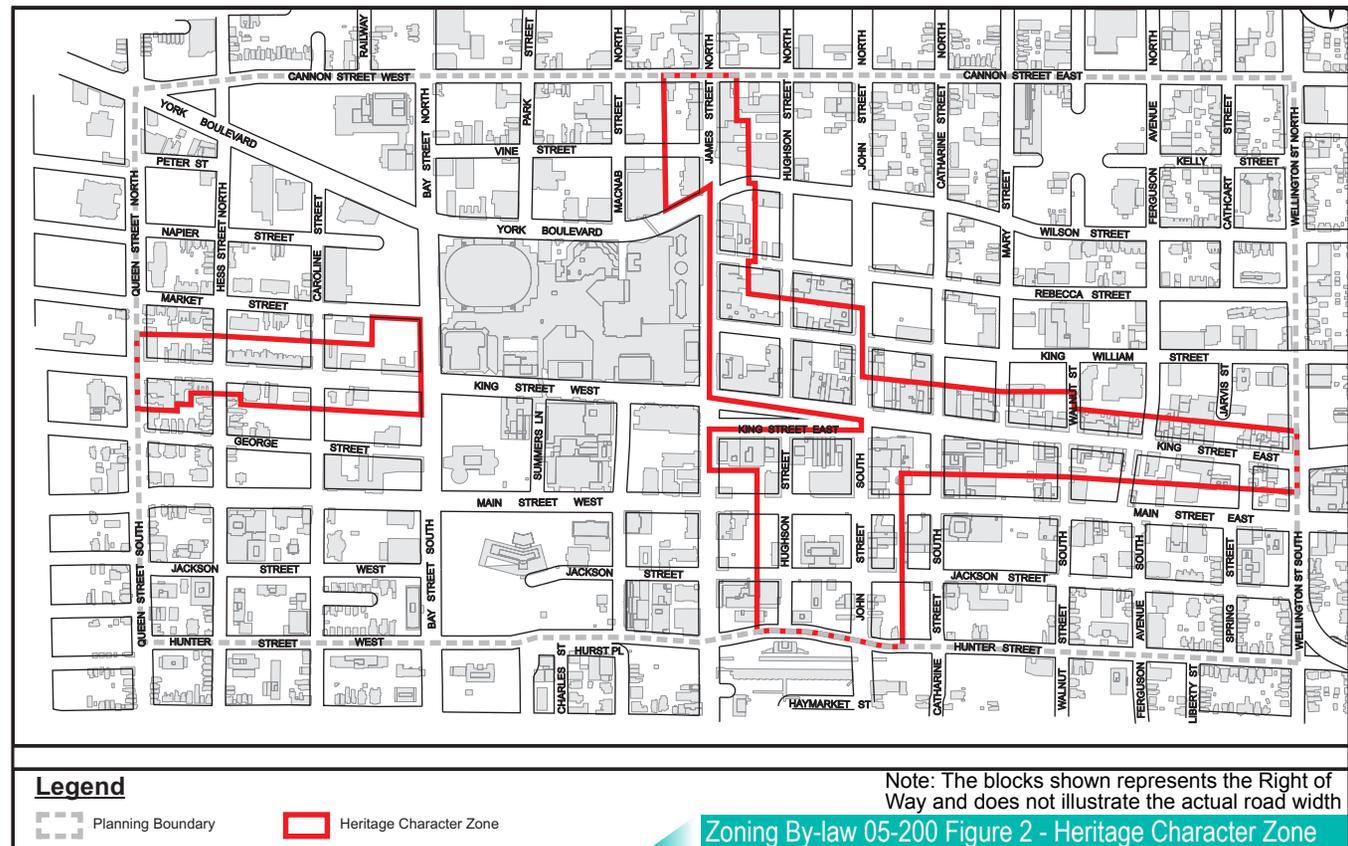
At the time the Secondary Plan was approved in 2001, the focus was on attracting residents to the Downtown through more grade related housing forms. Over the past 10 years, the City has experienced a significant increase in taller building development proposals reflective of market trends and the growing understanding that all built forms can successfully contribute to the revitalization and development of Downtown Hamilton.

2.4 PLANNING STUDIES AND GUIDELINES

There are a number of relevant planning studies, documents and guidelines that have been considered in the Downtown Hamilton Secondary Plan review. The primary documents include the following:

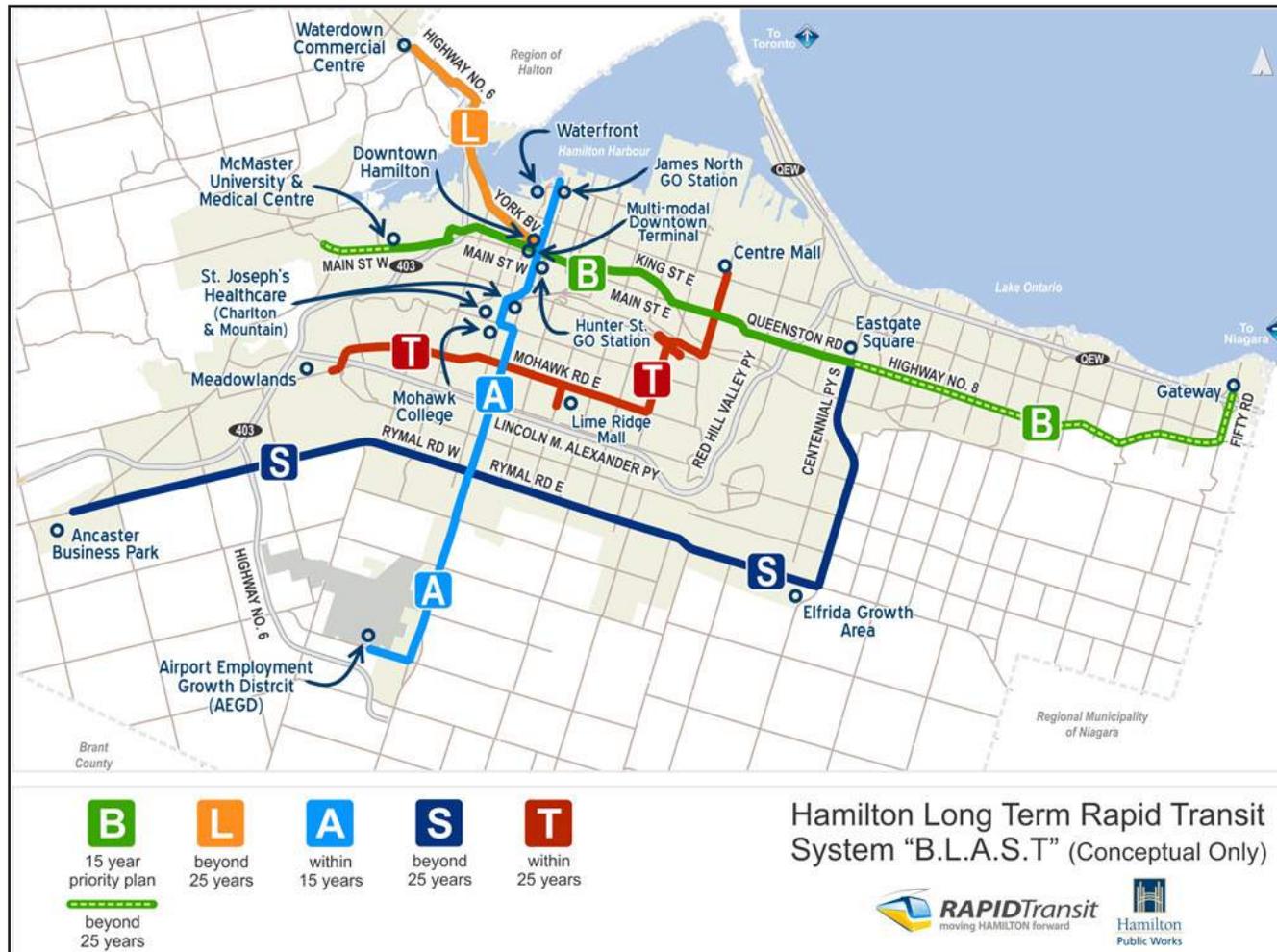
DOWNTOWN HERITAGE CHARACTER GUIDELINES

In 2006, the Downtown Heritage Character Zone Design Guidelines were approved by Council as a city building tool to protect built heritage resources and to ensure that development is consistent with the existing heritage character in the Downtown. The Heritage Character Zone comprises portions of King Streets East and West, James and John Streets North and South, and portions of King William Street where the most intact and consistent built heritage urban fabric are found. Figure 2 - Schedule "F" – Special Figures, to Zoning By-law No. 05-200 identifies the Heritage Character Zone boundary, the By-law contains associated regulations for built form that apply to properties within the area identified. Staff is recommending that these guidelines be reviewed and updated.



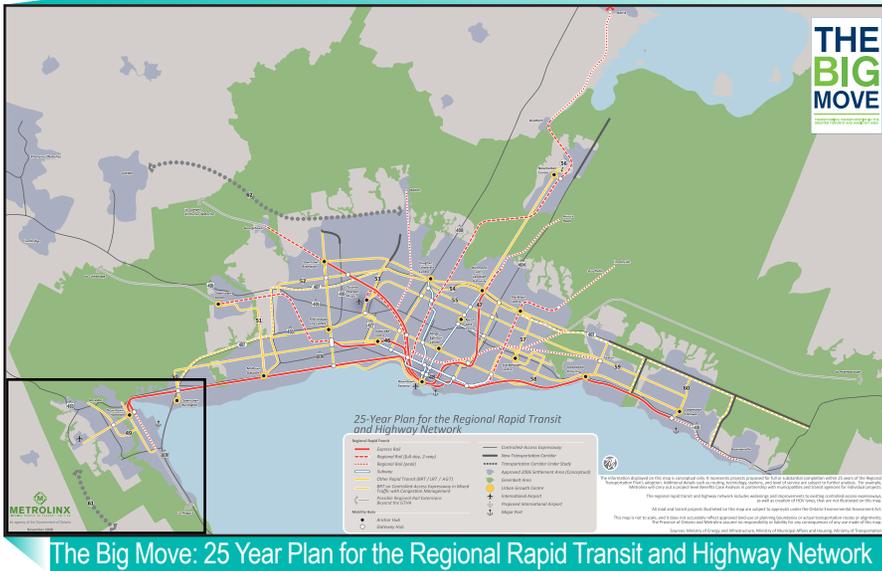
BLAST NETWORK (2007)

The BLAST network is the City's long term planned light rail transit plan, conceived as part of the City's Transportation Master Plan. In 2013 the BLAST network was identified as a Major Transportation Route and identified on Appendix B – Major Transportation Facilities and Routes. The long-term plan includes five higher-order transit corridors, including the B-line (15 years, priority), L-line (25 years), A-line (within 25 years), S-line (beyond 25 years), T-line (within 25 years). The A-line and the B-line run through the Downtown Hamilton Secondary Plan area and are identified as priorities.



HIGHER ORDER TRANSIT

Metrolinx is the Provincial agency responsible for planning, coordinating and delivering The Big Move: Transforming Transportation in the Greater Toronto and Hamilton Area (GTHA). The Big Move is a Regional Transportation Plan, which provides a long-term vision, goals and objectives and policies for developing a comprehensive transportation network within the GTHA.



The Big Move identifies fifty-two projects for improving the system, two of which have an impact on the Downtown Hamilton Secondary Plan area:

- Rapid transit along the Main/King corridor (B-line); and,
- Rapid transit along James/Upper James Corridor (A-line Corridor).



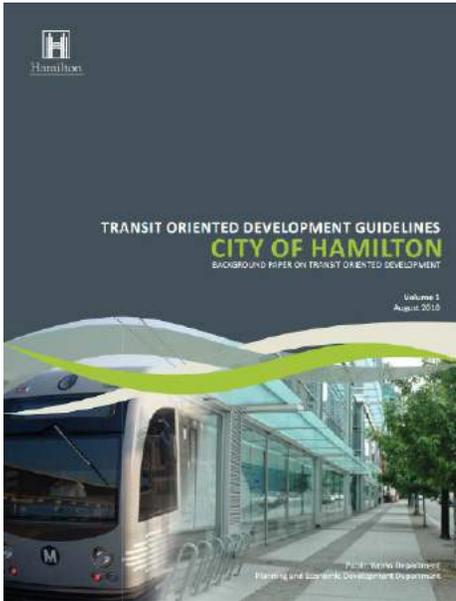
Hamilton Street Railway Bus



Hamilton GO Centre Train Stop



Planned Light Rail Transit on King St.

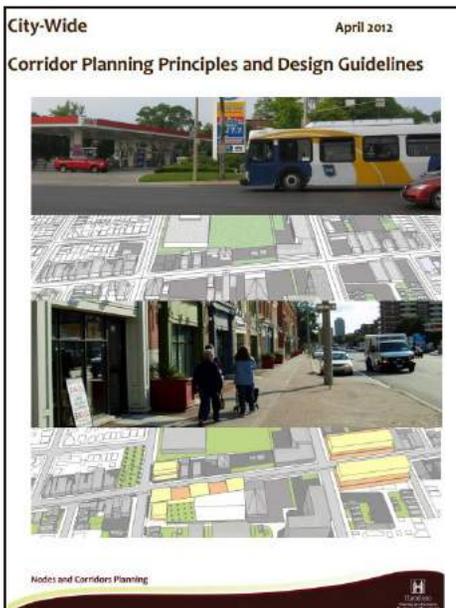


DOWNTOWN HAMILTON TRANSPORTATION MASTER PLAN, 2001 (UPDATED 2008)

The Downtown Hamilton Transportation Master Plan (TMP) is a key piece in the ongoing revitalization of Hamilton’s Downtown. The Master Plan provides a number of recommendations addressing all aspects of the transportation system including road networks, bicycle networks, pedestrian facilities, transit and parking. One of the cornerstone elements of the plan was the recommendation to convert several major and minor streets from one-way to two-way operation. Recommendations from the TMP were translated into policy when the Secondary Plan approved in 2001 and have remained in the Plan through this update.

TRANSIT ORIENTED DEVELOPMENT GUIDELINES (TOD) (2010)

TOD guidelines complement the UHOP and the Downtown Hamilton Secondary Plan by providing development direction for the private and public realm along transit corridors. The directions promote compact mixed use development near transit facilities with high quality pedestrian environments. The City of Hamilton adopted the Transit Oriented Development Guidelines to establish a set of principles to be followed for development at key transit station locations. As Downtown contains two primary transit corridors and two mobility hubs (James Street North and Hunter Street) as well as the MacNab Transit Terminal, the guidelines support the vision and objectives of the Downtown Hamilton Secondary Plan by encouraging better access to transit, concentration of development around transit stops and enhancing livability and quality of life in the Downtown.



CITY WIDE CORRIDOR PLANNING PRINCIPLES AND DESIGN GUIDELINES (2012)

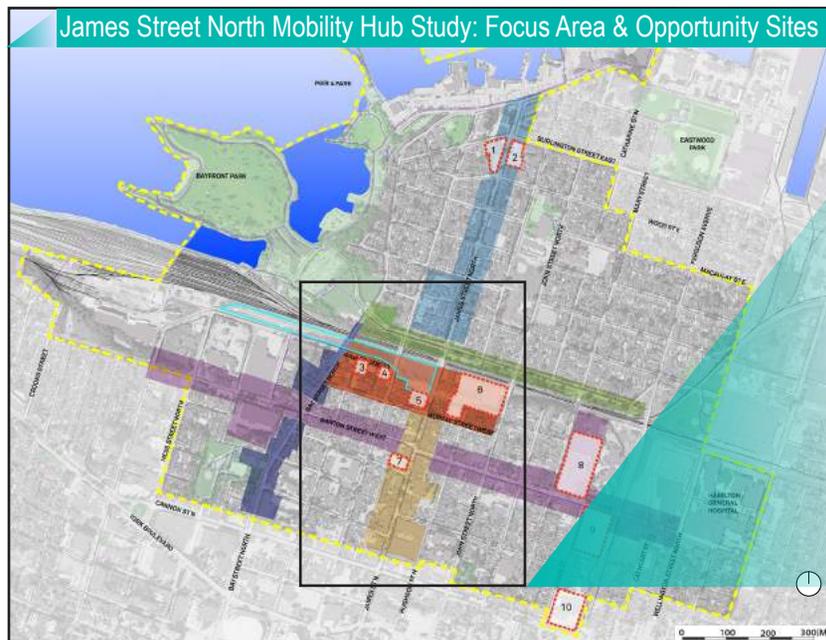
The City Wide Corridor Planning Principles and Design Guidelines apply to areas within 400 metres of corridors identified in the UHOP as this area represents locations that are within walking distance to transit. The City Wide Corridor Planning Principles and Design Guidelines include several Transportation Demand Management (TDM) measures intended to promote alternative modes of transportation (cycling, walking, transit, etc.). Both the Transit Oriented Development Guidelines and the Corridor Planning and Design Guidelines provide direction for the types of built form, uses and infrastructure investments which are required to create vibrant pedestrian, cycling and transit-oriented places within the Downtown.

JAMES STREET NORTH MOBILITY HUB STUDY (2014)

The James Street North Mobility Hub area includes lands within a 400-metre radius around the West Harbour GO Station and future rapid transit/Hamilton Street Railway (HSR) transit station at James Street North. The Mobility Hub Study was initiated to study the areas around the West Harbour GO Transit station at James Street North and to identify opportunities and actions required to achieve a successful Mobility Hub. The study identified appropriate locations to direct intensification, and to identify potential changes to the existing policy framework in order to facilitate future transit-supportive development.

The Study highlighted six focus areas that were expected to undergo the greatest change. Ten demonstration sites (development examples) were prepared to illustrate how those changes could take place. It recommended that Official Plan and Zoning By-law Amendments be considered to increase the permitted height and provide greater flexibility in the range of permitted uses permitted on the ground floor along the James Street corridor. Council approved the Study on September 24, 2014.

The James Street North Mobility Hub Study area overlaps with part of the Downtown Hamilton Secondary Plan's expanded boundary (the segment of James Street North from Cannon Street to the West Harbour GO Station). The Study includes specific recommendations for the built form within this area and puts forward a series of demonstration plans for "Opportunity Sites". The revised Secondary Plan and Zoning By-law implement the recommendations of the James Street Mobility Hub and the site specific recommendations for the three opportunity sites within the Downtown Hamilton Secondary Plan area.



- Focus Area C
Station Area
- Focus Area D
James St N from Cannon St to the GO Station
- Focus Area E
Barton St W
- Focus Area F
Bay St
- Opportunity Sites
- Mobility Hub Study Area
- James North
GO Train Station Area
- Parks

“Tall buildings form an integral part of Downtown Hamilton.”



As part of the review of the Downtown Hamilton Secondary Plan, staff identified the need for guidelines for tall building development within Hamilton’s Downtown. While the 2001 Secondary Plan permits tall buildings where certain criteria (sun, shade or wind impacts on public spaces) are mitigated, specific design guidance around height, fit and relationship to context is missing. In addition, there has been increased development interest for tall buildings in Hamilton’s Downtown. The Secondary Plan identifies a vision of a Downtown that is ‘vibrant’ with ‘human scale’ ‘streetscapes offering comfort’. It also aims to ‘link together the Downtown and surrounding neighbourhoods from the Niagara Escarpment to the Waterfront’. Tall buildings could impact all of these objectives, therefore the Study was carried out in order to create Guidelines for how tall buildings could be developed so that they contribute positively to the Downtown. More specifically, the purpose of the Tall Buildings Study was to respond to recent development activity, inform the Secondary Plan review, establish a framework to determine where tall buildings are appropriate, clarify how mitigation strategies are to be evaluated, and develop built form guidelines for use by Planning Staff and applicants.

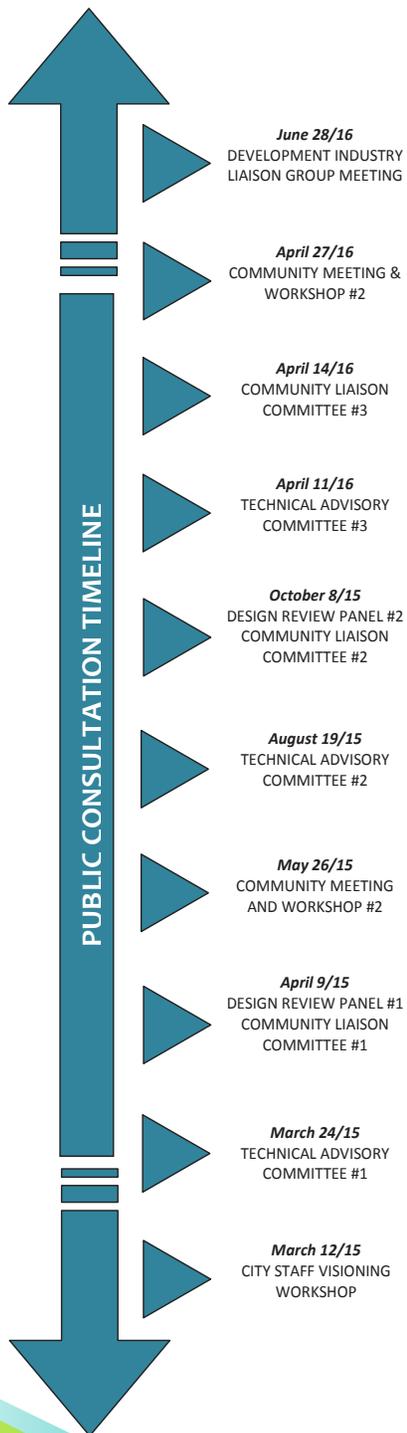
As part of the Study, the following key considerations were addressed:

- What is tall? – The definition of “tall buildings” within the Hamilton context;
- Unique Context – the study considered the unique aspects of Hamilton’s Downtown with regards to tall buildings, specifically: topography, natural heritage (Niagara Escarpment Plan) views (from the Niagara Escarpment and Hamilton Harbour), parcels size, and transit;

- Context and Fit – guidelines identified appropriate locations, heights and relationships for tall buildings and considered the varying contexts of the surrounding neighbourhoods;
- Climactic Consideration – the cumulative impacts of sun, shade and wind were addressed;
- Heritage Buildings – the protection of and relationship to heritage buildings; and,
- Conformance with Zoning – the study considered how to align the new guidelines with the Zoning By-law.

The project produced two documents: the Tall Buildings Study which outlines the process and background, and Tall Buildings Guidelines which identifies performance based measures to inform site and building design. Implementation of the Tall Buildings Guidelines recommendations is discussed in detail in Section 5.0 of this Report.



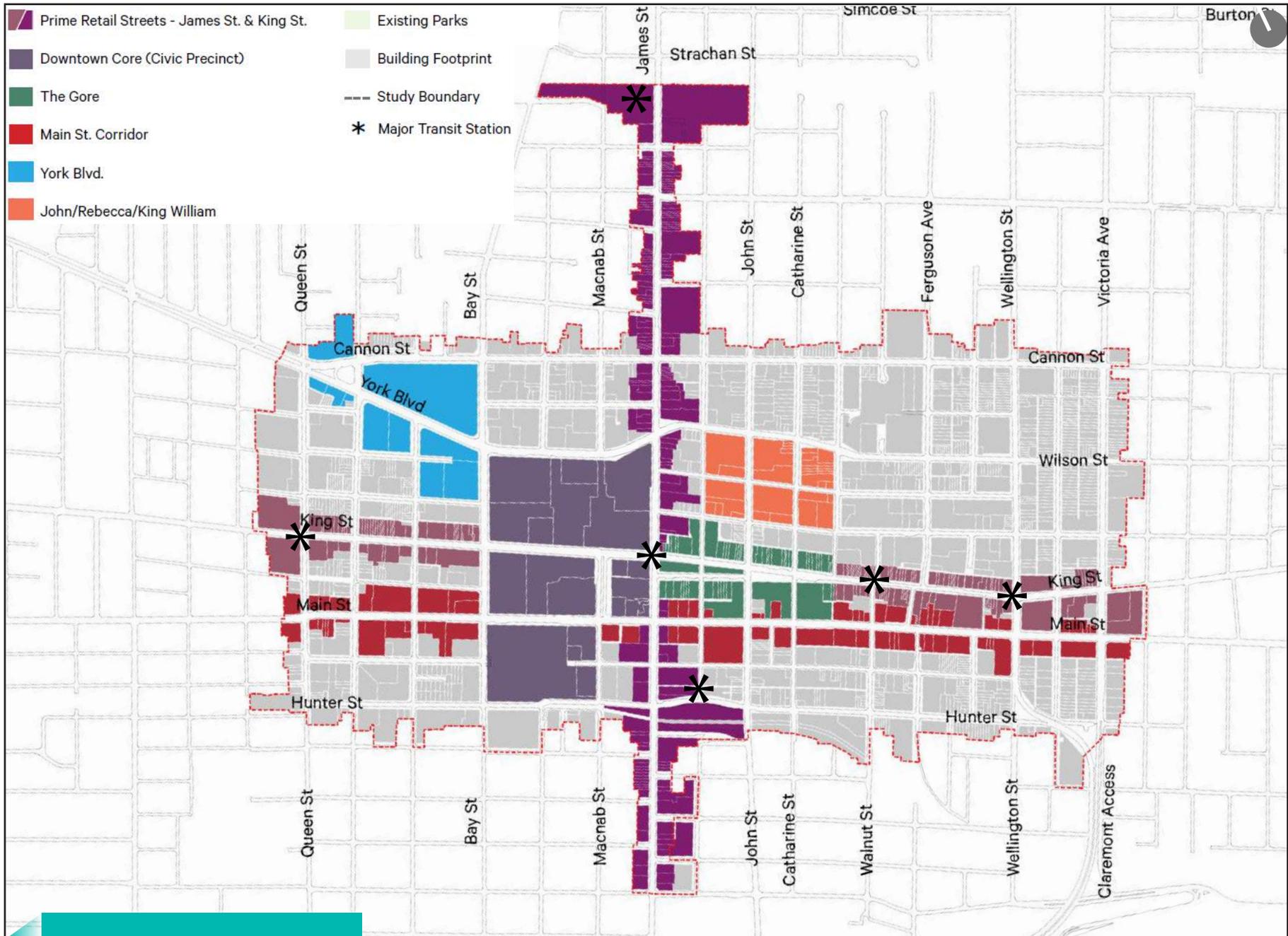


Throughout the Public Consultation sessions for the Tall Buildings Study and Guidelines, there were a number of common themes that were heard:

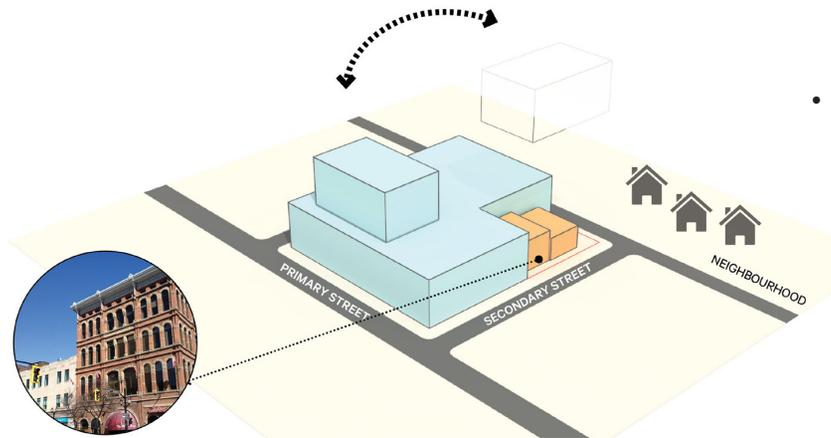
- Tall buildings should be located in proximity to green spaces;
- Terraced buildings should be introduced around green spaces to reduce shadow impact;
- The Gore should be protected but could accommodate more height;
- Views from the Escarpment are important, but the views of the Escarpment are more important to preserve;
- Buildings should be no taller than the height of the Escarpment;
- Fill existing, unoccupied parking lots first;
- Design is important at gateways, not necessarily height;
- Tall is relative to context – height could be permitted throughout the Downtown, as long as due process is followed and impacts can be mitigated; and,
- Tall Buildings Guidelines should show how to evaluate buildings versus prescribe where they should go.

For the purposes of maintaining community character and cohesive design, the Guidelines have been organized around Character Areas which are based on common land uses, building typologies and interfaces with adjacent public realm (e.g. streetscape or park) contributing to their unique identities. The character areas describe the predominant character and appropriate built form for different areas within the Downtown.

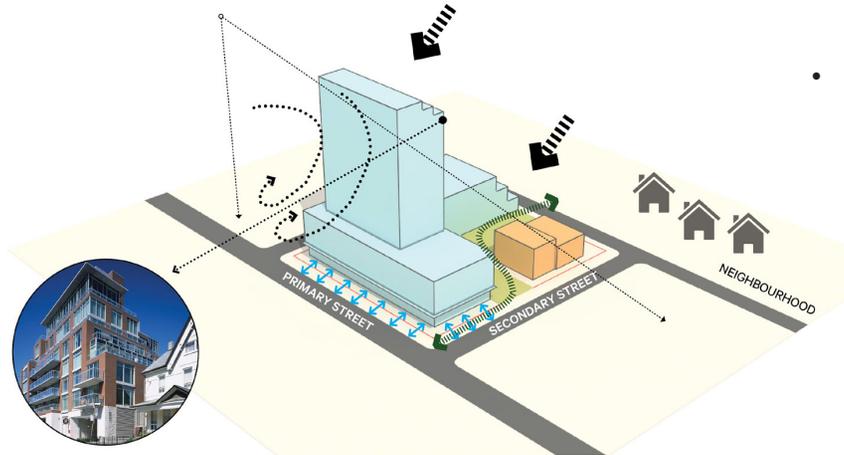
The Character Areas describe the key elements that need to be considered as redevelopment occurs, including the vision for each area, built for qualities and public realm interface, priorities and key considerations and urban design strategies (e.g. consistent street watt, street interface, transitional frontage, setbacks to complete the pedestrian boulevard, active facades, etc.).



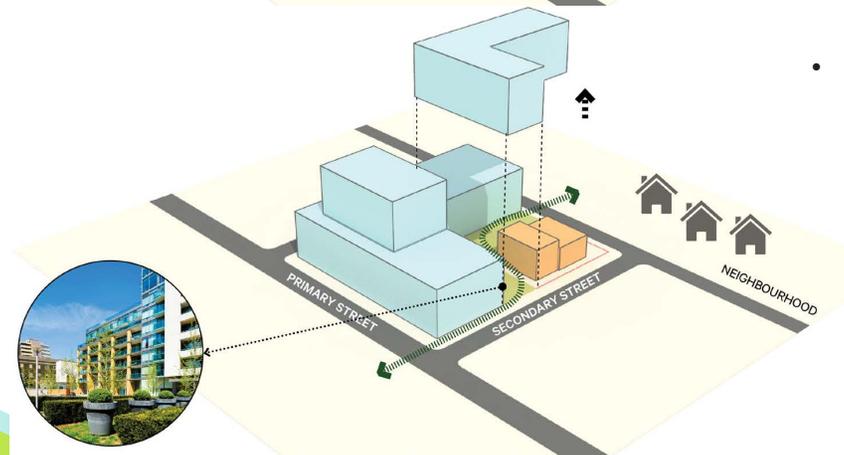
In addition to establishing the defining character for different areas within the Downtown, the Tall Buildings Guidelines provides direction for how tall buildings should respond to the following elements within the surrounding context:



- **Heritage Conservation** – the shape and form of tall buildings should respond to and respect Hamilton’s existing rich architectural legacy, as represented in the stock of heritage buildings and districts;

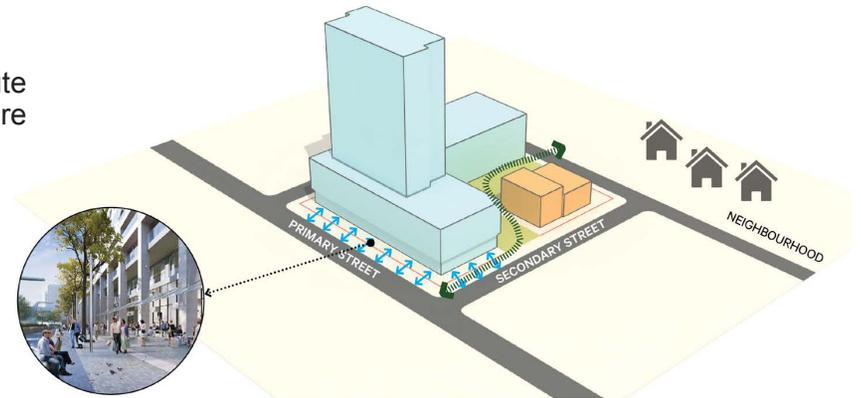


- **Neighbourhood Transition** – the location, shape and form of tall buildings should respond to the surrounding neighbourhood context;

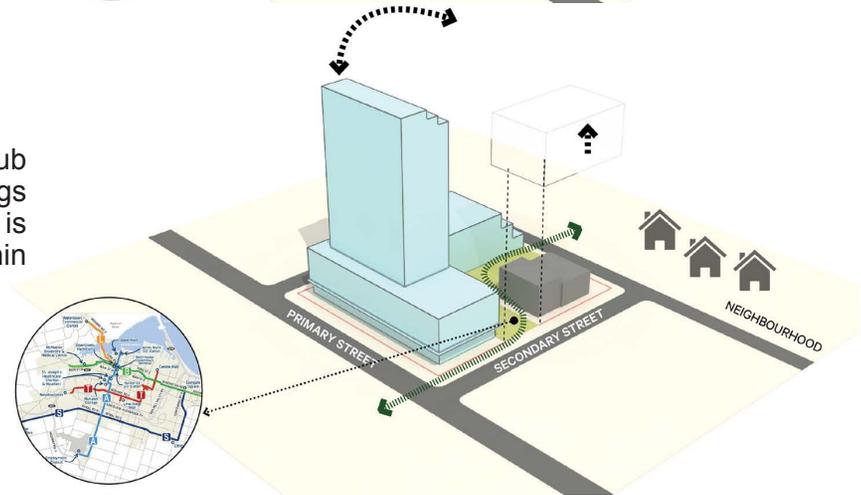


- **Parks and Open Space** – tall buildings within the Downtown should support the creation of a robust public realm network, including parks, streets and plazas;

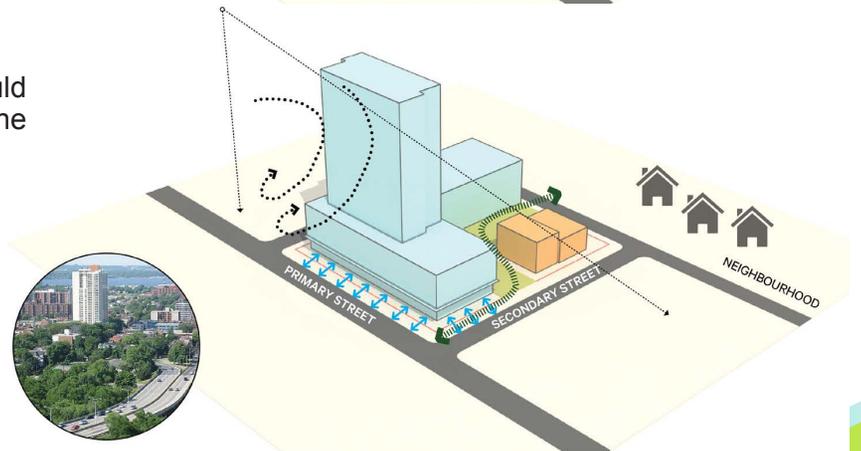
- **Vibrant Streets** – new buildings will bring people who will contribute to Downtown’s growth and vitality. With intensifications, streets are increasingly important parts of the public realm;



- **Transit Proximity** – as Downtown Hamilton is identified as a Mobility Hub with major investments in transit infrastructure, the location of tall buildings should be informed by Transit Oriented Development Guidelines. It is strongly encouraged to introduce mixed uses and increased density within 400 meters of transit station areas;



- **Views and Landmarks** – tall buildings within Downtown Hamilton should respond to the City’s unique topography and landscape, including the Escarpment and the Waterfront.



The Tall Buildings Guidelines are to be used in the Downtown to review tall building proposals. They establish a unified set of performance measures to ensure development proposals fit in with their context and minimize impacts. It is not the intention of the Guidelines to limit creativity. Where it can be demonstrated that an alternative built form achieves the intent of the Guidelines, alternative solutions are permitted and encouraged.

DOWNTOWN HAMILTON VIEWSHED ANALYSIS (2017)

To support the Downtown Hamilton Secondary Plan review a Viewshed Analysis was carried out to demonstrate and visualize proposed building heights and the potential impacts to the skyline and to the scenic value of the Niagara Escarpment. The purpose of the study was to identify critical areas where specific setbacks for the built form are needed to maintain or enhance views and viewsheds.

At the outset of the investigations, locations were reviewed where potential significant vistas of the Escarpment and Hamilton Harbour might contribute to the unique character of Downtown Hamilton. The study concluded that the Niagara Escarpment is the prominent feature that is visible at the terminus of several streets in the Downtown. This is a result of its close proximity, height, and forested natural character.

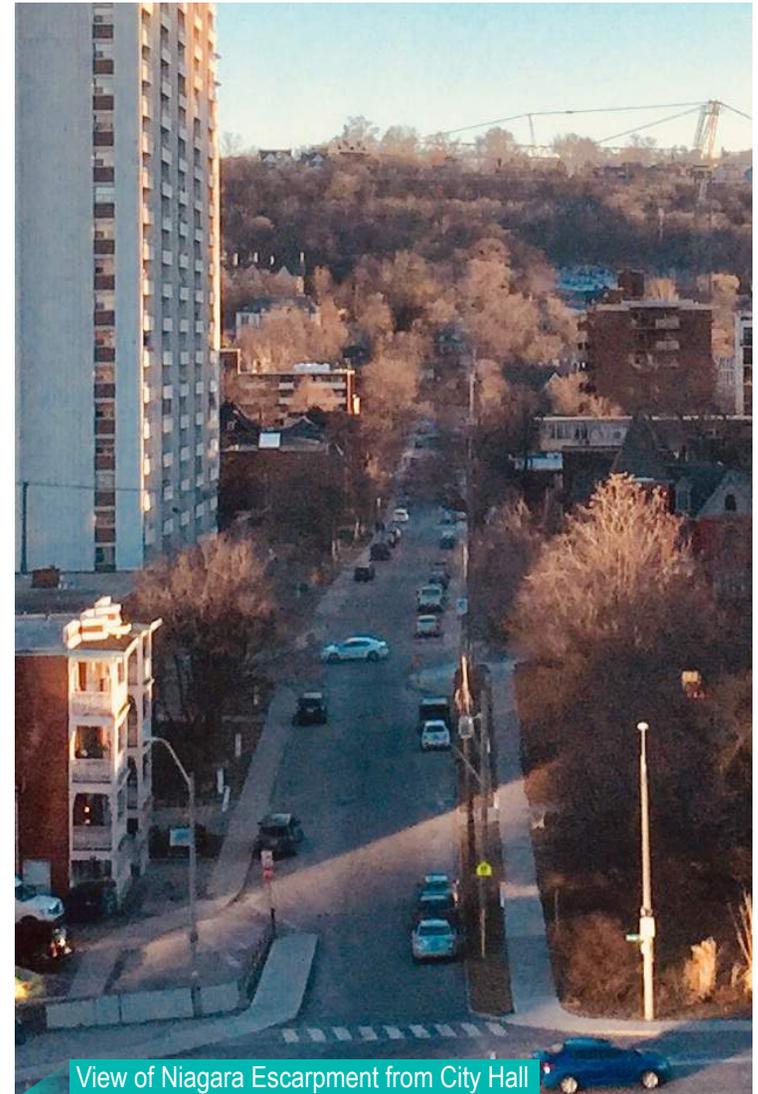
The viewshed analysis was carried out based on the 35 year build-out scenario for the Downtown Hamilton Secondary planning area. The analysis used a 3D model to navigate to each of the selected viewpoints to determine if there were existing views to the Niagara Escarpment or the Hamilton Harbour. Using the 3D model, the process involved evaluating the current view and comparing that with the view in the 35 year build-out model. The evaluation determined three significant conclusions:

- Existing views to the Escarpment were available along the north-south oriented road corridors (not from single points) and were most visually prominent south of King Street;
- The height of the building and the position of the footprint on the lot (specifically the location of the base of the building relative to the road corridor) impacted views; and,
- The prominent views were to the Niagara Escarpment to the south. Views to Hamilton Harbour were neither significant nor impactful from the public lands in the Downtown because of distance and the lower topography in the vicinity of the Harbour.

The viewshed analysis findings are illustrated in the map on the following page. The map identifies the road corridors (West Avenue, Wellington Street, Ferguson Avenue, Catherine Street North, John Street, James Street, MacNab Street South, Bay Street, Caroline Street North, Hess Street and Queen Street) where views of the Niagara Escarpment are present and contribute to the character of the viewsheds available in the study area.

The map also illustrates specific areas that are very sensitive to redevelopment. These locations are generally along the southern limit of the Downtown along James Street south of Hunter Street and south of King Street East along Catherine Street, Wellington Street South and West Avenue South.

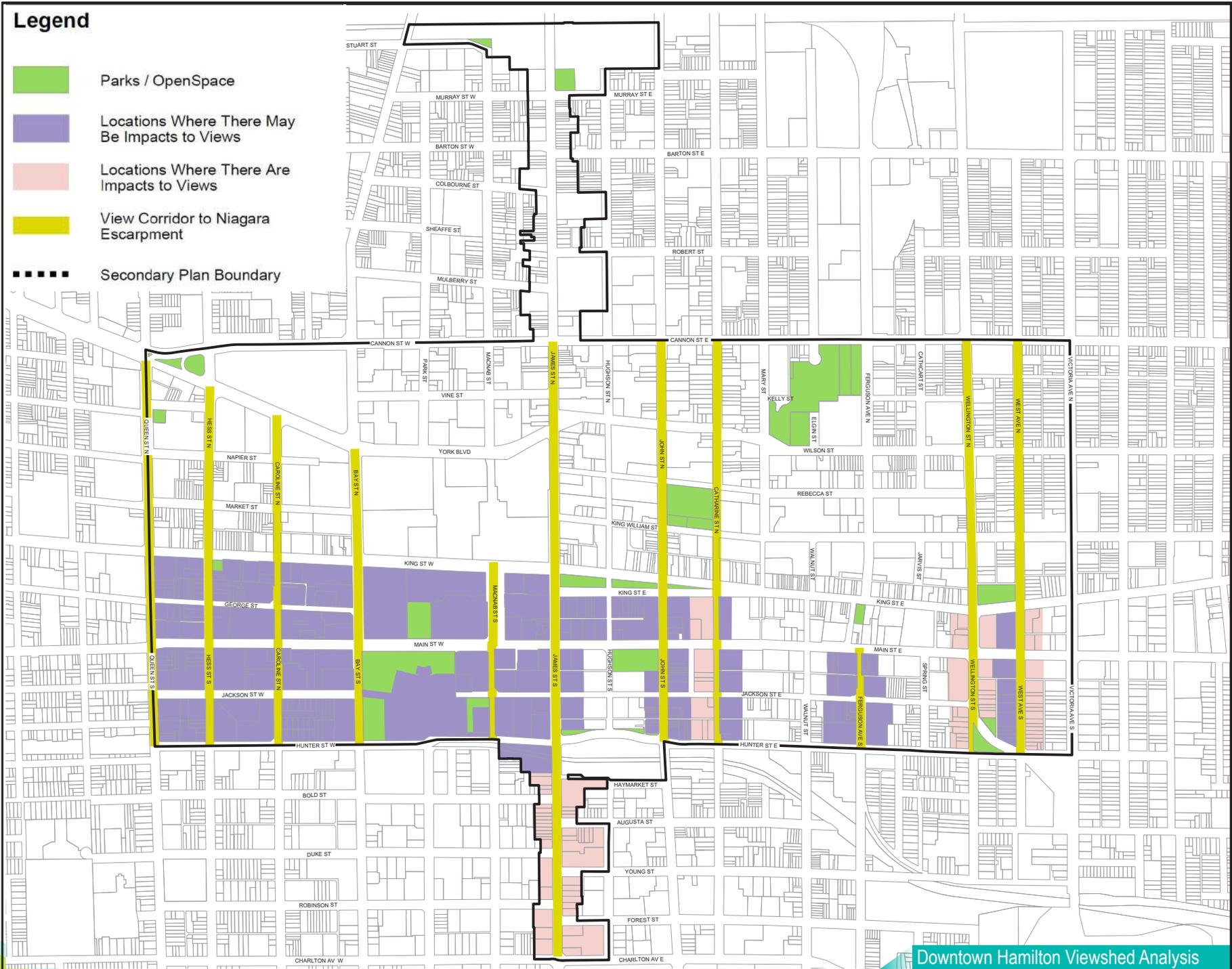
The Viewshed Analysis informed the Downtown Hamilton Secondary Plan and Zoning By-law review process by identifying changes to the policy framework and zoning to ensure that as development occurs, existing views to the Niagara Escarpment are maintained, and where possible, enhanced.



View of Niagara Escarpment from City Hall

Legend

- Parks / OpenSpace
- Locations Where There May Be Impacts to Views
- Locations Where There Are Impacts to Views
- View Corridor to Niagara Escarpment
- Secondary Plan Boundary



3.0 CONSULTATION

“The Downtown Hamilton Secondary Plan Review Included An Extensive Program Of Community, Stakeholder And City Staff Engagement.”

The City held 33 consultation events over the course of the Downtown Hamilton Secondary Plan review process. Key participants in the consultation process included the City’s Technical Advisory Committee (TAC), the Downtown Hamilton Community Liaison Committee (CLC) made up of local residents, business owners, neighbourhood association representatives and stakeholders (Hamilton Advisory Committee for Persons with Disabilities, BIAs, Arts community, Chamber of Commerce), the City’s Development Industry Liaison Group and Design Review Panel. Throughout the Study, there were four public meetings, eight TAC meetings, seven CLC meetings, and one Stakeholder Workshop held. These meetings provided opportunities for technical input, community discussions and feedback related to the Secondary Plan review. In addition to these meetings, the study team met with other various stakeholders in informal meetings to discuss the updates to the Plan. In the event that people could not attend these meetings, comments sheets and the information presented was available on the City’s website. The following provides a summary of the consultation process. The summary of the consultation events is attached as **Appendix D**.



Public Consultation Event

3.1 TECHNICAL ADVISORY COMMITTEE

The City's Technical Advisory Committee (TAC) was established to provide the expertise of a multi-disciplinary team to assist with the review of Secondary Plans. The role of TAC is to provide input and feedback on the Secondary Plan review process and related planning studies including identifying issues, developing and reviewing alternative solutions, and providing comments on the updated Secondary Plan and policies and other related studies. Meetings were held with the TAC on March 8, 2011, May 22, 2012, March 24, 2015, April 11, 2016 and January 11, 2017, February 23, 2017, April 25, 2017 and March 1, 2018 to discuss the various stages of the Downtown Hamilton Secondary Plan review process

The TAC consisted of City Staff from the following divisions:

- Planning Division, Planning and Economic Development Department
- Urban Renewal Division, Planning and Economic Development Department
- Building Services Division, Planning and Economic Development Department
- Growth Management Division, Planning and Economic Development Department
- Parking and By-law Services Division, Planning and Economic Development Department
- Tourism and Culture Division, Planning and Economic Development Department
- Corporate Assets and Strategic Planning Division, Transportation Management, Public Works
- Hamilton Water Division, Public Works Department
- Transportation, Energy and Facilities Division, Public Works Department
- Landscape Architectural Services, Public Works Department
- Healthy Living Division, Public Health Services Department
- Housing Services Division, Community and Emergency Services Department
- Recreation Division, Community and Emergency Services Department

Appendix B provides a more detailed summary of the TAC meetings.

3.2 COMMUNITY LIAISON COMMITTEE

A Community Liaison Committee (CLC) was established to provide critical input into the Secondary Plan review process. Members provided advice and feedback on recommendations presented by Staff. These participants contributed to discussions and attended public sessions throughout the study. Seven CLC meetings were held on October 25, 2011, November 29, 2011, February 7, 2012, May 30, 2012, April 9, 2015, October 8, 2015, April 14, 2016 and April 27, 2016. The CLC consisted of stakeholders from the following groups:

- Beasley Neighbourhood Association
- Durand Neighbourhood Association
- Hamilton Advisory Committee for Persons with Disabilities
- Downtown Business Improvement Area
- International Village Business Improvement Area
- Wilson Blanchard Management
- The Factory: Hamilton Media Arts Centre
- Local Neighbourhood Residents
- Local Business Owners

Appendix B provides a more detailed summary of the CLC meetings.



3.3 PUBLIC CONSULTATION EVENTS

An extensive public consultation process was also undertaken to engage with and elicit feedback from the community. Six community meetings, workshops and events were held in conjunction with the Downtown Hamilton Secondary Plan and Zoning By-law review.

COMMUNITY MEETING: INTRODUCTION TO THE SECONDARY PLAN AND ZONING BY-LAW UPDATE, JUNE 8, 2011

The first meeting was held to introduce the Secondary Plan review process to the public and to identify a preliminary list of issues and opportunities to be addressed during the review. During this session, participants learned about the study process and how they could become involved. Participants were asked to identify issues that should be addressed through the review and update of the Secondary Plan and Zoning. Participants were also able to review the background information that had been collected to assist in the Secondary Plan review.

COMMUNITY MEETING: DOWNTOWN TALL BUILDINGS STUDY WORKSHOP, MAY, 26, 2015

The purpose of this community meeting was to introduce the public to the purpose and principles of the proposed Downtown Hamilton Tall Buildings Guidelines study and receive feedback on the work completed to date. Fifty-nine people signed in and participated in the workshop.



Public Consultation Event

The Community Meeting started with an Open House session where participants were able to review and provide feedback on the work to date. This was followed by a workshop component that was divided into three exercises:

- Exercise 1: Inventory and Analysis of the Downtown
- Exercise 2: Character Areas Review
- Exercise 3: Options Review

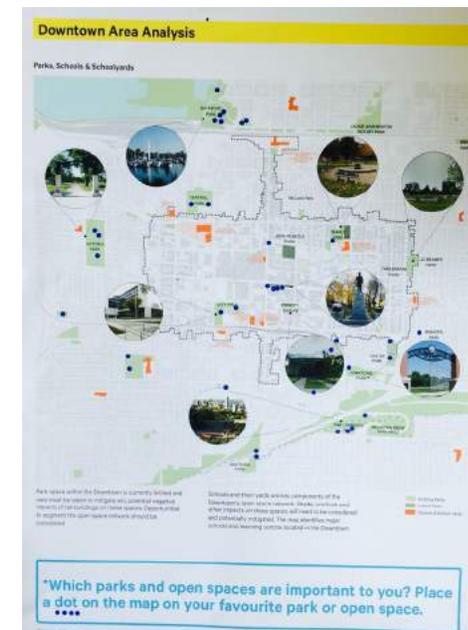
COMMUNITY MEETING: PRESENT DRAFT TALL BUILDINGS STUDY AND GUIDELINES, APRIL 27, 2016

The purpose of this community meeting was to present the draft Tall Buildings Study and Guidelines to the public and receive feedback on the work completed to date. Approximately 50 people signed in and participated in the discussions. Participants were asked the following questions:

- 1) Have we captured the design priorities for each of the Character Areas?
- 2) Are the key findings for each Character appropriate?
- 3) Are there any other elements that have not been captured in the Guidelines?

DEVELOPMENT INDUSTRY LIAISON GROUP MEETING: PRESENT DRAFT TALL BUILDINGS STUDY AND GUIDELINES, JUNE 28, 2016

The purpose of this meeting was to present the draft Tall Buildings Study and Guidelines to the members of the City’s Development Industry Liaison Group to receive feedback on the work completed to date.



DOWNTOWN HAMILTON SECONDARY PLAN REVIEW STAKEHOLDER WORKSHOP, FEBRUARY 9, 2017

A stakeholder workshop was held on February 9, 2017 to obtain stakeholder input on the proposed changes to the land use plan, policies and zoning by-law. There were 19 participants who attended the session and participated in providing input on the following key discussion topics:

- Finding the right balance of Downtown Mixed Use;
- Areas where a change from low to medium density could be considered;
- Height categories, urban design considerations and required studies for applications beyond the maximum building heights and where higher heights could be encouraged (i.e. tall buildings greater than 11 storeys); and,
- Input on land uses and built form surrounding John/Rebecca Park.

The workshop feedback report can be found in **Appendix C**.

COMMUNITY MEETING: PRESENT DRAFT UPDATED SECONDARY PLAN AND ZONING, FEBRUARY 13, 2017

The Community meeting on February 13, 2017 was held to present and explain the proposed updates to the Downtown Hamilton Secondary Plan and Zoning By-law. At this meeting participants had an opportunity to learn about the proposed changes and updates to the Secondary Plan and Zoning and to provide feedback and comments before the plan was presented to the Council. Approximately 60 people signed in and participated in the meeting.

DEVELOPMENT INDUSTRY LIAISON GROUP MEETING: PRESENT DRAFT UPDATED SECONDARY PLAN, ZONING AND TALL BUILDINGS STUDY, JUNE 26, 2017

Staff attended the Development Industry Liaison Group meeting held on June 26, 2017, to present the draft updated Secondary Plan, Zoning By-law, and Tall Buildings Study. At this meeting participants were able to learn about the key changes to the documents and provide comments and feedback.



Looking east on King St.

4.0 THE UPDATED DOWNTOWN HAMILTON SECONDARY PLAN

The Downtown Hamilton Secondary Plan review process included a comprehensive evaluation, assessment, and update of the vision, goals, objectives, policies and mapping of the Downtown Hamilton Secondary Plan and implementing Zoning By-law. The revised Secondary Plan builds upon the vision and policies of “Putting People First”, the 2001 Secondary Plan for Downtown while providing updated direction for development and change. Updates to the policies of the Secondary Plan reflect current Provincial land use policy direction as well as existing conditions and changes to the landscape that have occurred since the Plan’s adoption in 2001. The Secondary Plan review has also been coordinated with other City studies that may have an impact or connection to how land is used and developed within Downtown Hamilton.

Downtown Hamilton continues to grow and change and will continue to do so long after the adoption of the updated Plan. The policies of the Secondary Plan will direct change in a positive way by providing opportunities to create a diversity of new housing types and tenures; creating spaces that are comfortable for people and that are interesting, vibrant, and attractive; ensuring that building design respects and reinforces neighbourhood context; creating quality streets and places that are healthy, accessible, and safe; and respecting Hamilton’s rich architectural heritage.

4.1 SECONDARY PLAN CONSIDERATIONS

The following provides a summary of the considerations that helped inform the Secondary Plan and Zoning By-law review:

- The City’s Urban Hamilton Official Plan provides strong policy direction for the Downtown Urban Growth Centre, which is to be planned for intensification, a range of uses appropriate to its role as the City’s pre-eminent node, and a density target of 250 people and jobs per hectare over the long term.
- Downtown Hamilton is a well-established and well-designed Urban Growth Centre, with significant views and buildings worth preserving and enhancing.
- The renewal of the Downtown involves creating better linkages between the Escarpment, Downtown, and Waterfront and by making city streets more vibrant and pedestrian friendly.
- A number of properties within the Downtown Hamilton Secondary Plan area have existing Zoning permissions with regards to height permissions. Some of these permissions will need to be carried forward in the zoning and policies of the revised Secondary Plan.
- The policies within the Downtown Hamilton Secondary Plan should provide guidance for streetscape master plans, design, public art, and potential improvement opportunities.



Timeline Sitaline Bench



Bead Maze

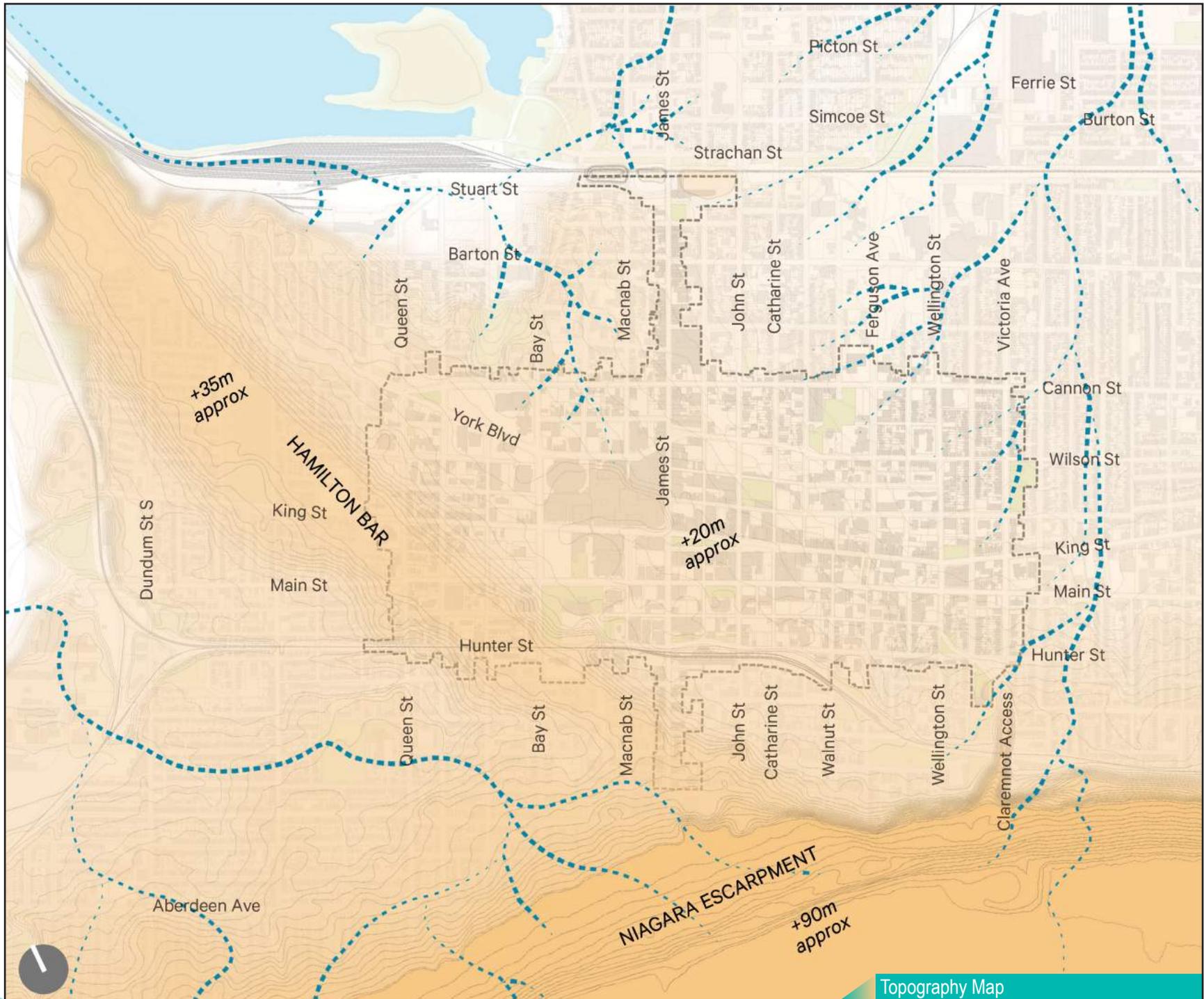
- Downtown is well serviced by a variety of transportation modes, including public transit, active transportation routes, private automobile, bicycle routes, and truck routes. While the existing transportation system is extensive, there are opportunities to expand and improve the network within each mode. The Transportation Master Plan for Downtown (2008) has identified recommended improvements to the transportation network that should be carried forward in the Plan.
- Within the Downtown, there are a number of parks and open space areas available to the community and additional parkland is required to meet the requirements for Neighbourhood parkland. Attractive, safe and accessible open spaces contribute greatly to the livability of residential neighbourhoods and the amenity of Downtown commercial areas. The creation of new public and private parks and amenity space in the Downtown will be a key component to revitalization efforts.
- Downtown Hamilton is steeped in history. Heritage resources, the buildings and landscapes that have been preserved from the past, play an important role in downtown revitalization. Restoring key heritage buildings, parks and squares adds an amenity to the Downtown and can serve as a catalyst for the restoration of surrounding buildings. The heritage resources that remain within the Downtown will continue to be acknowledged and protected in order to ensure that Downtown's distinctive history and character remains intact.
- There are a number of properties within the study area that are designated under the *Ontario Heritage Act*, are Registered Non-Designated, as well as additional properties that are listed on the City's Inventory of Buildings of Architectural and/or Historical Interest. Priorities to preserve and integrate heritage resources into the overall development of Downtown Hamilton will be reflected in the policies.
- Downtown Hamilton is served by two mobility hubs (Hunter Street GO Station and West Harbour GO Station) and two future rapid transit corridors (King Street and James Street). The updated land use designations should allow for transit oriented mixed use development throughout the Downtown.
- James Street North Mobility Hub Study recommendations should be implemented through the Secondary Plan review.
- The Downtown Hamilton Secondary Plan area includes a diverse mix of existing uses. While most of the lands are already developed, there are opportunities for intensification and redevelopment. There are a number of surface parking lots which offer development potential for mixed use buildings.
- There is an opportunity, through the Downtown Hamilton Secondary Plan review, to address the potential for land use compatibility in terms of building heights and established stable residential areas within and adjacent to the Secondary Plan area.
- There are a number of opportunities to improve the public realm as areas develop and intensify. Streetscapes and key intersections/gateway areas offer the potential to positively improve the area's sense of place and further help to support opportunities for intensification.
- The lands being added to the Downtown Hamilton Secondary Plan boundary are subject to Zoning By-law No. 6593. The lands should be incorporated into the Downtown Zones for consistency and ease of implementation.

4.2 THE VISION

A key element of the community consultation involved confirming and renewing the vision for Downtown. The following is the updated vision statement for the Downtown Hamilton Secondary Plan. This vision was revised and updated by the Community Liaison Committee and the public:



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.”



Topography Map

4.3 NIAGARA ESCARPMENT AND TOPOGRAPHY

The Niagara Escarpment, a UNESCO Biosphere Reserve, is a distinct natural feature that runs through the City of Hamilton separating lower Downtown from the upper urban area behind the brow of the escarpment feature. 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. The Escarpment runs roughly parallel to Downtown’s southern edge and ranges in elevation between 182 and 191 metres above sea level measured along the Escarpment edge, between Queen Street and Victoria Avenue. 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.

During consultation for the Tall Buildings Study and Guidelines the public emphasized the significance of the Niagara Escarpment as a defining feature of Hamilton’s unique identity and that the height of new buildings should not be taller than the height of the top of the Escarpment. According to Hamiltonian’s, the Niagara Escarpment has a distinctive ecological, geological, and natural heritage value for the City of Hamilton and is a unique character defining element for the City. Development should respect the cultural significance of the Niagara Escarpment to the City and the scenic quality it plays in providing context and framing Downtown Hamilton. As a result, the principle of establishing a maximum building height that respects the height of the Niagara Escarpment is based on this fundamental value and has been incorporated into the policies of the Downtown Hamilton Secondary Plan, Tall Buildings Guidelines, and implementing Zoning By-law.

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. (Policy 6.1.4.14)



View of Downtown Hamilton from Niagara Escarpment

4.4 HEIGHTS

The number of tall building proposals (buildings greater than twelve storeys) submitted since the adoption of the original Secondary Plan in 2001 has increased considerably over the past decade. These proposals were for buildings that exceed the Zoning By-law's as-of-right height permission. With the growing interest in the development of buildings that were much taller than the heights contemplated in the 2001 Secondary Plan, it was important to review the height categories in the Plan and Zoning By-law. The 2001 Secondary Plan was not clear on the process for reviewing and permitting height beyond what the policies permit. The revised Downtown Hamilton Secondary Plan provides a clear, progressive, transparent, and implementable process for reviewing development applications with proposals exceeding the height permissions. Reviewing and framing a new approach of height has been one of the most significant and challenging contributions to the review of the Downtown Hamilton Secondary Plan and Downtown Zones and resulted in the following new height categories for the Secondary Plan: Low-rise 1; Low-rise 2; Mid-rise; High-rise 1; and, High-rise 2.



Gradual transition in scale with adjacent residential neighbourhood

LOW-RISE 1 AND LOW-RISE 2

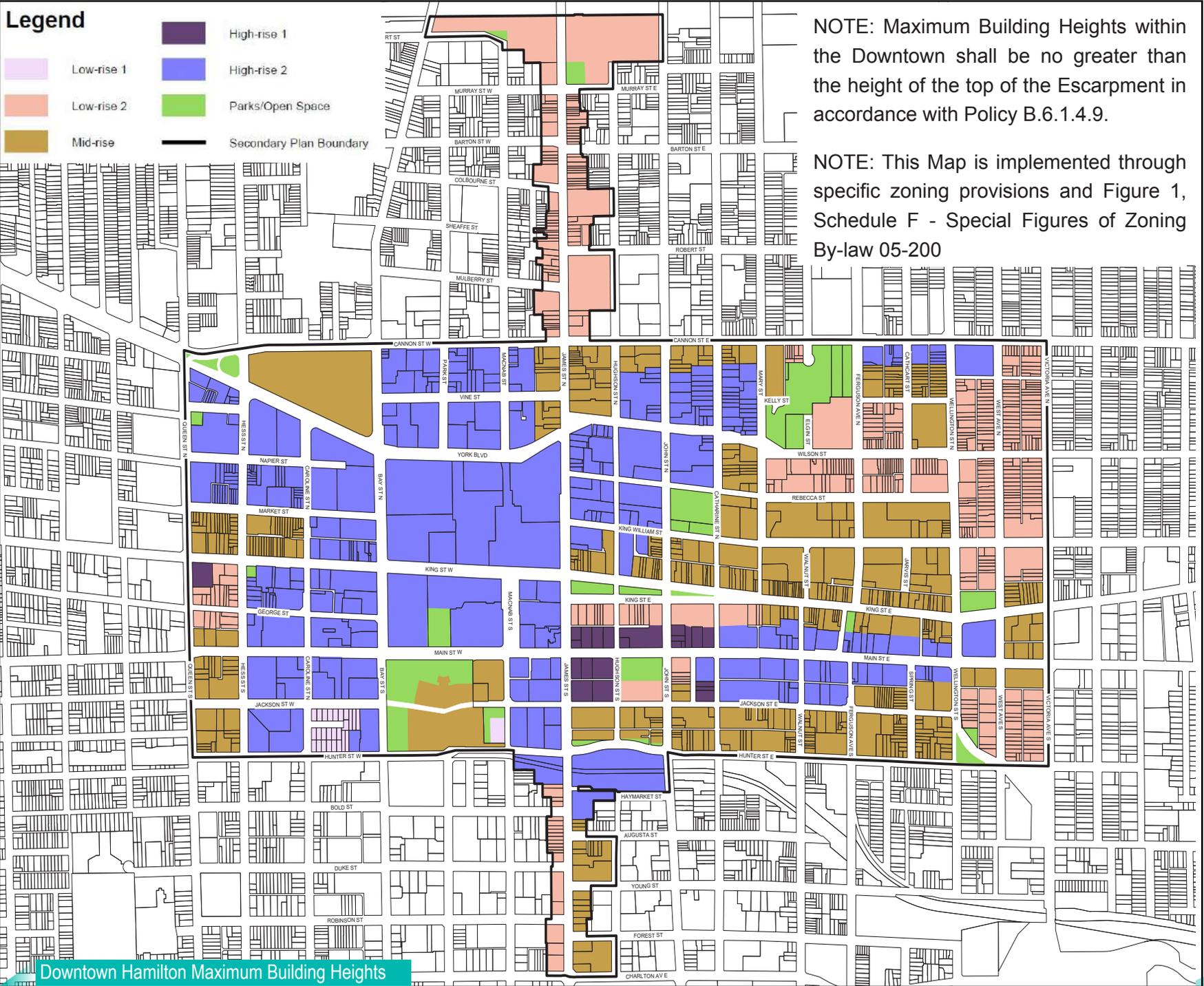
There are two height categories for Low-rise within the revised Downtown Hamilton Secondary Plan area: Low-rise 1 which permits up to three storeys in height and Low-rise 2 which permits up to six storeys in height. Low-rise building development is not limited to the areas identified as Low-rise on the height schedule; this form of development is also permitted in areas identified as Mid-rise and High-rise. Areas identified as Low-rise generally coincide with the Downtown Residential designation. The Downtown Hamilton Secondary Plan policies require mid-rise and high-rise developments adjacent to low-rise areas to provide a transition in scale through a variety of methods including angular planes, location and orientation of the building, and the use of setbacks and stepbacks of building mass.

MID-RISE

Mid-rise developments include buildings ranging between six and twelve storeys in height. Buildings within the Mid-rise height range offer a moderate degree of intensification. This is an important form of development in achieving density, offering a variety of housing options, and creating lively and vibrant streets. The revised Secondary Plan policies establish performance standards for Mid-rise development in order to provide for the appropriate transition, preservation of sky views and sun access, and to frame and activate the street. Mid-rise building development is not limited to areas identified as Mid-rise on the height schedule. This form of development is also permitted in High-rise 1 and High-rise 2 areas.

Legend

- Low-rise 1
- Low-rise 2
- Mid-rise
- High-rise 1
- High-rise 2
- Parks/Open Space
- Secondary Plan Boundary



NOTE: Maximum Building Heights within the Downtown shall be no greater than the height of the top of the Escarpment in accordance with Policy B.6.1.4.9.

NOTE: This Map is implemented through specific zoning provisions and Figure 1, Schedule F - Special Figures of Zoning By-law 05-200

Downtown Hamilton Maximum Building Heights

HIGH-RISE 1 AND HIGH-RISE 2

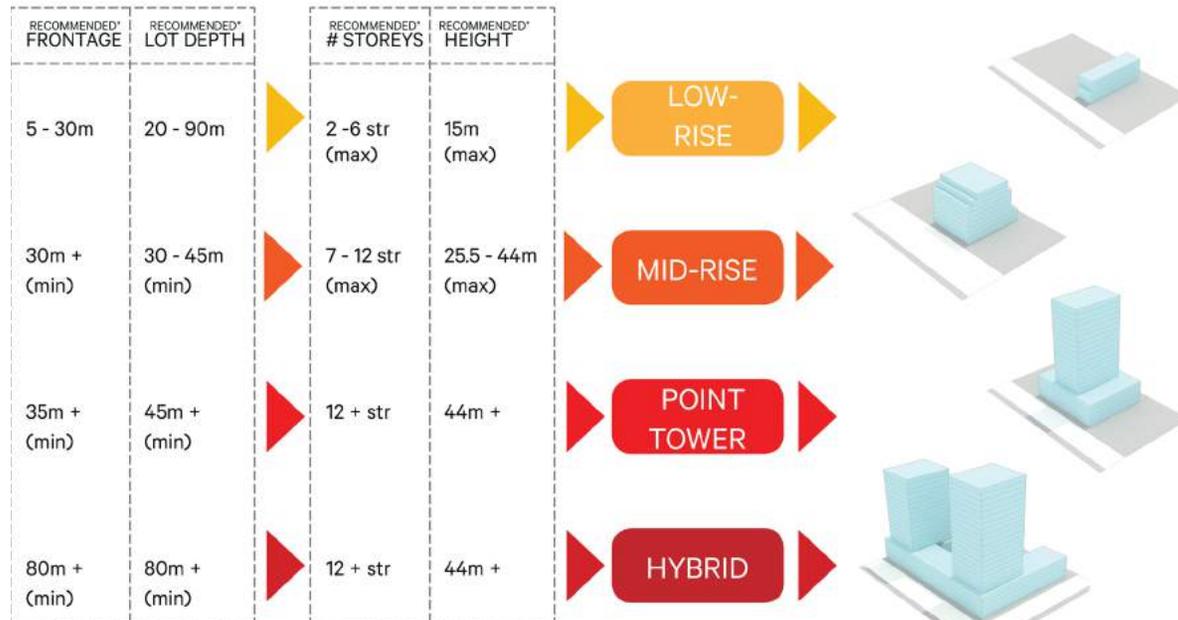
Maximum building height within the Downtown Hamilton Secondary Plan area shall be no greater than the height of the top of the Escarpment as measured between Queen Street and Victoria Avenue, identified on Appendix "D" – Niagara Escarpment Heights. (Policy 6.1.4.14)

There are two High-rise categories within the Downtown Hamilton Secondary Plan area. High-rise 1 which permits up to twenty storeys and High-rise 2 which permits up to thirty storeys in height. Although the Secondary Plan identifies locations for high-rise development, low-rise and mid-rise developments are also permitted in these locations. However, regardless of the high-rise height maximums shown on the height schedule, maximum heights in the Downtown Hamilton Secondary Plan cannot exceed the height of the top of the Escarpment (as described in Section 4.3 and Section 5.0 Implementation).

The Secondary Plan also contains specific policy direction for tall buildings (buildings greater than twelve storeys). All tall building developments are subject to the Downtown Hamilton Tall Buildings Guidelines which sets out clear expectations and best practices to be relied upon when designing tall buildings and in the evaluation of tall building applications.

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. (Policy 6.1.4.19)

The Secondary Plan height schedule shows locations where tall building (high-rise) development would be appropriate, however, there are a number of performance standards that the proposed development must demonstrate it can achieve before a tall building proposal would be permitted. In order for a tall building development to occur, the site would first need to be assessed in terms of site character and local context, lot dimensions and area, and other relevant metrics, including the adjacent street right of way



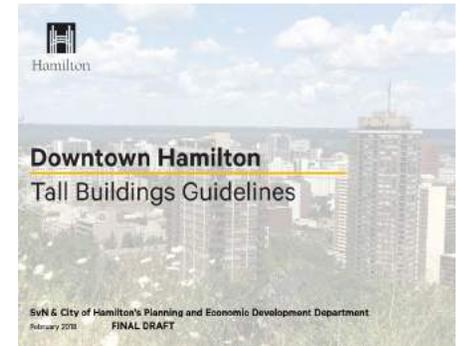
*These numbers are estimated values; depending on context, some sites may not be able to comply with the guidelines, and therefore still will be considered inappropriate locations for tall buildings regardless of the lot dimensions.

width. If it is determined that the development of a tall building is possible, the Tall Buildings Guidelines provide the performance measures upon which the siting and design of the building(s) should meet, and would be analyzed through the City review process.

These performance standards include preventing adverse shadows on parks and the public realm, minimizing adverse microclimatic impacts on the streets, and ensuring that the proposed development is compatible with the context and character of the area's existing and planned built form. The policies of the Secondary Plan ensure that tall building development sites are large enough to be able to provide sufficient setbacks to all for adequate access to sunlight, sky views, and privacy. The performance standards will also protect the development potential of other sites within the block and ensure that the cumulative effect of multiple tall buildings within a block contributes to creating a strong and healthy neighbourhood.

Not every site in the area identified as High-rise on the height schedule will be able to accommodate a tall building. Many of the sites do not meet the minimum lot area (refer to Section 5.0 Implementation) required to provide sufficient setbacks to ensure adequate access to sun, privacy and sky views. Land assembly would be required in order to create a large enough lot to support a tall building. Tall buildings proposed on sites that are too small can detract from building a strong and healthy Downtown, which is one of the primary goals in the Provincial Policy Statement's vision for Ontario's land use planning system. Without adequate lot area or lot frontage, tall buildings may impact sun access, wind impacts, and the ability to address the streetscape and character of the surrounding area.

High-rise building forms are only permitted in areas identified as High-rise 1 and High-rise 2 on the height schedule. An Official Plan Amendment would be required if buildings greater than twelve storeys were proposed in the Low-rise or Mid-rise areas of the Plan. Regardless of the height categories shown on the schedule, the maximum height threshold is the height of the top of the Niagara Escarpment.



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. (Policy 6.1.4.23 (c))

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. (Policy 6.1.4.22)

4.5 BUILT FORM

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. (Policy 6.1.4.8)

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. (Policy 6.1.4.15)

All development shall:

- e) be massed to frame streets in a way that respects and supports the adjacent street proportions; (Policy 6.1.4.28 a))

The built form policies of the Secondary Plan strive to ensure that new buildings are shaped, scaled, and designed to maintain and enhance liveability and express the character of the area in which they are located, while at the same time providing opportunities for growth in a manner that is contextually appropriate.

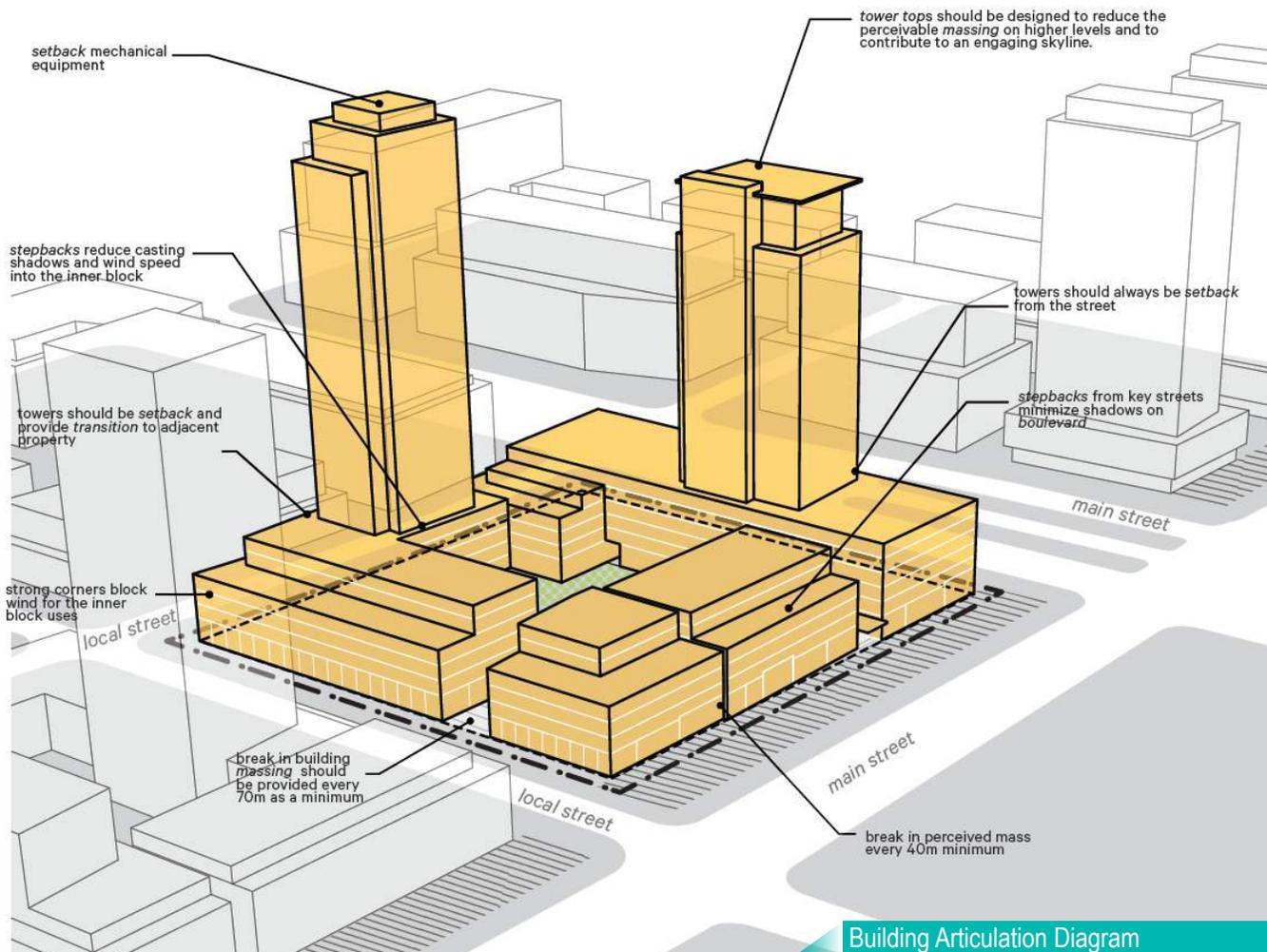
Downtown's built form is diverse in terms of height, scale, massing, and age of buildings that express the character of different areas within the Downtown. It varies from street to street and from block to block. This diversity is what makes Downtown unique in terms of built form. The policies of the Downtown Hamilton Secondary Plan recognize this diversity and maintains that the siting, massing, and design of a building on one site is not necessarily a precedent for development on an adjacent or nearby site. Built form considerations must be given to the character of the area to ensure that new development is massed in such a way that respects the existing streetwall proportions.

BUILT FORM POLICIES FOR TALL BUILDINGS (BUILDINGS GREATER THAN 12 STOREYS)

The typology of buildings has evolved over time from the short and bulky, or long slab floor plates, to include taller "point" towers with smaller floor plate sizes on top of streetwall base buildings. Taller buildings can and do present opportunities to meet both municipal and provincial city building goals and objectives, however, they must be planned and built in a way that responds to and recognizes their surrounding neighbourhood context. Buildings that do not respond in this way may present problems for building a strong and healthy Downtown.

In recognition of the high level of potential impact that tall buildings could have, the Secondary Plan includes specific built form and tall buildings policies. These policies are a result of best practices for tall building development and direction from the Downtown Hamilton Tall Buildings Study and Guidelines. The policies are based on the premise that tall buildings are desirable in the right places but do not belong everywhere. When appropriately located, designed and well-planned, tall buildings can enhance the public realm and complement neighbouring buildings. The policies do not refer to any specific numerical standards, however, they do indicate that tall building development is to meet a number of performance standards, including high-quality comfortable public realm improvements, access to natural light, a reasonable level of privacy, appropriate transitions to the neighbourhood, and pedestrian-level views of the sky between towers. The Secondary Plan policies provide clear direction for sites where proposed

tall buildings cannot achieve these standards. Tall building development will not be considered suitable where proposals cannot achieve the policy directions established in the Plan.



Building Articulation Diagram

Policy 6.1.4.18 of the Secondary Plan includes definitions for what classifies a tall building in Hamilton and the typologies of a tall building. In the Secondary Plan, a tall building is typically defined as having a base building component and a tower component. However, the Secondary Plan acknowledges that tall buildings can take a variety of forms that may represent different typologies which may be appropriate given the context within a block or neighbourhood, and those differing tall building typologies are subject to the policies of the Secondary Plan.

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. (Policy 6.1.4.18)

The Secondary Plan also contains policies that speak to the intent of the lot line setbacks as prescribed in the updated Zoning By-law (refer to Section 5.0 Implementation). This is to ensure that individual tall buildings and the cumulative effect of multiple tall buildings within a block, contribute to building strong healthy communities by fitting in with their existing or planned context with adequate space between buildings within the block. Adequate space provided between tall buildings protects for fundamental planning and design principles that are part of building strong healthy communities. These include the following:

- Providing high-quality, comfortable public realm. A building site that is able to provide lot line setbacks to the tower portion of a building allows for enough space to enhance the public realm.
- Providing access to sunlight on the surrounding street, parks, open spaces, schoolyards and other public or civic properties. Tall buildings that are clustered too close together can create a wall of shadow on sensitive areas throughout the day as opposed to intermittent times of sun and shade. Spacing tall buildings apart from one another improves this condition.
- Providing access to natural light and a reasonable level of privacy for occupants of tall buildings. Providing setbacks between tall buildings can increase access to natural light and privacy for building occupants.
- Providing pedestrian level views of the sky between tall buildings as experienced from adjacent streets, parks and open spaces and views between towers for occupants of tall buildings. The ability to maintain sky views in between building masses is essential to maintain the character, usability, and quality of streets, parks, open space, and neighbouring properties. Lack of sky view can also negatively affect the microclimate and sense of pedestrian scale at grade.
- Limiting the impacts of uncomfortable wind conditions on street, parks open spaces and surrounding properties. Adequate tall building setbacks can help mitigate the impacts on the public realm from downdrafts from buildings or from accelerated winds from tunnelling between buildings. These conditions can be mitigated through the siting, massing, orientation and articulation of the base and the tower.

All tall buildings shall meet the following requirements:

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); (Policy 6.1.4.23 (d))

The Secondary Plan also contains a policy that recognizes that greater lot line setbacks may be required in order to achieve the intent of the tower setbacks of very tall buildings. This policy recognizes that as height increases, there may be a different sense of perception and degree of impact and therefore require greater lot line setbacks and tower-to-tower separation distances.

The built form policies for tall buildings do not differentiate between land uses. A tall building containing non-residential uses will be required to meet the intent of the Secondary Plan policies as well as the Zoning By-law performance standards as will a tall building with residential uses. While office buildings next to a residential building may not present privacy issues, consideration of sunlight access and sky views, limiting uncomfortable public realm, and protecting the development potential of other sites within the block are among considerations for good urban design and planning regardless of use.

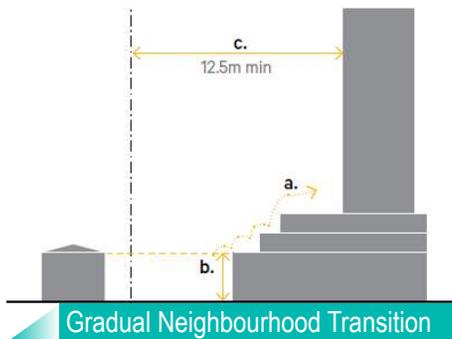
The Downtown Hamilton Tall Buildings Study and Guidelines apply to all tall building development and will be used by City Staff when evaluating tall building development proposals.



Looking South on James St.

4.6 NEIGHBOURHOOD TRANSITION

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. (Policy 6.1.4.31)



The Downtown Hamilton Secondary Plan review considers how to best transition and interface with these neighbourhoods, from both a character and built form perspective, to ensure that the location, shape and form of development responds to the surrounding neighbourhood context. To ensure that buildings are massed to fit harmoniously into their existing or planned context, the policies of the Secondary Plan require all development within the Downtown Hamilton Secondary Plan to provide a transition in the scale of the proposed development to the existing neighbourhood context in which it is located. To accomplish this, when considering a building on a site in an area of different heights or built form, an appropriate horizontal separation between taller buildings and lower scale development will be required to achieve appropriate transition, providing sufficient vertical space to allow for a balanced stepping down of the taller building towards the lower scaled building. For tall building development, this is achieved when lot sizes are large enough to accommodate setbacks and separation distances within the development site, therefore the Zoning By-law regulations set out minimum lot area and frontage requirement for tall buildings (refer to Section 5.0 Implementation).

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. (Policy 6.1.4.33)



4.7 PUBLIC REALM

Development in Downtown Hamilton must enhance the quality of the public realm, improve the attractiveness of adjacent streets, parks and open spaces, and fit with and improve the character of the surrounding area. The base (lower floors or podium) of a building is the main interface between the public and private realm and where pedestrians experience the building. The Secondary Plan requires careful consideration be given to this relationship through the siting, massing, and design of the building base and the creation of human-scaled streetscapes regardless of permitted heights.

Many of the sidewalks and public rights-of-way in the Downtown are narrow with limited space for pedestrian amenities. The Downtown Hamilton Secondary Plan recognizes that opportunities exist to expand the public realm by allowing for additional setbacks at grade to accommodate pedestrian amenities such as increased pedestrian space, urban plazas, pedestrian weather protection, patios, and other gathering spaces. These setbacks also improve access to sunlight, sky views, and other significant views or views of landmarks.

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:

b) demonstrating how the proposed building and site design relate to and is compatible with the existing and/or planned context of 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; (Policy 6.1.4.16 (b) (d))



Prince's Park, Main St. and Hughson St.

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. (Policy 6.1.4.27)

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). (Policy 6.1.4.37)

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. (Policy 6.1.4.34)

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. (Policy 6.1.4.35)

4.8 MICROCLIMATE

Comfort in the public realm and other outdoor spaces where people gather is crucial to fostering health and well-being, promoting liveability, and the utility of these spaces. Providing access to sunlight, and appropriate pedestrian level wind conditions support pedestrian activity and other active transportation modes, encourages civic life in the public realm and can extend the seasonal period of comfortable conditions. The Downtown Hamilton Secondary Plan policies emphasize that buildings will be designed to create spaces that ensure comfortable micro-climatic conditions in the spaces around buildings and within them by protecting access to sunlight, creating sunny spaces and streets, and reducing and mitigating wind impacts.

SHADOW IMPACTS

The siting, massing, height, and design of a building will dictate how shadows are cast on its surroundings, including other buildings. The Downtown Hamilton Secondary Plan policies recognize that care must be taken to mitigate any potential negative impacts of development on the public realm by protecting these important areas from shadows. Significant impacts are usually a result of building base massing and location. In areas of the Downtown where there are numerous tall buildings, there will be a cumulative impact on sunlight from these developments. This cumulative impact will be reviewed and considered in the review of all development and will result in modifications to building height, form, and massing in order to achieve the public realm policies of the Secondary Plan.

The Downtown Hamilton Secondary Plan policies require all development to minimize shadows on the public realm.

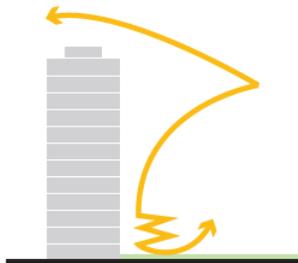
WIND IMPACTS

Buildings can have major impacts on the wind conditions in their surrounding context especially when a building is considerably taller than surrounding buildings. The revised Downtown Hamilton Secondary Plan policies recognize the importance of evaluating the potential impacts of a proposed development on the local microclimate early in the planning and design process as this will allow for sufficient time to consider appropriate wind control and mitigation strategies. New development should improve on existing wind conditions where possible, and as a minimum shall not significantly degrade wind conditions, especially as they relate to safety.

Massing principles to mitigate wind effects:

1. Wind at street level

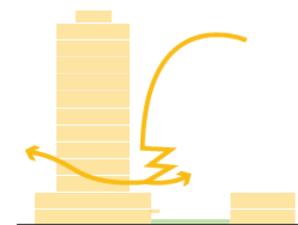
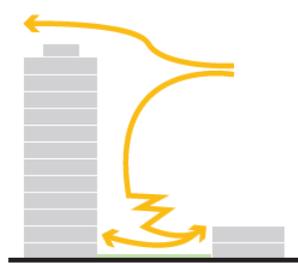
Accelerated wind speeds create undesirable windward corners.



Tower that is *setback* from the base reduces undesirable downward wind flow.

2. Wind between buildings

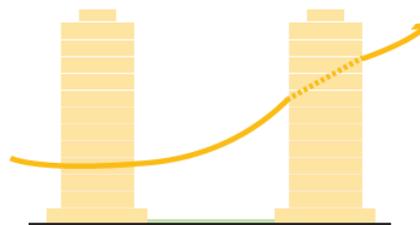
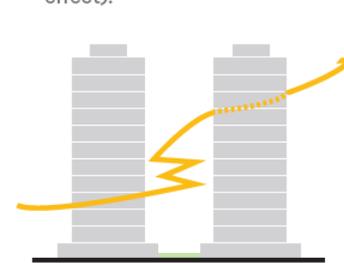
A low building and a tall building may accelerate winds near windward corners.



Setback towers help mitigate against downward wind flows at grade.

3. Distance between towers

Wind tunnels between two buildings located close to one another (wind canyon effect).



Setback towers spaced farther apart allows wind to move through more easily.

All tall buildings shall meet the following requirements:

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. (Policy 6.1.4.23 (c))



4.9 HERITAGE CONSERVATION

Downtown Hamilton contains the highest concentration of cultural and built heritage resources within the City. The heritage structures and spaces define Downtown as a unique place and provide a physical history of the community. The concentration of the cultural heritage features in the Downtown is one of the City's key assets. There are a number of buildings, easements and landscapes that have been designated under Part IV of the *Ontario Heritage Act* or are Registered Non-Designated, listed in the municipal inventory for buildings and cultural heritage landscapes, and listed in Canada's Inventory of Historic Buildings. The revised Secondary Plan policies continue to recognize the value of heritage buildings, streetscapes, and cultural landscapes. Placing a priority on their re-use, retention, and enhancement. The policies of the Secondary Plan emphasize the importance of respecting built heritage and cultural heritage landscapes and that new building development and design respects adjacent cultural heritage resources by designing new buildings to contribute to the setting, character, and integrity of the heritage resource. Adaptive re-use of heritage buildings is challenging, however, it has many benefits for the community. As a principle, the Secondary Plan accepts that the historic legacy of buildings in the Downtown can and must co-exist with new development; however, new building development should strive for the long term protection, integration, and re-use of heritage and cultural resources.



4.10 CULTURE

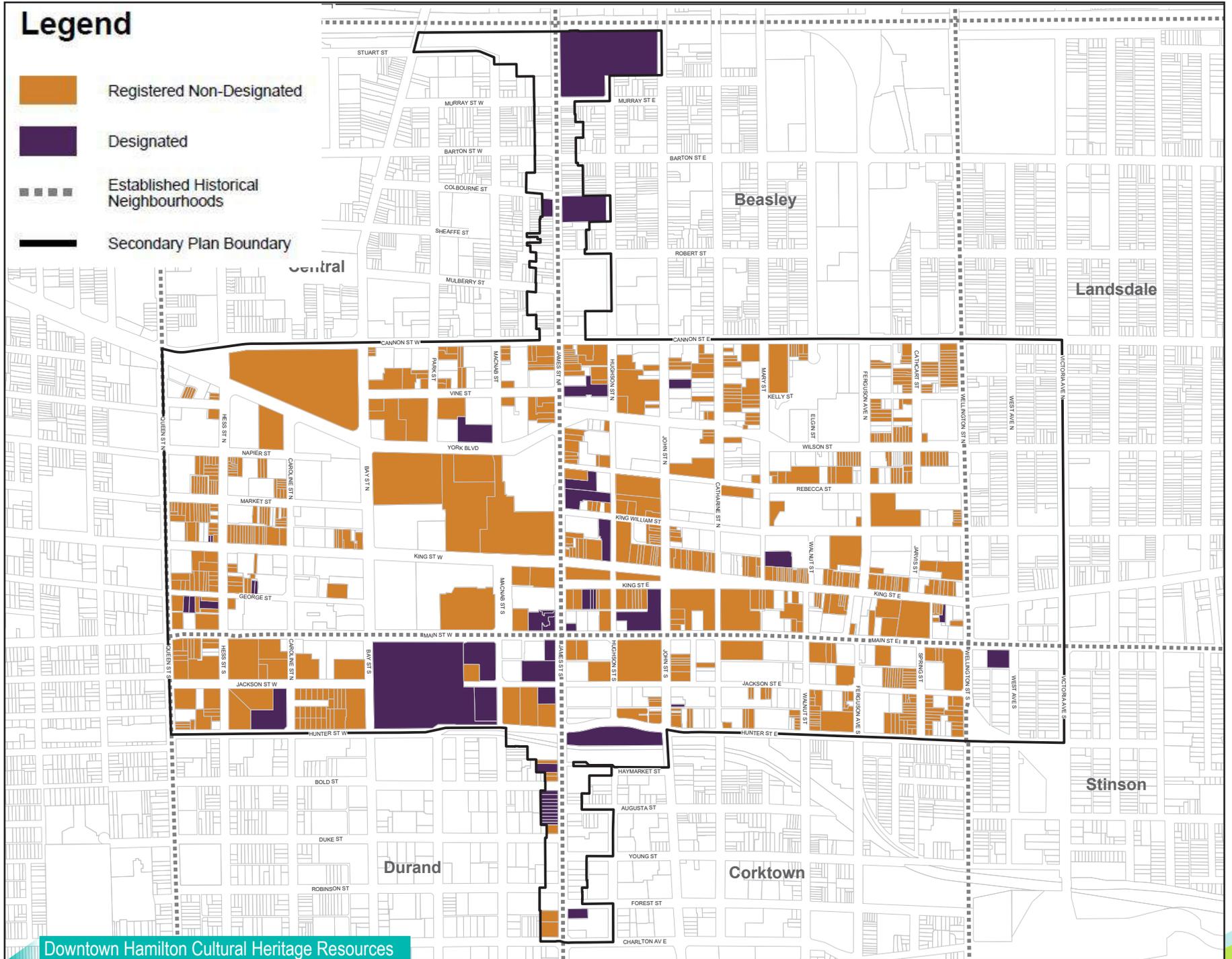
The City of Hamilton embraces the international consensus that culture is the fourth pillar of sustainable development, joining economic prosperity, environmental responsibility, and social equity. Providing spaces for the creation and presentation of music, theatre, art, culture, and heritage are fundamental to Downtown revitalization. The Downtown Hamilton Secondary Plan permits these uses throughout the Downtown Mixed Use designation in recognition of the significant benefits they bring to the vitality of the Downtown.



Live music venues are an important contributor to the night-time economy of the City drawing local residents and visitors into the Downtown. These venues nurture emerging artists and provide employment opportunities to those working in the industry. The economic spillover of live music venues provides benefits to tourism, hospitality, retail, fashion, communications, public relations, publishing, and media sectors. To ensure that live music venues can continue to function in the Downtown, the Secondary Plan requires new residential development to employ appropriate noise attenuation measures when the development is proposed in an area where a live music venue exists.

Legend

-  Registered Non-Designated
-  Designated
-  Established Historical Neighbourhoods
-  Secondary Plan Boundary



Downtown Hamilton Cultural Heritage Resources



Stormwater management systems integrated within streetscape design

4.11 INFRASTRUCTURE, SUSTAINABILITY, ENERGY AND RESILIENCY

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 targets 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. Growth and intensification provide the City with opportunities to improve resilience and sustainability.

New policies have been added to the Secondary Plan to provide policy direction that supports energy efficiency, the reduction of greenhouse gas emissions, and sustainable infrastructure in land use planning and development.

There are limited opportunities in Downtown Hamilton for new electricity supply, therefore, reducing demand will require innovative energy solutions for new and existing buildings such as combined heat and power, and on-site renewable energy sources. To increase energy efficiency the Secondary Plan encourages all development to have green roofs, provide solar capture equipment, utilize cooling roof materials, consider options for district energy and design features to enable district energy in the future, provide at least 40% of the buildings total energy requirements through alternative energy sources, and provide at least 50% of the projected water demand for toilets through greywater recycling.

Water and wastewater infrastructure will need to become more efficient. Efficiency will be achieved through strategies for energy and water conservation and water demand management. Anticipated future development will increase impervious coverage therefore in order to mitigate the potential impacts of stormwater runoff and loading on the treatment plant, the policies encourage the implementation of Low Impact Development (LID) measures and innovative technologies including rainwater harvesting and reuse systems, bio-swales or water features, greywater recycling, infiltration measures, permeable paving materials, on-site retention and green roofs.

All development in the Downtown is encouraged to strive for a LEED Gold or higher rating or an equivalent standard.

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, bioswales 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; (Policy 6.1.13.1 (c))

to increase the energy efficiency of buildings, all commercial, institutional, mixed-use and multi-unit residential development shall be encouraged to:

- have a green roof;
- provide solar capture equipment;
- use cooling roof materials;
- plant trees and other vegetation to provide shade and additional tree canopy; (Policy 6.1.13.1 (g))

4.12 TRANSPORTATION

The transportation system in the Downtown includes an overlapping 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.

Downtown Hamilton is home to two Mobility Hubs that connect the broader GTHAs, including the Hunter GO Station and the newly built James Street North (West Harbour) GO Station. In addition, two lines in the BLAST rapid transit system run through the Downtown (the B Line (Main/King Corridor, between Eastgate Square and McMaster University) and the A Line (James/Upper James Corridor between King Street and Rymal Road). In addition to the two GO Stations, there are four higher-order transit stations proposed along King Street. The Secondary Plan contains new transportation policies relating to rapid transit acknowledging the proposed rapid transit corridor along James Street and King Street and design direction for the public realm areas and plazas adjacent to this corridor.

The creation of better pedestrian spaces in balance with other modes of transportation is a key element of the Secondary Plan. The Plan recognizes that well-designed streetscapes, with buildings that frame the street environment, contribute to an overall improved sense of place in Downtown.



Hamilton GO Centre

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. (Policy 6.1.12.21)

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. (Policy 6.1.12.13)

4.13 LAND USE DESIGNATIONS AND SPECIAL POLICY AREAS

RESIDENTIAL DESIGNATION

During the review of the Secondary Plan, an analysis was carried out that compared the existing residential densities, heights, and land use designations within the Downtown to the current Secondary Plan proposed land use densities, permitted heights and designations. Through this review, it was identified that on a majority of the lands within the Downtown, the existing building use, heights, and densities did not align with the existing and the proposed Secondary Plan land use designations, heights or densities. Some areas were designated in the 2001 Downtown Hamilton Secondary Plan for low density uses but the majority of the area contains existing mid-rise and high-rise developments. It is unlikely that when these lands redevelop that they would redevelop for low density uses given that the Downtown is the City's Urban Growth Centre and the focus for intensification.

Similarly, when reviewing existing densities against the density maximums in the Secondary Plan, it was evident that many of the buildings that exist today already exceed the density maximums for units per hectare of the low density and medium density designations. In addition, it is unnecessary to have maximum density requirements when the built form is restricted by height regulations.

In order to ensure that the permitted uses and height maximums aligned, a review was carried out to determine what changes could be made to the Plan in terms of the best way to accommodate development, while maintaining neighbourhood character and compatibility within the Downtown.

The updated Secondary Plan contains one residential Designation: "Downtown Residential". This is a new designation that combines the uses permitted in the low density and medium density designations (single detached, semi-detached, duplex, triplex, street townhouse, and multiple dwellings). This designation includes policies from the 2001 plan that ensure that existing residential areas are maintained and that new development achieves a traditional Downtown neighbourhood character. There are no longer any density minimums or maximums required for residential development. Minimum heights are two or three storeys and the height map governs maximums. In addition to residential uses, local commercial uses such as retail, restaurant, and offices are permitted on the ground floor of multiple dwellings. This permission aligns with the policies for multiple dwellings in the UHOP.



COMMERCIAL AND MIXED USE DESIGNATIONS

The commercial and mixed use designations in the current Downtown Hamilton Secondary Plan include Local Commercial, Specialty Commercial, Prime Retail Streets, Central Business District, and Mixed Use. Through the review of the Secondary Plan, the Commercial and Mixed Use Designations were evaluated and compared in terms of their location, permitted uses, and function. After comparing the designations, it was identified that the Mixed Use, Central Business District and Specialty Commercial designations all permit commercial and residential uses in mixed use (residential and commercial) or in standalone buildings. The implementing zoning for these designations is the D3 – Downtown Mixed Use Zone. The Prime Retail designation permits the same uses as the Mixed Use, Central Business District and Specialty Commercial designations; however, this designation restricts residential to above the ground floor and requires a minimum of three storeys in height. The implementing zoning for the Prime Retail designation is the D2 – Downtown Prime Retail Zone. The Local Commercial designation permits the same uses as the other commercial designations however also permits dwelling units but restricts them to be located above the ground floor only, therefore requiring ground floors to be occupied by commercial uses. The implementing zoning for the Local Commercial designation is the D4 – Local Commercial zone.

The only difference between the commercial and mixed use designations is that the Local Commercial and Prime Retail designations require ground floor commercial uses. Through the review of the Secondary Plan, it was determined that the Local Commercial designation in the Downtown was too restrictive in requiring the ground floor commercial and that these areas should offer more flexibility in the type of development that takes place in response to changing market conditions.



King St. E. Streetscape

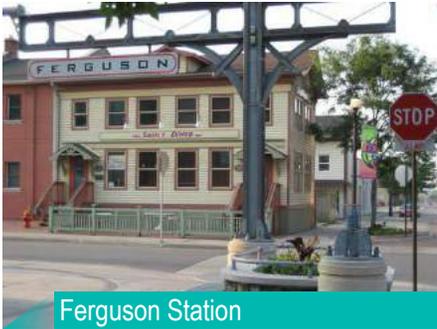
The commercial lands in the Secondary Plan have been re-designated to “Downtown Mixed Use”. This designation permits commercial and residential uses in stand-alone buildings or in mixed use buildings. Minimum heights remain at two storeys like the 2001 Plan and the height map governs maximums. James Street and King Street and a portion of King William Street (between James Street and John Street) have been identified as “Pedestrian Focus” which requires ground floor commercial and a minimum height of three storeys. The ‘pedestrian focus’ is a carry-over of the “Prime Retail Streets” concept from the 2001 Secondary Plan policies. The intent of the commercial and mixed use designations is to support the transit corridor through focusing commercial activity along King Street and James Street and to provide a mix of land uses in the Downtown. Built form policies focus on creating a vibrant, stimulating, and comfortable walking, shopping and living environment in these areas.



James St. N. Streetscape



Gore Park



Ferguson Station

PARKS AND OPEN SPACE DESIGNATIONS

The parks and open space designations in the 2001 Secondary Plan include Community Park and General Open Space. Beasley Park is designated Community Park and the remaining parks and open space areas are designated General Open Space, this includes the proposed neighbourhood park in the John Street and Rebecca Street block. Through the update of the Secondary Plan, the existing parks have been re-designated to align with the UHOP parks hierarchy as follows:

Community Park

- serves more than one neighbourhood
- Beasley Park
- John Rebecca Park

City Wide Park

- municipally, regionally, provincially, or nationally significant destinations
- Gore Park
- Ferguson Station
- City Hall Forecourt
- Commonwealth Square

General Open Space

- trails, community gardens, parcels of open space, squares and urban plazas
- Hamilton Courthouse
- Hunter Street GO Station Open Space
- Wellington Park
- Claremont Access Parkettes
- Whitehern Museum Garden
- King Street West General Open Space
- Garry Hill Memorial Park
- York Street Open Space
- Liuna Station Parkette

INSTITUTIONAL DESIGNATION



Whitehern Museum

There are three properties within the 2001 Downtown Hamilton Secondary Plan that are designated Institutional: Sir John A. Macdonald Secondary School, Dr. J. Edgar Davey Elementary School and Whitehern Museum. With the addition of James Street North and South to the Secondary Plan area, there are two additional properties designated Institutional, the John Foote Armory at 200 James Street North and Christ's Church Cathedral at 252 James Street North. Through the Secondary Plan review, the designations on these properties have been re-evaluated with regards to the long term use of these properties in the event that the current institutional uses cease to exist in the future. Special policy areas have been applied to Sir John A. Macdonald and Dr. J. Edgar Davey schools that will allow Downtown Mixed Use uses to be developed when institutional uses cease on these lands. The John Foote Armory and Christ's Church have been re-designated to Downtown Mixed Use – Pedestrian Focus with special policy areas that recognize the existing armories, place of worship and their accessory functions and promotes the retention of these important heritage resources.

UTILITY DESIGNATION

The utility designation of the Secondary Plan is applied to the rail corridor on Hunter Street and James Street North. There have been no changes to this designation from the 2001 Secondary Plan.

SITE SPECIFIC POLICY – AREA A AND AREA A-1

Site Specific Policy – Area A and A-1 applies to the Sir John A. MacDonald Secondary School site located at 130 York Boulevard. This site specific policy permits the lands to be developed as Downtown Mixed Use, parks, open space, and community facilities/services without an amendment to the Secondary Plan provided that the uses are compatible with the surrounding uses. This is a change from the 2001 Secondary Plan where permitted uses included low density residential, parks, and open space and community facilities/services.

Area A-1 applies to the portion of the site that is used for a utility plant for the generation and transmission of heat, steam and electricity. There have been no changes to these policies through the review.

SITE SPECIFIC POLICY AREA B

Site Specific Policy Area B applies to the property at 220 Cannon Street, which is a multiple dwelling. This site specific policy being carried forward from the 2001 Plan and restricts the residential density to 705 units per hectare.



Hamilton GO Centre

SITE SPECIFIC POLICY AREA C

Site Specific Policy Area C applies to the lands at 41 Jackson Street East (Whitehern Museum). This site specific policy restricts the use of the property to the museum and its accessory functions. Any changes require an amendment to the Plan. This policy is carried forward from the 2001 Plan.

SITE SPECIFIC POLICY AREA D

Site Specific Policy Area D applies to Dr. J. Edgar Davey Elementary School located at 99 Ferguson Avenue North. This site specific policy permits the lands to be developed for Downtown Residential uses, parks, open space, and community facilities/services without an amendment to the Secondary Plan provided that the uses are compatible with the surrounding uses. This is a change from the 2001 Secondary Plan where permitted uses included low density residential, parks, and open space and community facilities/services.

AREA SPECIFIC POLICY AREA E

Area Specific Policy Area E applies to the lands located east of Caroline Street, between Hunter Street and Jackson Street (known as Wesanford Place). This area specific policy restricts permitted uses to low density residential. This 2001 Secondary Plan designated these lands as low density residential. The Wesanford development has been flagged as a possible cultural heritage landscape for review as part of the pending Cultural Heritage Landscape Inventory. The dwellings were built between 1939 and 1942.

SITE SPECIFIC POLICY AREA F

Site Specific Policy Area F applies to the John Foote Armory located at 200 James Street North. These lands have been designated as Downtown Mixed Use in the Secondary Plan, however, the site specific policy recognizes the armories and its accessory functions.

AREA SPECIFIC POLICY AREA G

Area Specific Policy Area G applies to the properties located at 252 and 254 James Street North, which is known as Christ's Church Cathedral. These lands have been designated as Downtown Mixed Use in the Secondary Plan, however, the area specific policy recognizes the existing place of worship and its accessory functions.

4.14 AFFORDABLE HOUSING AND INCLUSIONARY ZONING

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.

The Downtown Hamilton Secondary Plan offers opportunities for 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.

New affordable housing which meets the needs of vulnerable populations, and lower to middle income households, will be required as development occurs across the Downtown. While many households rent in existing rental and condo buildings, many residents rely on the stock of social and supportive housing, single room occupancy homes, student residents and transitional housing. This stock provides a diversity of housing types.

On March 14, 2016, the Ontario Government provided an update to the Long-Term Affordable Housing Strategy. Part of the update included proposed legislation for Inclusionary Zoning (IZ). This legislation was in response to numerous requests received during the consultation on the strategy update, including a request from the City for the Province to establish an Inclusionary Zoning framework. The proposed legislation and associated regulations would allow municipalities to mandate that affordable housing units be provided by development proponents as part of residential development projects.

On May 18, 2016, Ontario introduced Bill 204, which is now referred to as the *Promoting Affordable Housing Act, 2016* (Bill 7). The bill proposed an amendment to six provincial acts: the *Development Charges Act, 1997*; *Housing Services Act, 2011*; *Planning Act 1990*, *Residential Tenancies Act, 2006*; *Smart Growth for Our Communities Act, 2015* and *Elderly Persons Housing Aid Act, 1990*. The bill received Royal Assent on December 8, 2016.

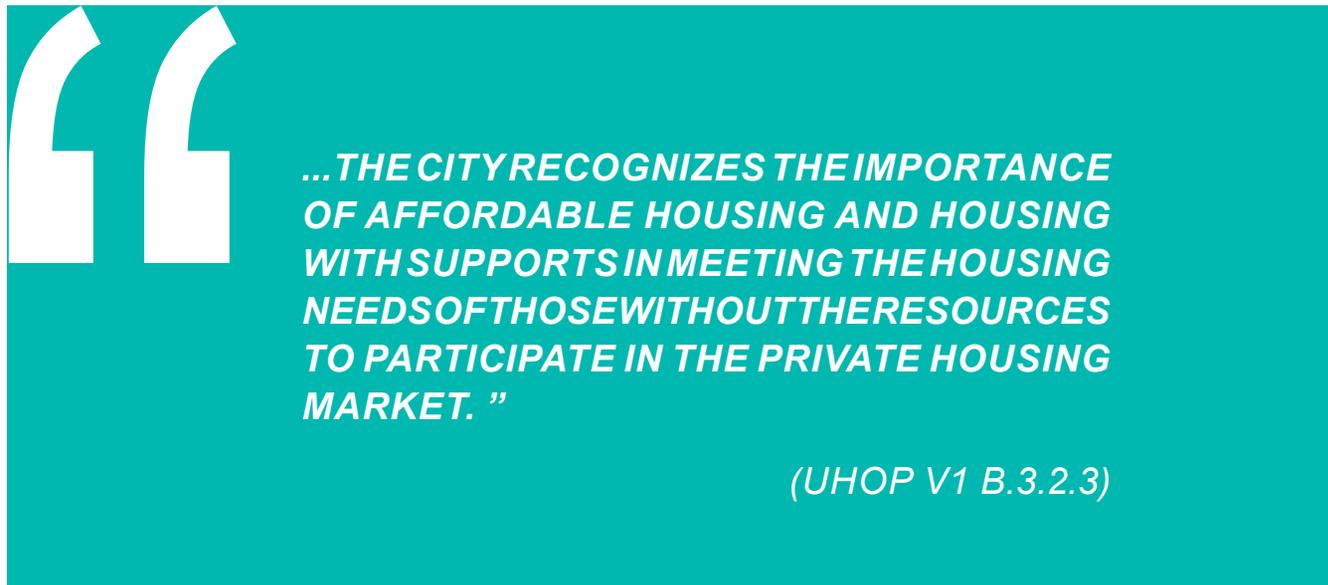
Currently, the City is carrying out the background work in preparation for the Province's release of the Inclusionary Zoning regulatory framework. These regulations will help the City to increase the supply of affordable housing to meet the objectives and targets set out in the City's Housing and Homelessness

Action Plan and in the Urban Hamilton Official Plan. However, in the meantime, in addition to the housing policies in Section B.3.2 of Volume 1 of the Urban Hamilton Official Plan (UHOP), the Downtown Hamilton Secondary Plan further builds on these housing policies in order to promote affordable housing opportunities in the Downtown. The policies require development proposals that will result in the demolition or redevelopment of affordable housing units to demonstrate that as a result of the proposed development there is no net loss in the number of affordable housing units within the Central Hamilton Local Housing Market Zone and provide an acceptable tenant relocation and assistance plan.

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. (Policy 6.1.4.10)

Notwithstanding Policy B.3.2.5.6, Demolition/Redevelopment of Rental Housing Units of Volume 1, shall be permitted where the following can be achieved to off set 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.



...THE CITY RECOGNIZES THE IMPORTANCE OF AFFORDABLE HOUSING AND HOUSING WITH SUPPORTS IN MEETING THE HOUSING NEEDS OF THOSE WITHOUT THE RESOURCES TO PARTICIPATE IN THE PRIVATE HOUSING MARKET. ”

(UHOP V1 B.3.2.3)

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;
 - 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. (Policy 6.1.4.5)

4.15 SECTION 37 BONUSING

Section 37 of the *Planning Act* (Section 37), also known as Density Bonusing or simply ‘bonusing’, allows municipalities to negotiate and secure community benefits (“facilities, services or matters”) as a condition of approval of rezoning applications that request an increase in height and/or density beyond what is currently permitted in the zoning by-law. In order to take advantage of Section 37, municipalities must have enabling policies in their Official Plans to allow such increases in exchange for community benefits. The City of Hamilton already has a bonusing framework for the implementation of Section 37. Chapter F, Section 1.9 of Volume 1 of the UHOP includes policies enabling the negotiation of Section 37 Agreements. This framework includes broad criteria for developments that may enter into a Section 37 Agreement and identifies an extensive list of community benefits.

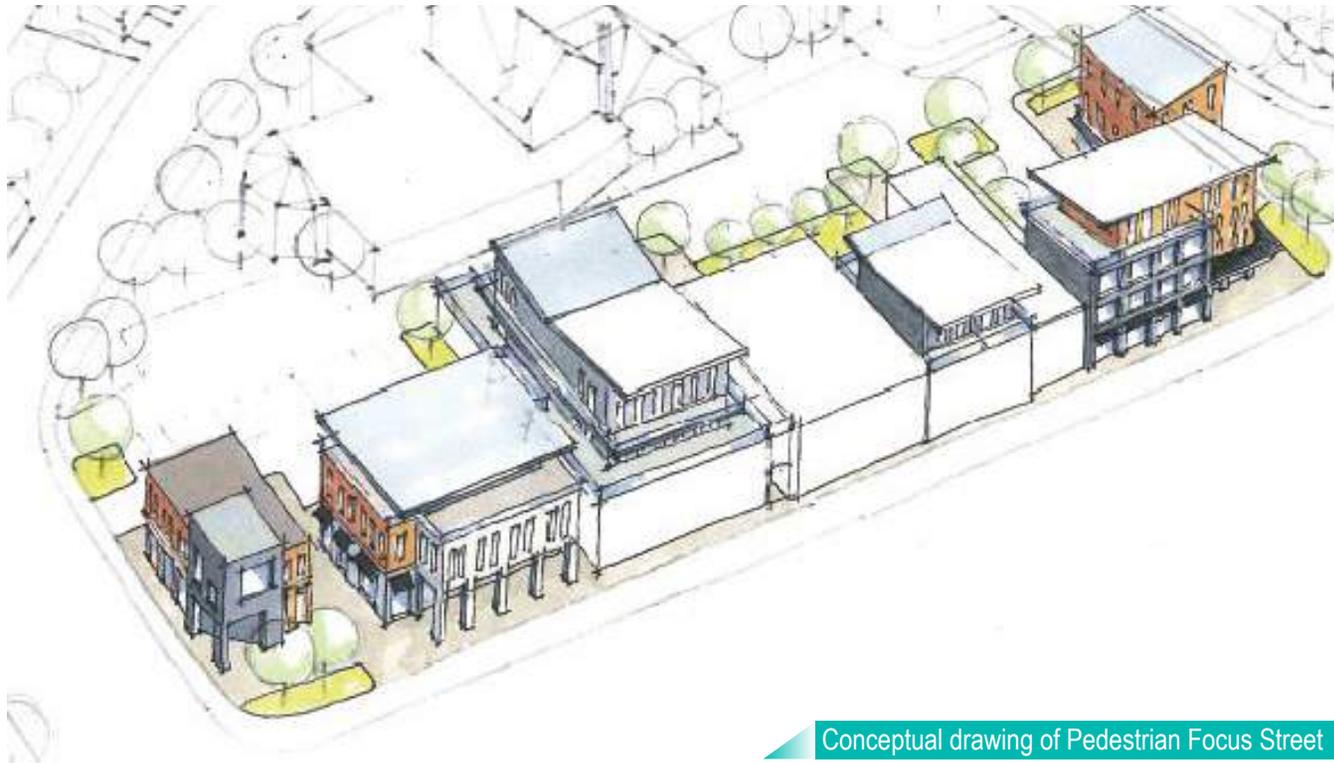
The policies of the Secondary Plan allow for proposals that seek increases in height, beyond those permitted in the Zoning By-law, to enter into Section 37 Bonusing agreements. The Secondary Plan outlines the specific community benefits to be obtained through such agreements. The priority community benefits to be secured through Section 37 agreements for the Downtown are limited to the provision of housing, in particular, rental and affordable housing; community facilities/services; child care facilities; cultural facilities; and, transit station improvements.

The City is in the process of carrying out a City-wide Section 37 Bonusing Study. This study will define applicable benefits in statutory Official Plan policy. Currently the City has a fairly extensive list of potential benefits outlined in the UHOP; however, these could be refined based on needs within certain neighbourhoods. A defined protocol and guiding document will be proposed as a result of the City-wide Section 37 Bonusing Study. As this study has yet to be finalized, a future amendment to the Downtown Hamilton Secondary Plan may be required to implement the recommendations.

5.0 IMPLEMENTATION

The revision of the 2001 Downtown Hamilton Secondary Plan and the Downtown Zones occurred simultaneously. Having clear policy direction and the implementing regulations in place ensure that future development proposals will meet the vision and achieve the objectives established in the Downtown Hamilton Secondary Plan. The proposed amendments to the Downtown Zones of Zoning By-law 05-200 will provide clarity to the policy direction through specific definitions, regulations and mapping.

The Downtown Zones were approved on May 25, 2005 and represented the first stage of the Comprehensive Zoning By-law for the City of Hamilton. The Downtown Zones implemented the designations, policies and height schedule of the 2001 Downtown Hamilton Secondary Plan. The original Downtown Zones took a progressive and transformational approach to definitions, permitted uses, and regulations. With the commitment of maintaining an up-to-date Zoning By-law, the revisions proposed for the Downtown Zones align with the policies of the revised Downtown Hamilton Secondary Plan, provide consistency between other zoning categories, address implementation issues resulting in the application of the Downtown Zones, and maintain a forward thinking approach to land use planning.



Conceptual drawing of Pedestrian Focus Street

5.1 DOWNTOWN ZONES

Zoning By-law 05-200 originally implemented the following six Downtown Zones:

- Downtown Central Business District (D1) Zone;
- Downtown Prime Retail Streets (D2) Zone;
- Downtown Mixed Use (D3) Zone;
- Downtown Local Commercial (D4) Zone;
- Downtown Residential (D5) Zone; and,
- Downtown Multiple Residential (D6) Zone.

The revisions to the Downtown Hamilton Secondary Plan have resulted in the elimination of the application of the Downtown Mixed Use (D3) Zone, and the Downtown Multiple Residential (D6) Zone within the Downtown Hamilton Secondary Plan boundary, and the complete deletion of the Downtown Local Commercial (D4) Zone. The amendment aligns the Downtown Zones with the vision and objectives of the revised land use designations and eliminates unnecessary duplications in permitted uses and regulations.

A new zone Utility (U2) Zone is proposed for the rail lines, and GO Stations. The U2 Zone applies to areas devoted to railway use, including but not limited to freight, commuter, and passenger trains and any associated station locations.

Changes to specific regulations have been broken down by category and are discussed in the following sections.



Conceptual drawing of Pedestrian Focus Streets

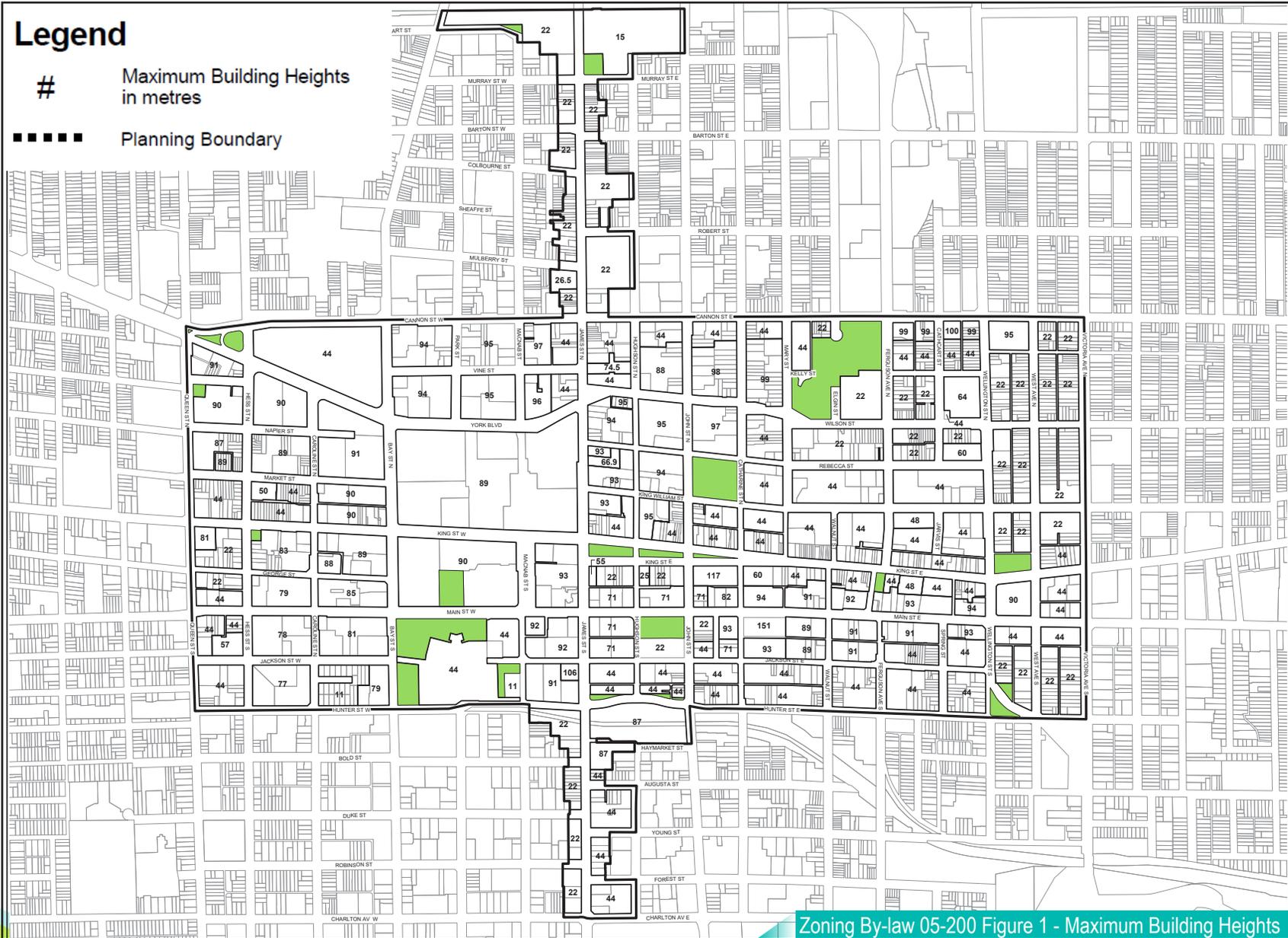
EXISTING DOWNTOWN ZONES (ZONING BY-LAW 05-200)	DRAFT REVISIONS TO DOWNTOWN ZONES (ZONING BY-LAW 05-200)	PROPOSED DOWNTOWN SECONDARY PLAN DESIGNATIONS
Downtown Central Business District (D1) Zone	Downtown Central Business District (D1) Zone	Downtown Mixed Use
Downtown Mixed Use (D3) Zone		
Downtown Local Commercial (D4) Zone		
Downtown Prime Retail Streets (D2) Zone	Downtown Mixed Use - Pedestrian Focus (D2) Zone	Downtown Mixed Use - Pedestrian Focus
Downtown Residential (D5) Zone	Downtown Residential (D5) Zone	Downtown Residential
Downtown Multiple Residential (D6) Zone		
New Zone		
Utility (U2) Zone		Utility



Conceptual mixed use building drawing

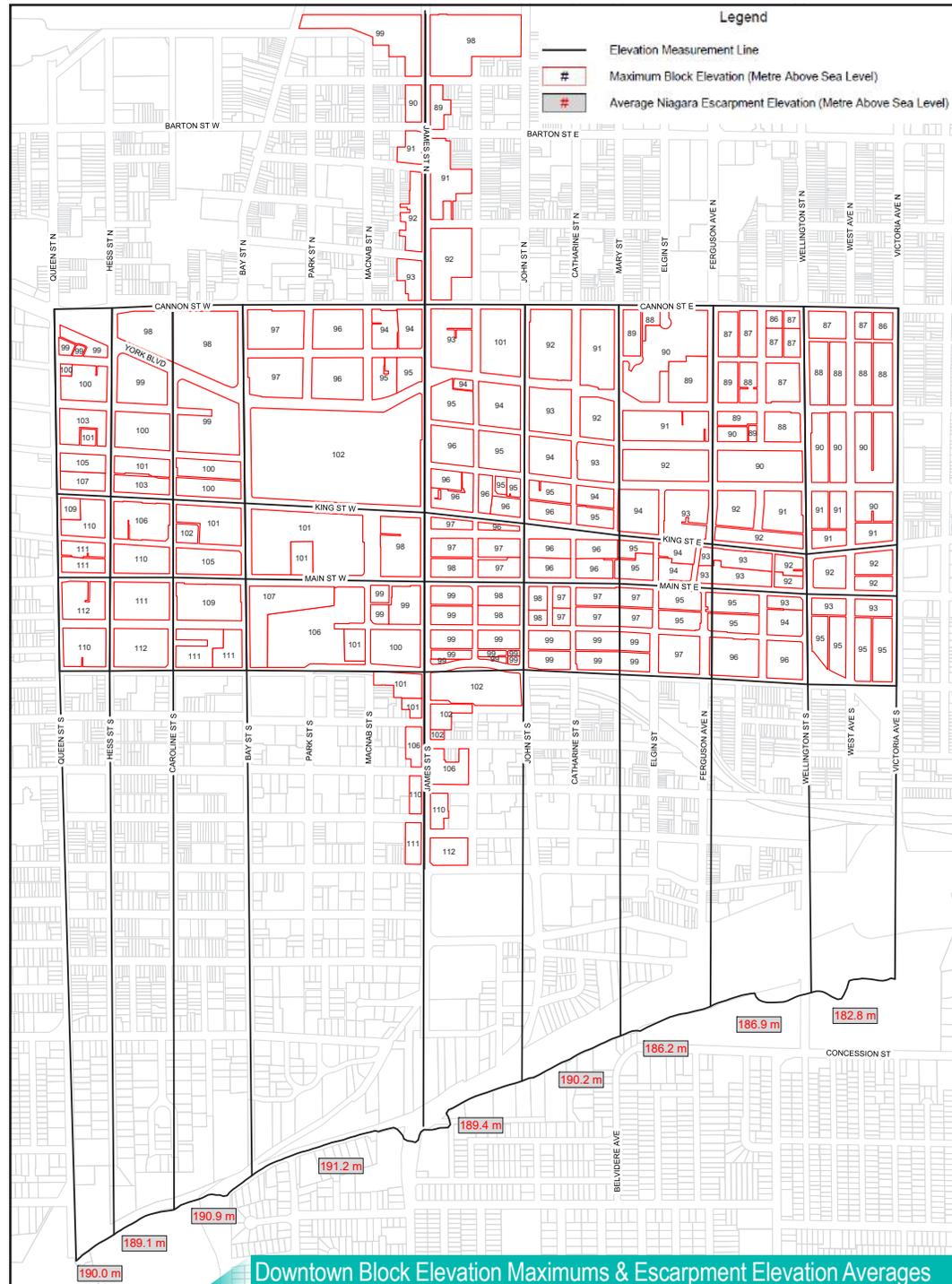
5.2 HEIGHT MAXIMUMS

Figure 1 of Schedule “F” – Special Figures of Zoning By-law 05-200 identifies the maximum building height in metres, and is reflective of the current permissions of the 2001 Downtown Hamilton Secondary Plan Building Height Schedule. The revised policies establish Height Categories supported by mapping and further establish a maximum height threshold of the Niagara Escarpment.



Understanding the topography of the Downtown in relation to the Niagara Escarpment heights was the principal methodology for establishing maximum building height permissions for the Zoning By-law. Using data provided by the Niagara Escarpment Commission, a metre by metre elevation height was calculated along the edge of the Escarpment between Queen Street and Victoria Avenue. The heights, in metres above sea level, were analyzed and broken into intervals based on major north-south streets. The map to the right shows the average elevation for each interval of the Escarpment. Additionally, the maximum elevation of each Downtown block calculated based on digital elevation modelling provided by First Base Solutions (Spring 2017). The resultant calculations formed a basis for the methodology and analysis of maximum building height permissions for the implementing Zoning.

Height in the Zoning By-law is regulated in metres rather than storeys. A height of 4.5 metres is applied to the ground floor to support a variety of commercial uses. The remaining storeys are calculated at a height of 3.5 metres per floor. Measuring buildings in metres allows for more flexible design based on uses, roof type, unit size and configuration, and other structural or design parameters. In some cases, the result may be that the maximum building height in metres may result in additional storeys.



Downtown Block Elevation Maximums & Escarpment Elevation Averages

5.3 TALL BUILDING ZONING REGULATIONS

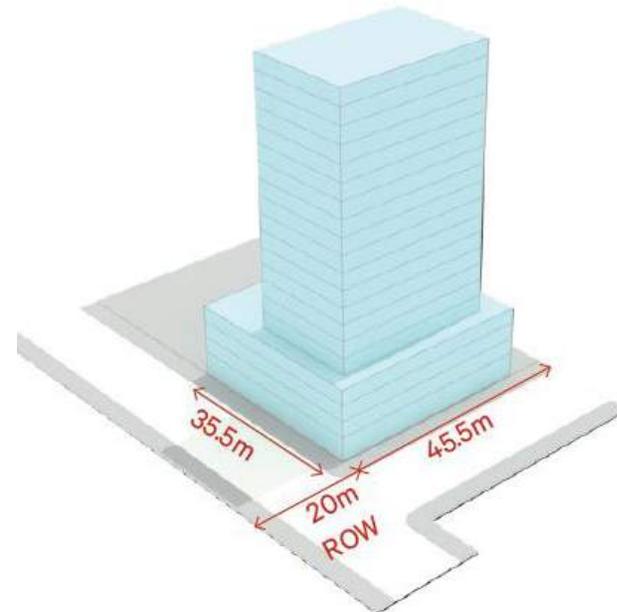
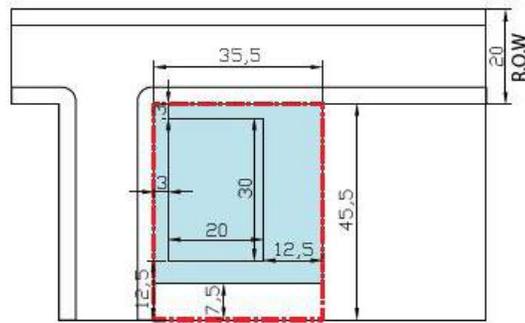
The new height categories of the Downtown Hamilton Secondary Plan required additional implementation tools in the Zoning By-law. Section 6.0 General Provisions for Downtown Zones (ZBL 05-200) has been added to address specific regulations for mid-rise and tall building development.

The revised Downtown Hamilton Secondary Plan categorizes tall buildings as any building greater than 12 storeys. The translation into zoning regulations is that any development greater than 44.0 metres is considered a tall building development and subject to the relevant policies and the Tall Buildings Guidelines.

MINIMUM LOT FRONTAGE AND AREA REQUIREMENTS FOR TALL BUILDINGS

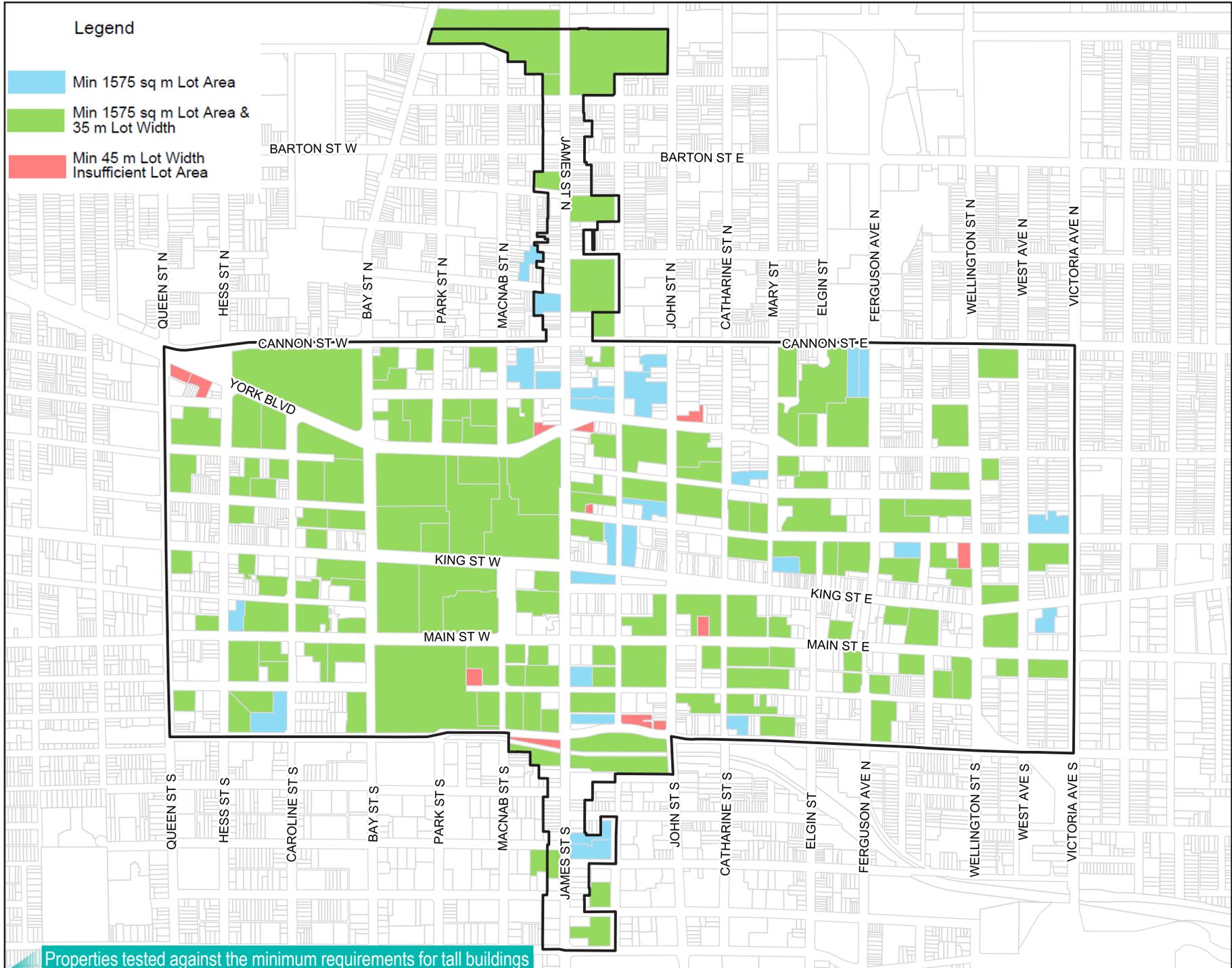
The Tall Buildings Guidelines formulated a basic principle for the minimum lot frontage and lot width required for the development of a tall building. Using a minimum lot frontage of 35 metres and a minimum lot area of 1,575 square metres existing properties that could achieve the minimum requirements were determined. The following map shows all existing properties that meet the minimum requirements for tall buildings.

- Typical Frontage: 35m+
- Typical Depth: 45m+
- Typical R.O.W: 20-26m
- Typical #of Storeys: 13 str+
- Max. Height: 50m+



Legend

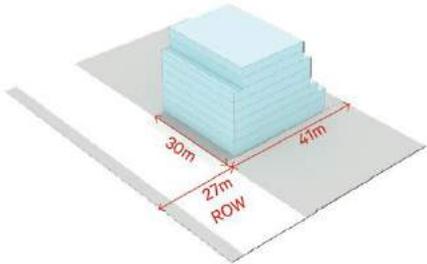
- Min 1575 sq m Lot Area
- Min 1575 sq m Lot Area & 35 m Lot Width
- Min 45 m Lot Width Insufficient Lot Area



Properties tested against the minimum requirements for tall buildings

MINIMUM STEPBACK REQUIREMENTS FOR MID-RISE BUILDINGS

The revised Downtown Hamilton Secondary Plan has established a Mid-Rise Height Category which includes development between 7 and 12 storeys in height. Development in this height category is not subject to the Tall Building Guidelines, but do represent a substantial built form that will shape Downtown Hamilton. The policies provide direction with regard to Mid-rise building development and have formed the basis for the implementation for zoning regulations less than 44.0 metres in height. A maximum Building Base Façade Height has been calculated along all streets in Downtown Hamilton and is shown in Figure 15 of Schedule “F” - Special Figures. The Building Base Façade Height represents an 80% calculation of the right of way widths. This height represents a comfortable building base height along a street, after which point a minimum of 3.0 metre stepback is required. Additionally, a minimum 3.0 metres stepback from any rear or side lot line is required for any portion of a building exceeding 22.0 metres (approximately 6 storeys) in height.

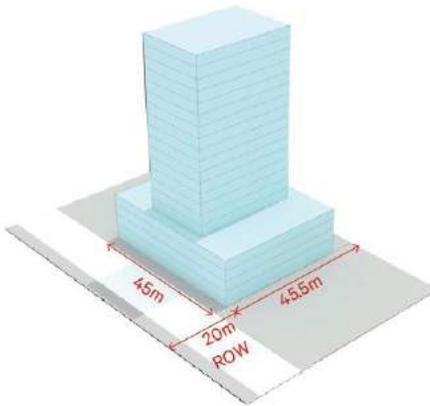


Mid-rise - 27 m ROW

MINIMUM TOWER STEPBACKS AND SETBACKS FOR TALL BUILDINGS

The regulations explained above also apply to the building base and mid-rise portion of a tall building. The tower portion of a building is any portion of a building exceeding 44.0 metres in height, is guided by the Tall Buildings Guidelines.

One of the key performance measures in the Tall Buildings Guidelines is setbacks for the tower portion of a tall building to avoid adverse shadow and wind impacts on surrounding properties and public spaces. This includes a minimum 12.5 metre setback for the tower portion from the side and rear property lines and a minimum 25 metre setback between two or more towers on the same site, measured from the exterior wall. Providing adequate space between towers and the property line minimizes impacts such as blockage of the sky view and pedestrian-level wind, and shadowing, while helping to maximize privacy and natural light for building occupants. In addition, providing space between tall buildings protects the development potential of adjacent sites.

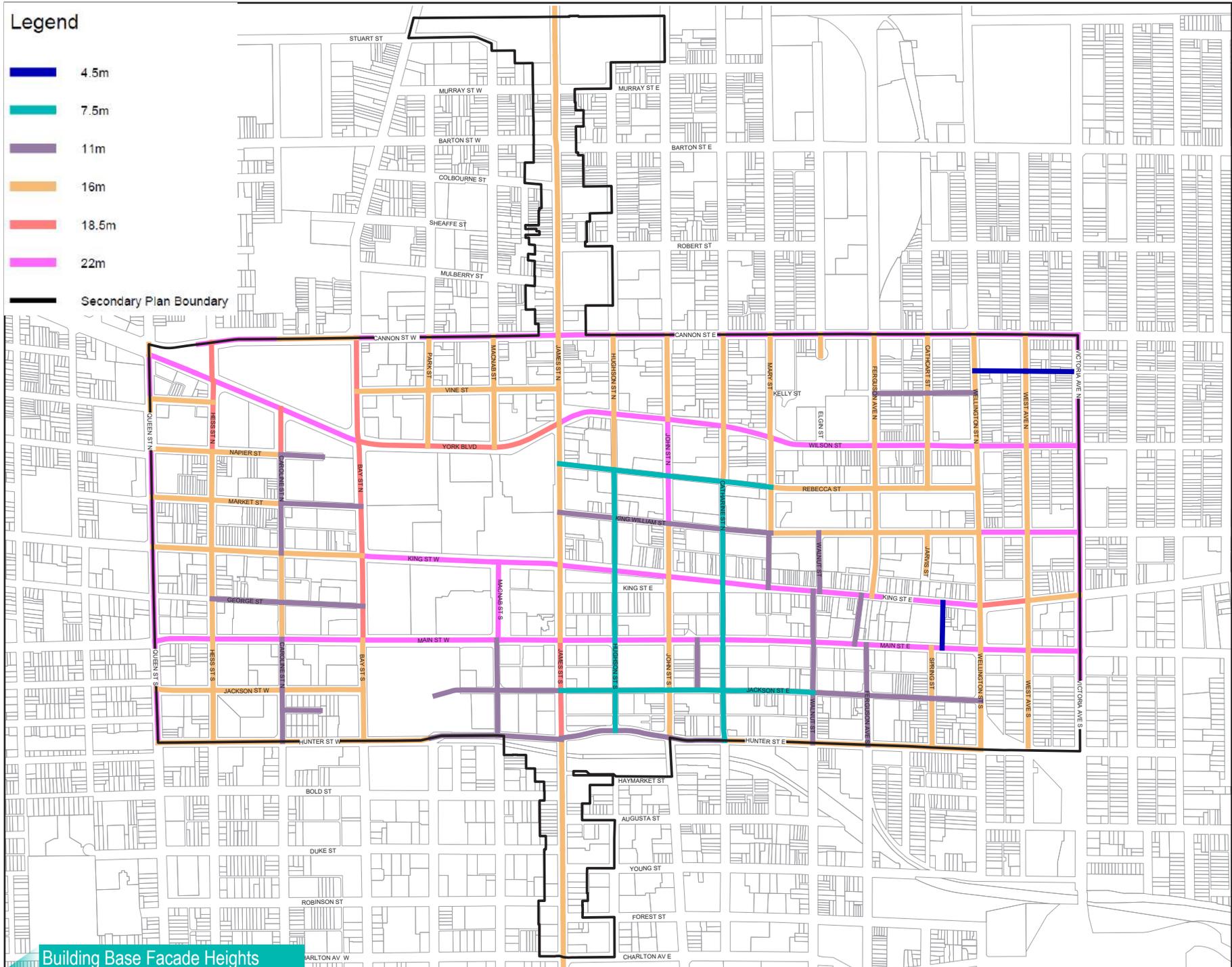


Point Tower - midblock

Both on site and from abutting towers a minimum separation should be achieved to maintain privacy and avoid overlook. Ultimately, 25 metres should be achieved and maintained between any two towers including two towers on the same site.

Legend

- 4.5m
- 7.5m
- 11m
- 16m
- 18.5m
- 22m
- Secondary Plan Boundary



Building Base Facade Heights

5.4 HOLDING PROVISIONS

Three Holding Provisions have been created to implement the policies of the revised Downtown Hamilton Secondary Plan. The Holding Provision provides an additional review for development applications in the Downtown with regard to building height, cultural heritage resources and community benefits.

HEIGHT

Holding Provision 17 applies to any areas identified as High-rise 1 or 2 on Map B.6.1-2 of the Downtown Hamilton Secondary Plan. The Holding Provision requires that any proposal for development in excess of 44.0 metres in height (greater than 12 storeys), meets the minimum lot area and lot width requirements, and the owner or applicant to submit for approval by the Director of Planning and Chief Planner the following studies:

- Shadow Impact Study;
- Pedestrian Level Wind Study;
- Visual Impact Assessment;
- Cultural Heritage Impact Assessment;
- Traffic Impact Study; and,
- Functional Servicing Report.

To remove the Holding Provision the studies will have to demonstrate how the proposal conforms to the policies of the Downtown Hamilton Secondary Plan and the owner or applicant will need to submit for and receive Conditional Site Plan approval.

COMMUNITY BENEFITS

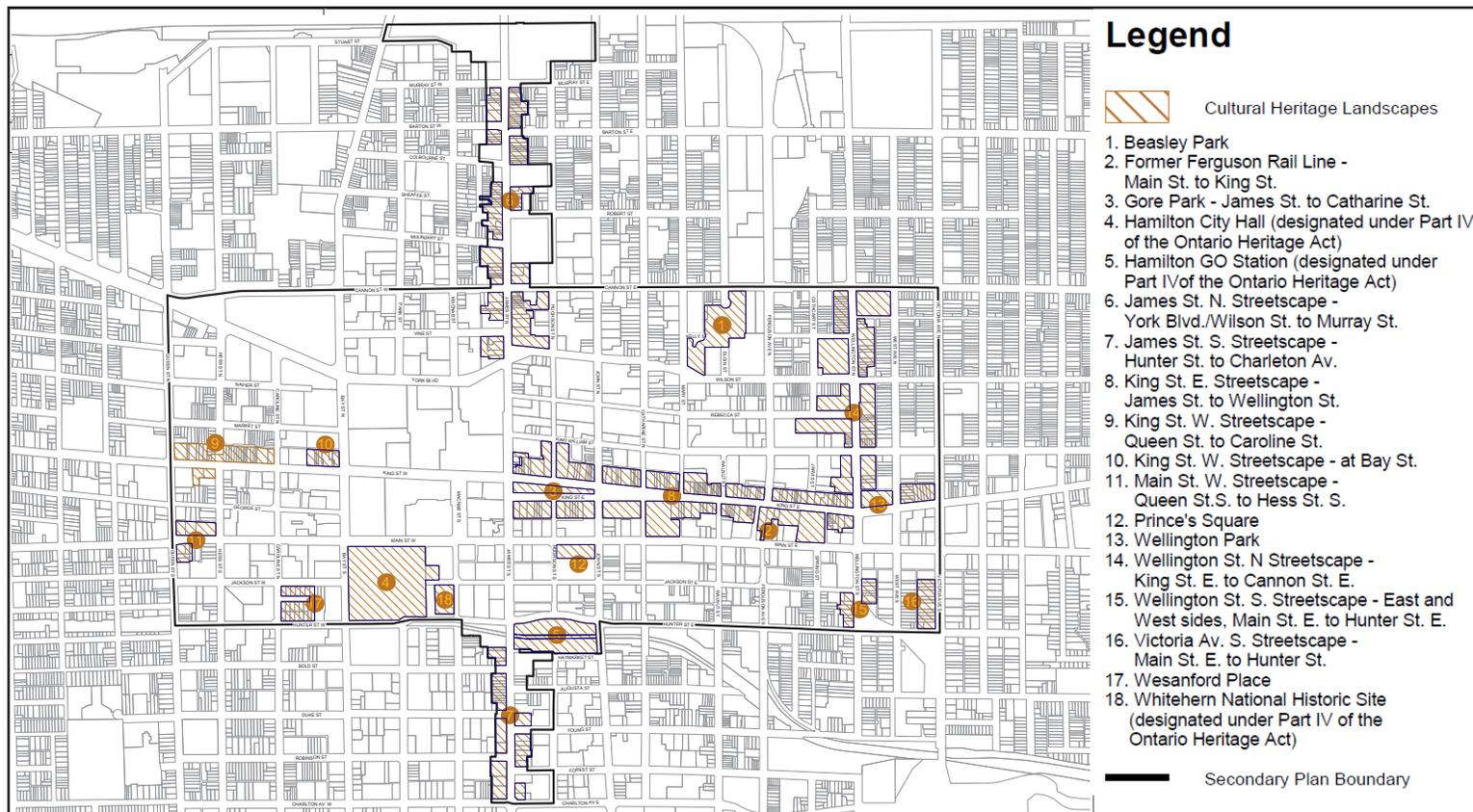
Holding Provision 19 applies to any areas identified as High-rise 1 or 2 on Map B.6.1-2 of the Downtown Hamilton Secondary Plan. The holding provision requires that the owner or applicant enter into a Section 37 Bonus agreement with the City of Hamilton to secure provision of Community Benefits in accordance with the policies of the revised Downtown Hamilton Secondary Plan.

REPLACEMENT OF AFFORDABLE HOUSING

Holding Provision 20 applies to any areas identified as High-rise 1 or 2 on Map B.6.1-2 of the Downtown Hamilton Secondary Plan. Where existing housing with three or more units is proposed to be redeveloped, the Holding Provision requires that the owner or applicant demonstrate that the lost units have been replaced within the CMHC Local Housing Market Zones. Replacement of units can be achieved through on-site replacement, a Section 37 Bonusing Agreement, or off-site development.

PROTECTION OF CULTURAL HERITAGE LANDSCAPES

Holding Provision 21 applies to any property identified in a Cultural Heritage Landscape as identified in the Downtown Hamilton Secondary Plan, as shown on the map below. The Holding provision requires that prior to any demolition or development of the property the applicant must submit a Cultural Heritage Impact Assessment for approval to the satisfaction of the Director of Planning and Chief Planner, City of Hamilton.



5.5 PARKING STANDARDS

MOTOR VEHICLE PARKING

Parking requirements were a concern during both internal and external consultation. In a downtown setting, with public transit, active transportation, and live, work and play opportunities, parking reductions should be considered. In addition, over requiring parking becomes prohibitive in the development of affordable housing opportunities. Upon evaluation of North American municipal parking requirements, best practices in municipalities with higher order transit, and trends in recently approved Zoning By-laws, staff is recommending a reduction and in some cases elimination of parking requirements in Downtown Hamilton.

The chart below provides a comparison between the existing parking requirements and the proposed parking requirements:

EXISTING 05-200 DOWNTOWN RESIDENTIAL PARKING REQUIREMENTS		PROPOSED 05-200 DOWNTOWN RESIDENTIAL PARKING REQUIREMENTS		
SIZE	PARKING SPACES PER UNIT MIN	SIZE	PARKING SPACES PER UNIT MIN	MAX
DWELLING UNITS (<3 units in building)		DWELLING UNITS (<3 units in building)		
< 50m ²	0.3	Any size	0	1.25
> 50m ²	1			
MULTIPLE DWELLING		MULTIPLE DWELLING		
< 50m ²	0.3	Units 1-12	0	1.25
		Units 13-50	0.5	1.25
		Units 51+	0.7	1.25
		Units with 3+ Bedrooms		
		Units 1 - 12	0	1.25
		Units 13+	0.3	1.25
SINGLE DETACHED, SEMI DETACHED, DUPLEX, STREET TOWN HOUSE		SINGLE DETACHED, SEMI DETACHED, DUPLEX, STREET TOWN HOUSE		
Any size	1 parking space per unit	Any Size	0 parking space per unit	

In summary, the parking requirements for residential development has been eliminated for buildings with fewer than 12 units, and reduced for the remaining units within a building. The elimination of parking for buildings with fewer than 12 units applies to duplex, single-detached, semi-detached, townhouse and multiple dwellings alike. Parking requirements for commercial uses have also been reduced and simplified.

Additional parking exemptions for units with three or more bedrooms to provide incentives to include family friendly units in new developments.

Bicycle Parking

The Draft Bicycle Parking Requirements include short term and long-term bicycle parking provisions. Long-term bicycle parking shall be located in a secure enclosed parking area to ensure bicycles are stored in a safe and weatherproof location. Short-term bicycle parking shall be located in a parking area at grade to ensure quick and easy storage of bicycles.

Short-term bicycle parking for the Downtown Zones is provided based on land use. This requirement ensures visitors will be able to ride their bike to their destinations and be able to store their bicycles at the parking racks.

Long-term bicycle parking will be required for residential and commercial uses in the Downtown Zones. Long-term bicycle parking requirements will enable residents and employees to utilize their bicycle along with the higher order transit network. No bicycle parking space shall be required for any office, personal services, restaurant, or retail establishment less than 450 square metres.



Secure outdoor bike parking at Mohawk College (credit: Smart Commute)

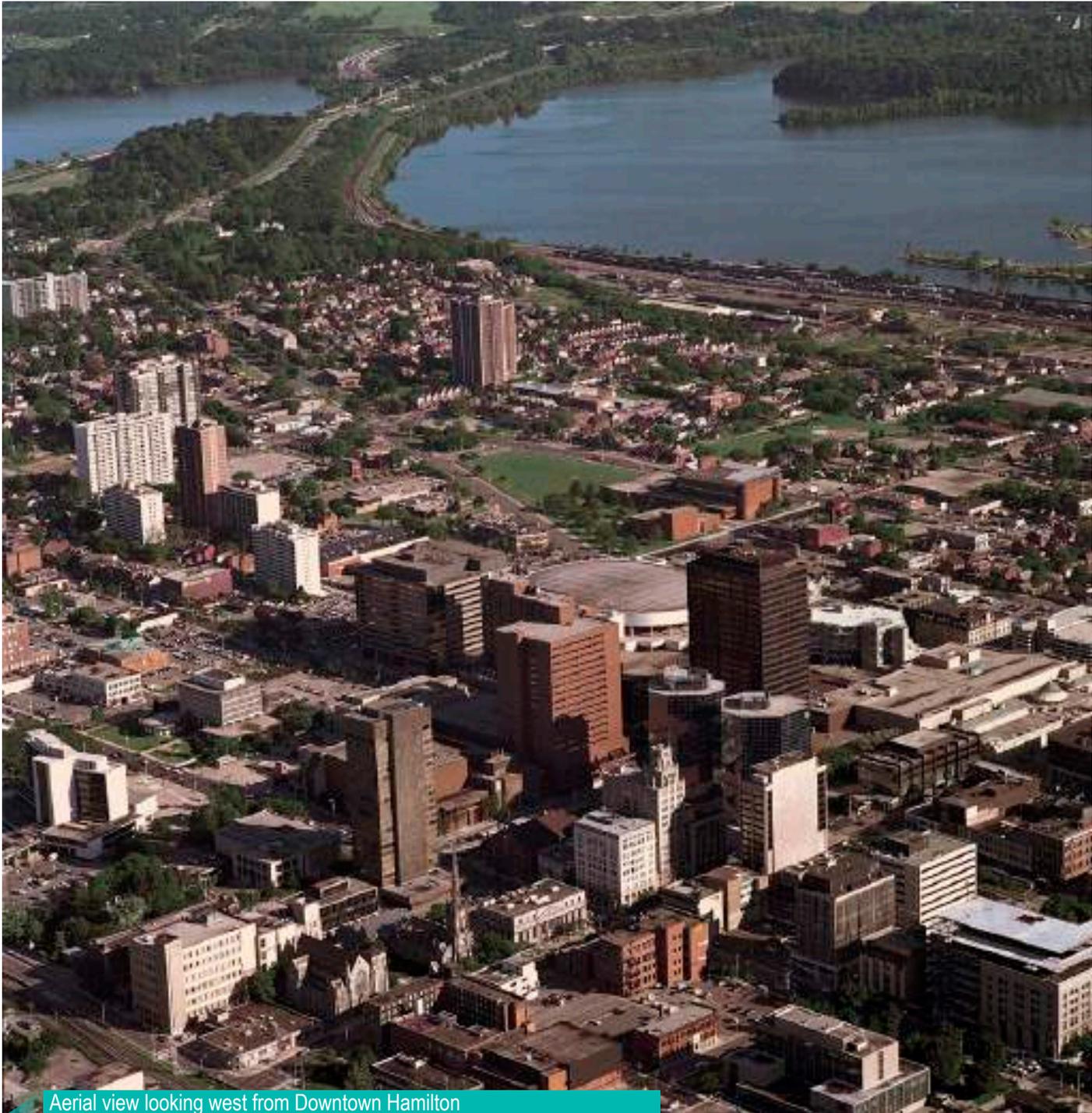
5.6 OTHER IMPLEMENTATION TOOLS

The Downtown Hamilton Secondary Plan is not only implemented through zoning. A number of studies and initiatives will contribute to the realization of the vision for Downtown Hamilton. The UHOP and revised Downtown Hamilton Secondary Plan rely on a variety of implementation processes to provide detailed plans, strategies and programs to implement the policy direction. Future development and implementation of streetscape master plans, Community Improvement Plans, infrastructure and transportation plans, among others will contribute to the development of a vibrant, active, healthy and safe Downtown.

6.0 CONCLUSIONS

Downtown Hamilton is undergoing change and the updated Downtown Hamilton Secondary Plan helps to manage that change in a way that respects the existing development but also provides opportunities for new development that respects the existing character of the of the Downtown. The policies of the Secondary Plan aim to create complete streets and complete communities. The Plan ensures that the Downtown will be a place where people have access to the amenities that they need, such as great streets for walking, local retail, access to transit, housing, culture, schools, social services, or parks spaces, in order to have a high quality of life. The Secondary Plan recognizes the importance of protecting the connectedness, civic life, unique neighbourhoods, and vibrant streets of Downtown Hamilton as it grows and changes into the future. The Plan provides direction for innovative ways to address sustainability, resiliency, climate change, transit, heritage, and housing.

The policies of the Plan direct development in a manner that contributes to quality of life and complete communities by supporting and promoting a strong economy, providing for a range of housing opportunities for all segments of the population, protecting and enhancing Downtown's cultural heritage resources, providing for and maintaining community and emergency facilities such as parks, libraries, schools, fire, emergency medical and police facilities, and health care facilities, and ensuring our built environment is designed to create a high quality public realm.



Aerial view looking west from Downtown Hamilton

APPENDICES

APPENDIX A - POLICY BACKGROUND

POLICY BACKGROUND

Provincial and municipal policies establish the framework that directs growth and change within Downtown Hamilton.

Overall direction for land use comes from Provincial policy documents. Municipalities are responsible for implementing the policy directions into local Official Plan, Zoning By-laws and other planning tools. Additional land use direction is provided by City wide policies and master plans. Other City initiated studies also provide direction for future land use decision making.

The common theme in all the Provincial documents and City wide growth studies is that intensification should be directed to node and corridor areas such as Downtown Hamilton and that land use should be supportive of higher order transit in such areas. Factors such as land use, urban design, intensification, higher density and transit should all come together to create vibrant attractive areas which function efficiently as complete communities.

PROVINCIAL POLICY FRAMEWORK

PROVINCIAL POLICY STATEMENT (2014)

The Provincial Policy Statement (PPS) provides high level provincial policy direction on matters of provincial interest related to land use planning and development. The PPS recognizes the complex interrelationships among and between environmental, economic and social factors in land use planning. Policies direct density and intensification to be focused within urban nodes and along corridors connecting nodes. Land use patterns, density, and uses are to be planned to make modes such as transit more viable. Some of the key policies from the PPS which provide direction for the Secondary Plan include:

- Land use patterns and settlement areas should be planned to support densities and mix of uses which efficiently use land, support active transportation and are transit-supportive (where transit is available (Policy 1.1.3.2);
- Municipalities are expected to plan for intensification by identifying appropriate areas for intensification (Policy 1.1.3.3);
- Municipalities shall establish minimum targets for intensification (Policy 1.1.3.5);
- Municipalities shall establish phasing policies to ensure targets are achieved (Policy 1.1.3.7);
- Municipalities shall provide a mix of housing choices and densities (Policy 1.4.1);
- Development of new housing should be directed to locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (Policy 1.4.3); and,
- Significant built heritage and cultural heritage landscapes shall be preserved (Policy 2.6.1).

Throughout the planning process for the Secondary Plan review, the PPS has been used as a guide, and as such, the updated Plan is consistent with the policies of the PPS. The updated Secondary Plan promotes the efficient use of land and development patterns that support strong, liveable and healthy communities, protects the environment, and facilitates economic growth.

GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2017)

- The Growth Plan builds upon the PPS policy framework and provides a high-level urban structure plan and policies for municipalities in the Greater Golden Horseshoe. The policies of the Growth Plan are intended to help build healthy, balanced and complete communities. The Downtown Hamilton area is identified as an Urban Growth Centre in the Growth Plan. *The Places to Grow Act* requires that all decisions under the *Planning Act* conform to the Growth Plan. Some of the key policies that provide direction for the Secondary Plan include:
- By the year 2031 and for each year thereafter, a minimum of 60% of all residential development occurring annually will be within the delineated built-up area (Policy 2.2.2.1.);
- Urban growth centres will be planned as focal areas for investment in regional and public service facilities as well as commercial, recreational, cultural and entertainment uses; to accommodate major transit infrastructure; to serve as high density major employment centres that attract provincially, nationally or internationally significant employment uses and accommodate significant population and employment growth (Policy 2.2.3.1. a) - d));
- Major transit areas and intensification corridors will be designated in Official Plans and planned to achieve higher residential and employment densities and a mix of uses (Policy 2.2.5.1.);
- Major transit station areas on priority corridors will be planned for a minimum density target of 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit and a minimum density target of 150 residents and jobs combined per hectare for those that are served by the GO Transit line (Policy 2.2.4.3. b) and c));
- All major transit station areas will be planned and designed to be transit-supportive and to achieve multimodal access to stations and connections to nearby major trip generators (Policy 2.2.4.8.);
- Within all major transit station areas, development will be supported, where appropriate, by planning for a diverse mix of uses; fostering collaboration between public and private sectors, providing alternative development standards, and prohibiting land uses that would adversely affect the achievement of transit supportive densities (Policy 2.2.4.9.);
- Lands adjacent to existing or planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities (Policy 2.2.4.10.).
- Infrastructure planning, land use planning and infrastructure investment will be coordinated to implement this Plan (Policy 3.2.1.1.).

The updated Secondary Plan conforms to the Growth Plan.

MUNICIPAL POLICY FRAMEWORK

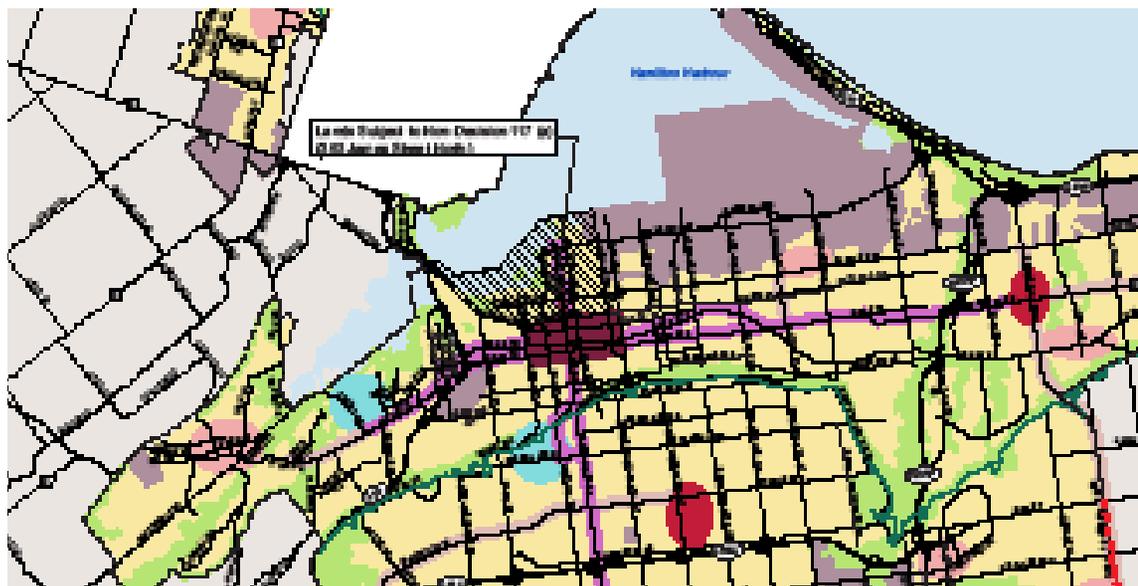
URBAN HAMILTON OFFICIAL PLAN (2013)

The City of Hamilton’s Urban Official Plan (UHOP) provides a long-term urban structure for the City, which envisions intensification of the City’s Built-Up Area along key nodes and corridors. The Downtown Urban Growth Centre, which aligns with the updated Secondary Plan boundary, is identified as a Node in the UHOP. King Street, Main Street and James Street are identified as Primary Corridors.

The Downtown Urban Growth Centre Node is planned to achieve a density of 250 people and jobs per hectare (see Policy E.2.3.1.9 of the Urban Official Plan)¹. The function and scale of the Urban Growth Centre is as follows:

FUNCTION	SCALE
<ul style="list-style-type: none"> • Provides City wide services • Major transit hub for local and regional service (HSR/GO) • Major employment centre • Large and diverse population • Regional scale retail facilities • Cultural, administrative and institutional centre of the City • Broad range of housing types including affordable housing. 	<ul style="list-style-type: none"> • Highest density area • +100,000 sq. m. of retail space • 250 persons and jobs per hectare • 20-23% of City wide residential intensification • 5,000 – 6,000 – units by 2031
DESIGN	LAND USE
<ul style="list-style-type: none"> • Predominant pedestrian and cyclist focus • Will cater to transit, active transportation and automotive travel • Parking should be provided underground or in parking structures 	<ul style="list-style-type: none"> • Major institutional • Education • Government and major public facilities • Entertainment • Major offices • Major retail • Cultural uses • Major recreational uses • Full range of retail uses • High density residential

¹ The density targets provided in the Urban Hamilton Official Plan were determined through the City’s Urban Structure Study project, which identified the policy framework for implementing GRIDS.



As Primary Corridors, King Street, Main Street and James Street are to be planned for higher order transit services and should include densities and built form, which are transit-supportive and a street environment which is pedestrian-focused.

The current Official Plan land uses according to Schedule E for the Downtown are Downtown Mixed Use Area, Mixed Use - Medium Density and Neighbourhoods.

URBAN HAMILTON OFFICIAL PLAN SCHEDULE E-1



The Downtown Mixed Use designation is intended to have a full range of retail, service commercial, institutional, cultural, entertainment, and office uses as well as a range of residential uses. It is intended to serve as a central focus for the City, retail and service commercial uses are a key element in maintaining that function and ensuring the continued vibrancy of the Downtown. The Downtown Mixed Use area is to be designed as a pedestrian focused area with a high level of comfort and amenities.

The Mixed Use – Medium Density designation include properties that front on James Street North to the GO Station and James Street South to Charleton Street. The Mixed Use – Medium Density designation permits a full range of retail, service commercial, entertainment, and residential accommodation at a moderate scale. It recognizes the traditional mixed use main streets as well as other large commercial areas which serve the surrounding community or a series of neighbourhoods and which are intended to evolve and intensify into mixed use, pedestrian oriented areas.

Lands located between Wellington Street and Victoria Avenue are designated Neighbourhoods. The intent of the Neighbourhoods designation is to provide residential uses and complementary facilities and services which are intended to serve the community including parks, schools, trails, recreation centres, places of worship, retail, offices, restaurants and other services.

The proposed updated designations and policies of the Secondary Plan take their direction from and are consistent with, the policies of the UHOP. However, an amendment is required to the Urban Hamilton Official Plan in order for the Secondary Plan to be implemented. Through the Downtown Hamilton Secondary Plan review process, the lands identified for the Secondary Plan area will be re-designated to the Downtown Mixed Use designation on Schedule E-1.

APPENDIX B - SUMMARY OF CLC AND TAC COMMUNITY LIAISON COMMITTEE MEETINGS (CLC)

CLC MEETING #1 – OCTOBER 25, 2011

- Overview of Role and Mandate of the CLC
- Review of context and drivers
 - a. Review of Provincial and Municipal Direction
 - b. Purpose of the Secondary Plan Review
 - c. Summary of Existing Characteristics
- Visioning Exercise
 - a. Review, Confirm and Renew the Vision for the Downtown Hamilton Secondary Plan
- Issue Identification – Strengths, Weaknesses, Opportunities, Threats analysis

CLC MEETING #2 – NOVEMBER 29, 2011

- Review of information gathered at CLC Meeting #1
- SWOT Analysis on Focus Areas:
 - a. Boundary expansion to Victoria Ave.
 - b. Boundary expansion to James Street N
 - c. Boundary expansion to James Street S
 - d. GO/Liuna Station
 - e. John/Rebecca Park
 - f. Beasley Park
 - g. Gore
 - h. Other areas under transition

CLC MEETING #3 – FEBRUARY 7, 2012

- Review and summary of Visioning and SWOT exercise from last meeting
 - a. Key directions and common themes
 - b. Issues to address
- Continued from Meeting #2 - SWOT Analysis on Focus Areas: Detailed review of land use, key facilities and important elements, etc. of the Downtown.

CLC MEETING #4 – MAY 30, 2012

- Downtown Built Heritage Inventory – Presentation
- Summary of information gathered to date:
 - a. Background Report
 - b. Visioning Exercise
 - c. SWOT Analysis
 - d. Focus Areas SWOT Analysis
- Public Consultation – Proposed Consultation Strategy

CLC MEETING #5 – APRIL 9, 2015

- Planning Alliance – Tall Buildings Study
 - a. Introduction and purpose
 - b. Key considerations for the study
 - c. Workshop:
 - i. Where do we want to see heights?
 - ii. How tall is too tall?
 - iii. Character Areas – identify

- iv. Gateways
- v. Public Spaces

CLC MEETING #6 – OCTOBER 8, 2015

- Tall Buildings Study - Presentation
 - a. What We've Heard – TAC, DRP, CLC
 - b. Study and Tall Buildings Guidelines Format
 - c. Tall Buildings Study Overview
 - d. Tall Buildings Guidelines Overview

CLC MEETING #7 – APRIL 27, 2016

- Tall Buildings Study
 - a. Overview of Study Process
- Feedback from CLC, TAC, DRP and PIC – “What We Heard”
 - a. Overview of Consultation from May 26, 2015 and work to date
 - b. Draft Final Report – Tall Buildings Study and Guidelines
- Table of Contents
- Character Area Design Priorities
- Local Downtown Hamilton Considerations
- Draft Tall Building Design Guidelines
 - a. Questions and Comments – Group discussion

CITY TECHNICAL ADVISORY COMMITTEE MEETINGS (TAC)

TAC MEETING #1 – MARCH 8, 2011

Introduction to the Downtown Hamilton Secondary Plan Review

TAC MEETING #2 - MAY 22, 2012

Introduction to the Downtown Hamilton Secondary Plan Review and Focus area Strengths, Weaknesses, Opportunities and Threats analysis

TAC MEETING #3 - MARCH 24, 2015

Presentation on the background work for the Downtown Hamilton Tall Buildings Study and Guidelines including the study structure and character area framework

TAC MEETING #4 - APRIL 11, 2016

Present draft final Downtown Hamilton Tall Buildings Study and Guidelines

TAC MEETING #5 - JANUARY 11, 2017

Present the draft updated Downtown Hamilton Secondary Plan and policies

DOWNTOWN WEST HARBOUR COORDINATING COMMITTEE MEETING - FEBRUARY 23, 2017

Present the draft updated Downtown Hamilton Secondary Plan and policies

TOURISM AND CULTURE DEPARTMENT MEETING - APRIL 25, 2017

Present the draft updated Downtown Hamilton Secondary Plan and policies

DOWNTOWN WEST HARBOUR COORDINATING COMMITTEE MEETING - MARCH 1, 2018

Present the draft updated Downtown Hamilton Secondary Plan and policies



CITY OF HAMILTON
DOWNTOWN HAMILTON SECONDARY PLAN REVIEW
Stakeholder Workshop, Thursday, February 9, 2017

Workshop Feedback Report

1. Context for the Workshop

The City of Hamilton is updating the Downtown Secondary Plan and Zoning By-Law. On February 9, 2017 a workshop was held from 9 a.m. to noon with invited stakeholders to present and receive input on the proposed changes to the downtown land use plan, policies and zoning.

Nineteen individuals participated including commercial property owners, developers, consulting planners and architects and representative of the Beasley Neighbourhood Association, Durand Neighbourhood Association, Downtown Hamilton BIA, International Village BIA, Hamilton Advisory

In This Report

1. Context for the Workshoppage 1
2. Comments on Overall Policy Directionpage 2
3. Finding the Right Balance of Downtown Mixed Use.....page 3
4. Areas within the Downtown where a change from Low to Medium Density should be considered.....page 5
5. Height categories, Urban design Considerations and where Higher Heights could be encouraged.....page 8
6. Land Uses and Built Form Surrounding John/Rebecca Park.....page 11
7. Other Comments/Next Stepspage 13
8. List of Participantspage 14

Committee for Persons with Disabilities, Hamilton-Halton Home Builders Association, Hamilton Burlington Society of Architects and Hamilton & District Apartment Association.

Participants are listed on page 14. This report prepared by Sue Cumming, MCIP RPP, Cumming+Company, independent Facilitator provides a summary of the workshop comments, poster feedback points and feedback through the group discussions.



The workshop commenced with welcome and introductions which were followed by a staff presentation by Alissa Mahood, MCIP RPP, Senior Project Manager, Community Planning & GIS. The presentation by City staff summarized major changes and provided context for the workshop discussion. Resource material utilized at the workshop included: Draft Land Use Plan, draft Height Schedule, Participant Guide with discussion questions, and three workshop reference sheets. Some of these materials were available at the tables for participants to use during the session and take away, while some of the information was on display in the room. Participants worked in small groups and rotating around four stations providing their ideas and comments on the following:

Station 1: Finding the right balance of Downtown Mixed Use

Station 2: Areas where a change from low to medium density could be considered

Station 3: Height categories, urban design considerations and required studies for applications beyond the maximum building heights and where higher heights could be encouraged – i.e. tall buildings greater than 11 storeys

Station 4: Input on land uses and built form surrounding John/Rebecca Park

At each station, workshop participants provided input by writing ideas and comments on poster paper placed on the walls. The interactive format provided for an exchange of ideas and perspectives with participants being able to review and provide comments on ideas posted by other groups. Comments about the overall policy direction of the Downtown Secondary Plan were noted in an overall group discussion held towards the end of the workshop. The comments on overall policy direction are found at Section 2. The detailed feedback from each of the stations is included in this report in Sections 3 through 6. Additional comments and Next Steps are included in Section 7.

2. Comments on the Overall Policy Direction

The following comments were noted during the workshop with respect to the overall policy direction and changes being proposed for the Downtown Secondary Plan Review. These are numbered for reference purposes and not in any priority sequence.

- a. The downtown has to remain a community with strong commercial and retail interconnected with downtown living in a variety of housing types.
- b. The downtown should be “pretty” in that it is a place that attracts people for a variety of purposes and is a desired place to live.
- c. Would like to see the downtown support a great quality of life with pedestrian amenities incorporated in the downtown with public washrooms, emergency call buttons, places to sit and rest, good streetscaping that provides for a safe and comfortable feel.
- d. How do we ensure that the downtown remains affordable as it evolves? Would like to see granny flat, laneway houses, and accessible units permitted and encouraged to increase affordability and accessibility.
- e. Universal design should be accommodated throughout the downtown. Urban braille should be everywhere in downtown.
- f. This is a fabulous process with lots of unique pockets in downtown. We need to preserve these pockets.
- g. Flexibility blended with certainty should rule the day. There need to be clear ways to evaluate applications for tall buildings and mixed use.
- h. Flexibility is important due to the constraints of some sites due to land parcel size and other considerations. There is interest in ensuring that innovation can occur with different types of buildings. Dense forms of development don't necessary mean that heights have to be increased but there should be more flexibility site by site to assess height with respect to how it enables a site to achieve redevelopment within the context of the goals of the downtown.
- i. Site design review should be used for reviewing development plans. Don't want site plan type requirements into secondary plan.
- j. Supportive of seeing mixed uses everywhere throughout the plan so as to provide for amenities such as convenience stores, food stores and shops that cater to everyday needs. It was noted that seniors and those with accessibility challenges should be able to get to everyday services within the downtown. Good examples to draw

- from include Beach Road (1950s) and Locke Street (1960s) where there were bakeries, grocery stores and personal service uses in a short walking distance.
- k. A key facet of the future downtown is respecting and enhancing its heritage.
 - l. Should encourage little parkettes on small piece. More greenery and small usable pocket parks that encourage people to gather and hang out.
 - m. Important to balance current community assets and priorities with changing community and market pressures.

3. Finding the right balance of Downtown Mixed Use



Context for the Discussion provided by City staff

The Downtown Hamilton Secondary Plan supports the overall balancing of commercial and residential development for a vibrant and healthy core. The new Downtown Mixed Use Designation combines lands that were previously designated Local Commercial, Specialty Commercial, Prime Retail and Mixed Use in the Secondary Plan to provide flexibility for encouraging a range of uses to support a vibrant downtown. The Downtown Hamilton Secondary Plan aims to make downtown living attractive with policies to support the creation of new housing throughout the Downtown as well as improving the quality of existing residential neighbourhoods surrounding the heart of the Downtown.

At Station 1, Participants were asked to provide input on whether there is too much Downtown Mixed Use in the updated plan and whether some of areas would be better suited to other uses including more Medium Density Residential. A draft

Land Use Plan was provided and participants were further asked to circle any areas where it was felt that other Medium Density would be better suited. The following comments were noted. These are verbatim.

3.1. What was heard on the balance of Mixed Use shown on the draft Land Use Plan.

- Downtown is downtown and should be all Mixed Use.
- The amount of “red” - Mixed Use on the draft Land Use Plan is appropriate.
- The Mixed Use designation allows for a more natural community development, rather than forcing specific uses.
- The plan needs to enable the City to capture changing trends.
- Generally changing to medium density could allow amenity type commercial/local commercial into neighbourhoods and developments which would provide more impetus for people to go to and use the businesses.
- There is not enough green space in residential areas. There should be some additional parkettes or green spaces for sitting and respite.
- More broad terms and definitions should be incorporated.
- You cannot legislate what works. Both uses and built form should be flexible within the entire boundary. Even if a developer wanted to build low rise let them.
- Lots of mixed use areas could result in an overabundance of retail space (empty storefronts) – should allow flexibility for the use of these spaces.
- Should a land needs assessment be undertaken to determine what is the required range of uses that are needed to support targeted growth?
- Lot size to permitted density ratio is fundamental to project viability.



3.2. What was heard about commercial viability within the Mixed Use areas.

- Mixed use equals visits and exposure to retail and entertainment which is important for supporting the viability of businesses.
- Density is needed to support commercial.
- Commercial uses should be allowed within the entire boundary.

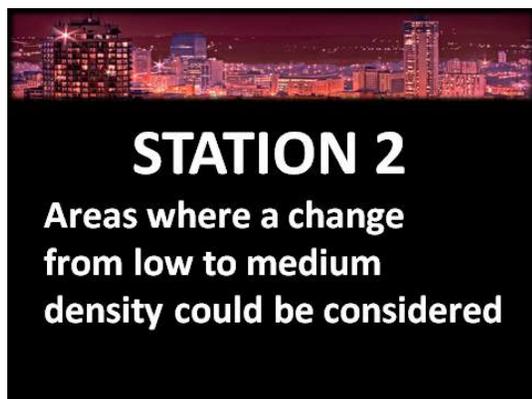
- The limitation on commercial uses in Medium Density areas seems appropriate.
- People want services in their neighbourhood.
- Need to maintain/create rear laneways to accommodate the needs of commercial and retail uses.
- Traffic and parking must be dealt with.
- Parking for visitors/need parking structures to service commercial areas and people coming downtown.
- Flexibility of having amenities on the ground floor (especially in winter) makes it easier/more accessible for residents.
- Would like to see improved access to Public washrooms.
- Accessible design along the street including at store entrances need to be better accommodated for everyone and especially for people with disabilities and seniors.

3.3. Specific areas identified on the draft Land Use Map for further review

The following were specific areas noted on the flipchart and on the map to the right, where workshop participants would like to see further review/consideration for Mixed Use.

- Would like to see all lands near the GO Station designated for Mixed Use.
- Does plan recognize future trends on Cannon and Hunter.
- Is enough density accommodated at West Harbour GO Station.
- Do additional areas need to be considered along King William to promote a more pedestrian prominent designation?
- Encourage gross floor uses combined with traffic calming to improve pedestrian realm in key areas i.e. along Cannon Street, Jackson Street and Hunter Street.
- Ground floor commercial should be required on King William Street (from James Street to Ferguson/Wellington). The King William Art Walk was referenced.
- Along Main Street there should be consideration for ground floor commercial requirements – especially if two way and within the BIA limits.

4. Areas within the Downtown where a change from low to medium density could be considered



Context for the Discussion provided by City staff

Reference Sheet 2 identified areas within the Downtown Secondary Plan where a change from low density to medium density should be considered. Heights would increase from low rise: maximum 6 storeys to mid-rise: 7 to maximum of 11 storeys.

Questions asked included whether the existing designations were appropriate in these areas given what exists today with regards to height, is the vision for these areas still the same and what are the pros and cons for redesignating these areas from low to medium density.

Using the draft Land Use Map and Reference Sheet 2, workshop participants provided the following ideas and comments. These are verbatim.

4.1. What was heard about the vision for the areas identified where a change from low density to medium density could be considered.

- It is great to have a vibrant downtown and to have the secondary plan promote development but new development needs to respect and support the continued livability of the downtown neighborhoods as they are now.

- Each community needs amenities to attract families i.e. schools, parks, play spaces, food shopping and local stores.
- Would like to see developer parkland cash-in-lieu required for development in the downtown go into funding parks in the downtown. Would like to see more encouragement for developers to provide land including small parcels for urban parks and parkettes in the downtown instead of cash-in-lieu where this is feasible.
- Would like to see the Downtown Plan encourage/require different sizes of parks including parkettes and smaller outdoor and play spaces.
- More encouragement for uses that people will walk to for everyday shopping.

4.2. What was heard about how important it is to recognize heights (where higher buildings of 17 to 22 storeys exist today in these areas) and to plan for higher buildings.

- Need to recognize existing tall buildings – they are part of the character and context and contribute to the vitality of the broader downtown area.
- Downtown is just not low density by definition and by economic factors. Medium to high density is more appropriate in the downtown. Imposing or leaving low density restrictions in place would likely only preserve existing low quality buildings.
- Flexibility for variety of commercial within all of these areas regardless of the density proposed i.e. coffee shops, specialty food stores, etc.
- Maintaining low density could/will preserve “family” sized units within the downtown.
- Too much flexibility may result in uncertainty which could hinder the confidence of the development industry to proceed with investment.



4.3. Pros and Cons identified of redesignating the following areas from low density to medium density.

Area for Consideration	Pros	Cons
1. Queen Street South and Hunter Street West	<ul style="list-style-type: none"> No fundamental concerns with increased height and density. Need scale appropriate within walking distance of the main pedestrian friendly corridors. 	<ul style="list-style-type: none"> Huge concern with height here <u>next</u> to residential (Wesanford 1-1/2 story) 2 ½ story South – heavy concentration of high-rise already.*what about amenities? One Park, no community facility.
2. Hunter Street East and Wellington Street South	<ul style="list-style-type: none"> Promote growth in area potential good transit connection. Need density appropriate within walking distance to transit corridors. 	<ul style="list-style-type: none"> Changes to existing fabric?
3. Hess Street North and Market Street	<ul style="list-style-type: none"> Medium scale would not be inconsistent Medium scale <u>is</u> appropriate. There is lighting at Market/Hess not shown on maps. 	<ul style="list-style-type: none"> Loss of unique “heritage” character names Would their B-schools to accommodate kids?
4. Wellington Street North and Rebecca Street	<ul style="list-style-type: none"> More residents to visit International Village Good to promote growth close to downtown 	None noted
5. Cathcart Street and Wilson Street	<ul style="list-style-type: none"> Added density will ensure school enrollments and bring more people into Beasley Park. More people visiting international village. New project (188 Canon and Ferguson) 11 stories. Excellent idea for new parkland. 	None noted
6. Cannon Street (Hughson Street to Wellington Street)	<ul style="list-style-type: none"> Open up redevelopment opportunities of currently underused parcels. Promote growth in areas potential access to transit. 	<ul style="list-style-type: none"> Land assembly of existing single detached housing could affect community character. Changes to neighborhood.

5. Height categories, urban design considerations and where higher heights should be encouraged



Context for the Discussion provided by City staff

Building Heights generally fall into the following categories:

Low-rise: 2 to 6 storeys

Mid-rise: 7 to 11 storeys

High-rise: 12 storeys and greater

The revised Secondary Plan is proposing to permit increases in height in certain areas of the Downtown without an Official Plan Amendment (and subject to a Zoning By-law Amendment). Applications are required to be supplemented with additional studies to demonstrate how key urban design considerations have been achieved subject to criteria included on Reference Sheet 3.

Using the draft Height Schedule and Reference Sheet 3, workshop participants provided the following ideas and comments. These are verbatim.

5.1. What was heard about the appropriateness of the building height categories

- Building height categories seem to make sense. The Building code divides buildings into less than and greater than six stories.
- Downtown is the most dense area in the city these categories are appropriate.

- If you can't have high-rise along the main transit route and in the downtown core, then where would it be appropriate.
- Floor plate sizes that range depending on parcel size.
- The key is the density not the height of buildings. Similar to historic Hamilton or European cities like Paris, Rome, Belgrade, Dubrovnik.
- Mid-rise construction versus high-rise construction differs. 12 is more a mid-rise construction. Mid is 7 to 12.
- Economics of construction methodologies are not in line with 11 to 12 story/mid high rise designations proposed.
- Does height cap accommodate above grade/structural parking (i.e. three levels of above grade) given high water table.
- Consider the following: low rise at 2 to 5, mid-rise at 7 to 10 and high-rise 11 plus.

5.2. What was heard about the appropriateness of supplemental studies and urban design considerations that would apply to applications where increased in height would be allowed without an Official Plan Amendment (and subject to a Zoning By-Law Amendment).

Using Reference Sheet 3 which outlined supplemental studies and urban design considerations, workshop participants provide input on the urban design considerations and studies noted. They were further asked to identify if there were other studies or urban design considerations that should be considered. The following are the verbatim points noted on the flipchart paper.

- General considerations are good.
- Emphasis on wind.
- For wind study – Toronto – consider impacts of wind on persons with disabilities/seniors.
- Much better approach than balance of UHOP where only 6 to 8 stories is permitted without OPA.
- More height at West Harbor GO Station is desired.
- Should consider whether the City could rationalize a community benefit for the increase in height.
- Citywide bonusing to come.

5.3. What was heard about where higher heights should be encouraged

Using the Height Schedule Map, workshop participants were asked to place green dots where they thought it was okay to have tall buildings greater than 11 storeys. **Figure 1** (on the next page) is a blank map with the placement of green dots indicating where workshop participants support taller buildings greater than 11 storeys. The black line delineates the Downtown Secondary Plan Area.

The following comments were noted for why workshop participants felt that taller buildings should be considered in the locations shown on **Figure 1**.

- Should have a high density corridor along Main/King.
- Main is ideal candidate for greater height.
- Want to see ground floor commercial on King William.
- International Village – keep it low rise on King Street frontage.

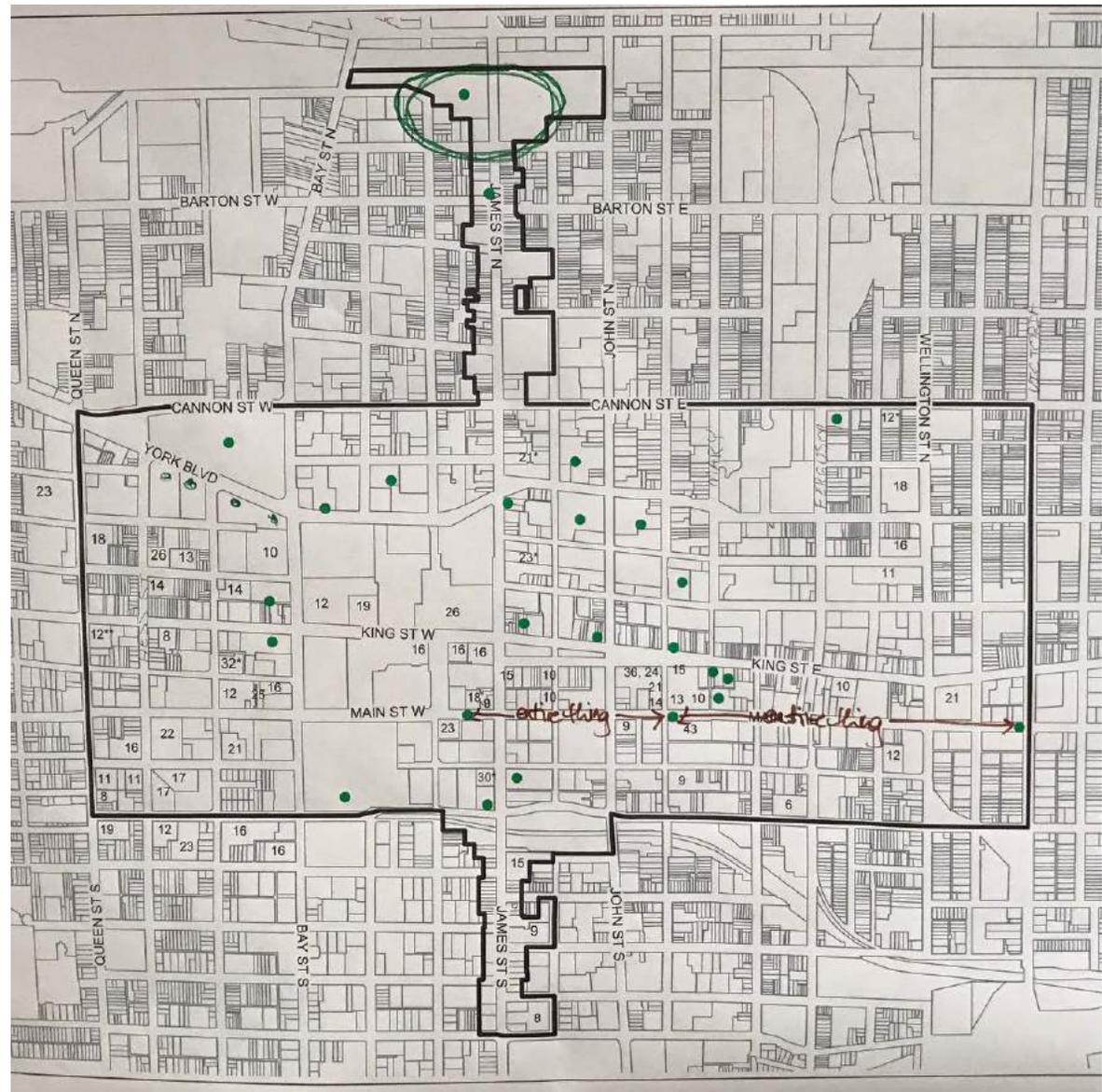
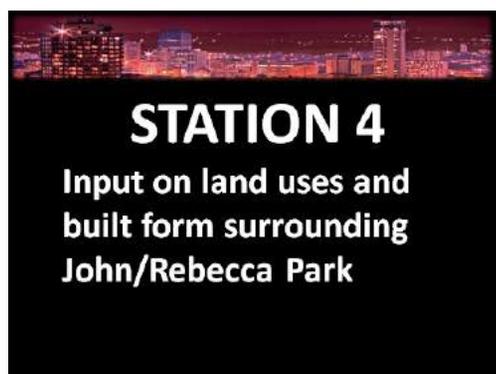


Figure 1 - Map showing green dots for where buildings higher than 11 storeys could be considered

- Wesanford Place/Hunter Street and south of Hunter – along that stretch – low rise to mid-rise. No high-rise.
- Investment into higher densities along the main corridors in proximity to higher order transit lends itself to increased consumers for retail, restaurants etc. needed to animate streets. If keeping lower heights along King in International Village there is opportunity on Main Street to achieve these higher densities.
- Important to keep the façades of the historic buildings if the site is redeveloped with residential/commercial above and behind.
- Keep city beautiful. Important to have designs support a pedestrian scale and comforts. Ground floor uses and focus on what attracts people to and along the streets is important for establishing a vital village core feeling.

6. Input on land uses and built form surrounding John/Rebecca Park



Context for the Discussion provided by City staff

John/Rebecca Park is an important planned urban park. The Downtown Hamilton Secondary Plan designates the block bounded by John, King William, Catherine, and Rebecca Streets as a future neighbourhood park. The Parks Master Plan resulted from extensive community input and the John/Rebecca Parks Master Plan will guide the development of the Park. As part of the review of the Downtown Secondary Plan, the City would like to better understand what types of uses and built form would be desirable for the streets facing and surrounding the Park.

Workshop discussion identified the following key ideas.

6.1. Types of land uses that should surround the Park

- Family uses that cater to a high number of residents in close proximity.
- Would like to see a strong residential emphasis.
- Uses that activate streets throughout the day and evening.
- Mixed uses that provide amenities i.e. convenience stores along streets to encourage shopping and to enable people to get to and from where they need by walking.



6.2. Comments on whether there should be more residential surrounding the Park

- Yes, residential density is necessary for success of the downtown.
- Catherine Street uses between King William and Rebecca should offset forensic facility impacts (i.e. lack of street life/activation).
- How does this park fit within greater context regarding connectivity, public realm and streetscapes to James, King Street, Beasley Park etc.?
- Local walkable character should be promoted – focus on pedestrian, not cars.

6.3. Built form that was noted to be desirable surrounding the Park.

- Mix of housing styles – towns, multi-family (1, 2, 3 bedrooms units) in proximity.
- Form must protect access to sun.
- Market will determine density.
- Stepped back from park. Highest densities in middle of adjacent block (Duke, Queen)
- Lower rise to catalyze affordable development.
- Active at-grade uses – patios, retail, etc.

6.4. Building heights that should be considered

- A variety, as long as shadows and scale are mitigated appropriately.
- Podiums and setbacks as you move away from park.
- Dense forms – not necessarily up but allow height.

6.5. Ideas about how the buildings should be oriented

- Preference was noted for having buildings face the park.
- Active at-grade uses should frame the park.
- A neighbourhood scale and feel was noted to be preferred around the perimeter.
- It was further noted that framing the park with active uses and heights is preferred so long as shadow and wind impacts can be mitigated to create a comfortable environment for walking and enjoying the Park.

6.6. Other Comments about land use and built form surrounding the Park

- The Secondary Plan Designation is likely appropriate, but the Zoning and Site Plan process will implement and have the greatest impact on the park.
- Flexibility is going to be needed due to constraints and varying lot sizes. Land parcel size is not always optimal and we have to work with the property that we have. This affect where bring in driveway, how orient buildings, etc.
- Important to encourage different types of buildings including different type of commercial uses.
- The area needs to be appealing and attractive to encourage people to move there.
- Timing of park development is important – activation of park and perimeter is key to success. The City may need to incentivize development in immediate surroundings to offset concerns of timing of park development. (Don't want park as an island).
- Cash in lieu for funding parklands in adjacent communities. Could the surrounding development contribute/pay for the park?
- Who would be in charge of activating the park? BIA? NAS? City? If Park develops first, what needs to be programmed and activated for success/to attract investment locally?
- Important considerations should include the following:
 - Pedestrian streets or woonerf style surrounding park.
 - Bus routes accessing park – drop off considerations.
 - Security measures. Emergency call buttons in high use public areas.
 - Accessibility measures, universal design i.e. urban braille.
 - Public amenities including public washrooms and garbage cans.

- Public realm provisions in the park / building areas.
- Can't have too much rigidity. More rules = less interest in trying to put good uses around the park. Pre-consult, DRP etc. will ensure site plan details are dealt with.

7. Other Comments and Next Steps

7.1. Additional written comments received at workshop

A "Things I didn't get a chance to say" form was provided at the workshop. The following additional written comments were received.

- a. Overall a good process to identify areas downtown where the uniqueness of existing neighborhoods have development concern or existing identities which charter should be preserved future land sizes. Also there are areas which need and can support heights due to geotechnical concerns.
- b. Need to get servicing study in place as it relates to Development Charges. Existing infrastructure can't support growth targets. Parkland dedication and cash in lieu of parking are barriers to development.
- c. Mixed housing is essential. Affordable, market value and high end all in one building. All levels of income living together in a positive environment. People are judged on who they are, not on how much income they have.

Accessibility has to be considered at every stage including wind and sun/shadow studies. These issues have a huge effect on seniors, persons with disabilities, children and other members of the community. Wind can be an issue for those with walking or balance issues and sun/shadow can greatly affect those with low vision and other vision issues. All of these things can have an impact on persons with mental health issues/phobias/anxiety. I am always willing to help.

7.2. Next Steps

The City hosted Public Information Centre #5 on February 13, 2017 on the Downtown Secondary Plan. The purpose of the meeting was to present and receive feedback on the draft Land Use Plan, policies and zoning by-law amendments.

All comments received including this workshop feedback are being considered in the finalization of the Downtown Secondary Plan. The City is planning on having the revised plan available for a Statutory Public Meeting in May 2017. The meeting would enable presentation of the Secondary Plan, Zoning By-Law and Tall Buildings Study.



Workshop Participants

Augie Ammendolia, HDAA
 Janice Brown, Durand Neighbourhood Association
 Susie Braithwaite, International Village BIA
 Lucy Brusse, HDAA
 Allison Chewter, Beasley Neighbourhood Association
 Charles Criminisi, A.Z. LLP.
 Amed Dirani, DCCS
 John Hawker, Durand Neighbourhood Association
 Kerry Jarvi, Downtown Hamilton BIA
 Matt Johnson, Hamilton-Halton Home Builders Association
 Suzanne Mammel, Hamilton-Halton Home Builders Association
 Graham McNally, Hamilton Burlington Society of Architects
 Tina Novak, Hamilton & District Apartment Association
 Elissa Quintanilla, T. Johns Consultants
 Harry Stinson, Stinson Properties
 Bill Strus, Hamilton Parking
 Mike Strus, Hamilton Parking
 Terri Wallis, Hamilton Advisory Committee for Persons with Disabilities
 James Webb, WEBB Planning Consultants



Workshop Organizers

Alissa Mahood, City of Hamilton
 Shannon McKie, City of Hamilton
 Christine Newbold, City of Hamilton
 Rachel Poon, City of Hamilton
 Sue Cumming, Cumming+Company

For further information, contact:

Alissa Mahood, MCIP RPP, Senior Project Manager,
 Community Planning & GIS
 Phone: (905) 546-2424 Ext. 1250 | Fax: (905) 540-4202 |
 Email: Alissa.Mahood@hamilton.ca

Shannon McKie, MCIP RPP, Senior Planner,
 Community Planning & GIS
 Phone: (905) 546-2424 Ext. 1288 | Fax (905) 546-4202 |
 Email: Shannon.Mckie@hamilton.ca

This workshop facilitated and report written by:

Sue Cumming, MCIP RPP
 Cumming+Company
 Consultation Facilitator
 Phone: (613) 546-3715 / (416) 992-6607
 Email: cumming1@total.net



Hamilton