TO: Chair and Members  
Economic Development and Planning Committee  

WARD(S) AFFECTED: CITY WIDE

COMMITTEE DATE: April 6, 2010

SUBJECT/REPORT NO:  
Urban Hamilton Official Plan - Draft Modifications from the Ministry of Municipal Affairs and Housing (PED09164(d)) (City Wide)

SUBMITTED BY:  
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Planning and Economic Development Department

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RECOMMENDATIONS:

(a) That City Council inform the Ministry of Municipal Affairs and Housing that the proposed modifications identified in the Draft Decision for the Urban Hamilton Official Plan dated January 25, 2010, and attached as Appendix “A” to Report PED09164(c), be accepted only for those modifications referenced below:

(i) Volume 1 Parent Plan - Section A - modifications 1a, 1b, 2, 3c, 3d, 5, 7, 8a to f, 9a, 10a to 10k, except d and j, 11a, 13, 14, 16a to c, 17a and b, 18 to 21, 22b, 23b, 26, 31 b, and 31c, 32 to 34, 35 a to f, as identified in Appendix “B” attached to Report PED09164(c);

(ii) Volume 1 Parent Plan - Section C, as identified in Appendix “B” attached to Report PED09164(c); and,

(iii) Volume 2 Secondary Plans - Section D – modifications 1, 2a to 2c, and 3, as identified in Appendix “B” attached to Report PED09164(c).
(b) That City Council inform the Ministry of Municipal Affairs and Housing that the proposed modifications identified in the Draft Decision for the Urban Hamilton Official Plan dated January 25, 2010, be accepted for those modifications referenced below, only if the proposed wording or policy number changes are included, as identified in Appendix “B” attached to Report PED09164(c):

(i) Volume 1 Parent Plan - Section A - modifications 1c, 3a, 3e, 4, 9b, 10j, 11b, 12, 15, 14, 27, 28, in part, 30a, 31a, and 31d; and,

(ii) Volume 3 Urban Area Specific policies and Site specific policies and Maps- Section E – modifications 2.

(c) That the City Council inform the Ministry of Municipal Affairs and Housing that the proposed modifications identified in the Draft Decision for Urban Hamilton Official Plan dated January 25, 2010, are not acceptable for those modifications referenced below, as identified in Appendix “B” attached to Report PED09164(c):

(i) Volume 1 Parent Plan - Section A – modifications 1d, 3f, 4, 6, 10d, 22a, 23a, 25, 28 in part, 29, 30 b and c;

(ii) Volume 1 Schedules - Section B- modifications 1 and 2; and,

(iii) Volume 3 Urban Area Specific policies and Site specific policies and Maps - Section E – modifications 1 and 3.

(d) That City Council request the Ministry of Municipal Affairs and Housing:

(i) to defer the applicable policies and mapping in Volume 1 for lands in the West Harbour area, as identified on Schedule “E-1”-Urban Land Use Designations, Volume 2 - West Harbour Secondary Plan and in accordance with Official Plan Amendment 220 until such time as the matters before the Ontario Municipal Board have been resolved and an Order is issued for all or part of the lands subject to the deferral; and,

(ii) to defer a portion of the West Hamilton Innovation District, as identified on Maps B.6.4.1 and 2 of Volume 2 until such time as the matters before the Ontario Municipal Board have been resolved and an Order is issued for all or part of the lands subject to the deferral; and,

(iii) to defer the Mixed Use-Medium Density designation on Schedule “E-1” – Urban Land Use Designations in Volume 1 and land use designations on Map B.7.6-1 and policies for Site Specific Area D Volume 2- Section B.7-West
Mountain Area (Heritage Green) Secondary Plan, for the lands in the area of Upper Mount Albion, north of Highland Road until such time as for the extension of Trinity Church Corridor lands has been transferred to the City and the Official Plan Amendment to the former City of Stoney Creek Official Plan is final and binding.

(e) That City Council request the Ministry of Municipal Affairs and Housing to make any necessary amendments to the policies and mapping of the Urban Hamilton Official Plan, as identified by any OMB order or amendments implementing the OMB orders, prior to lifting the deferral areas identified in recommendation (d)(i) and (ii) above;

(f) That City Council request the Ministry of Municipal Affairs and Housing to include additional modifications to the Urban Hamilton Official Plan in their final decision, attached as Appendix “C” to Report PED09164(c) for the purposes of:

   i) wording clarification;

   ii) correcting typographical or mapping errors;

   iii) implementing OMB decisions or settlements; and,

   iv) implementing approved Official Plan Amendments

(g) That Modification 4 be accepted (deletion of Policy 2.3.2.c) provided that the following new policy is added as follows:

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

(h) That two City modifications be added to Appendix “C” as follows:
i) to add a new policy 7.6.18.9 Site Specific Policy – Area C to permit district commercial uses, for lands located north of Highland Road, on the west side of Upper Centennial Parkway (West Mountain Area (Heritage Green) Secondary Plan, attached as Appendix “C-17a”:

ii) to add new policies Site Specific Policy –Area D, attached as Appendix “C-17a” and change the land use designations from Arterial commercial, Neighbourhood Park and Medium Density 3 to Mixed Use Medium and Medium Density 3, attached as a new Appendix “17” for the lands located on Upper Mt Albion Road, north of Highland Road West (ORC lands) to the West Mountain Area Secondary Plan.

(i) That the following Appendices be deleted and replaced:

i) Appendix “C-7 (revised Schedule “E-1” – Urban Land Use Designations);

ii) Appendix "C-17"- West Mountain Area Secondary Plan Map;

iii) Appendix “C-19” (revised text for Hwy 5 and 6 – Area Specific UF-1); and,

iv) Appendix “C-19a” (revised Map of Hwy 5 and 6 – Area Specific UF-1).

(j) That the appropriate Appendices be modified to include the changes contained in recommendations and that staff be directed to forward a consolidated recommendation to the Ministry of Municipal Affairs and Housing.
EXECUTIVE SUMMARY

This Report is an addendum Report to PED09164(c), since additional information arose after the March 23, 2010 Economic Development and Planning meeting.

The purpose of this Report is to inform Committee about the amended policies/maps relating to the Urban Hamilton Official Plan and to respond to the three letters that Council referred staff for comment.

Alternatives for Consideration – See Page 9

FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Financial: N/A

Staffing: N/A

Legal: The City provides comments on the proposed modifications to the Urban Hamilton Official Plan and it may further request the Ministry of Municipal Affairs and Housing to include additional modifications. However, since the Province is the approval authority, it may choose to accept all, part or none of the City’s recommendations.

HISTORICAL BACKGROUND (Chronology of events)

Economic Development and Planning Committee (ED and P), at is meeting March 23, 2010, considered a series of modifications to the Urban Hamilton Official Plan proposed by the Province and the City.

The Committee also directed staff:

- to further review the issue of employment reserve policy (Mod. 4 Policy B.2.3.2c) with a view to developing alternative wording to allow the City to protect employment lands post 2031; and,

- to review the area specific policy UF-1 for the lands in the vicinity of Hwy 5 and 6.

Between March 24 and 31, the City received additional letters concerning the matters in the staff report PED09164(c). Council at their meeting of March 31, 2010, referred the staff report back to ED and P Committee for further consideration.
POLICY IMPLICATIONS

No corporate policies are affected by the recommendations.

RELEVANT CONSULTATION

None of the proposed provincial modifications affect the mandate of other City Departments.

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

1.0 Provincial Modifications:

1.1 Modification 4 – Policy B.2.3.2c) – Employment Reserve

The boundaries of the Airport Employment Growth District study area were determined through a previous OMB decision in 2006 and have been identified as SPA “C” in the Rural OP and Policy B.2.2.1. a) in the urban OP). Any lands not included in this phase/stage (2031) of urban boundary expansion will remain identified for employment purposes over the long term.

MMAH are concerned with the use of employment reserves as they view such reserves as de facto urban boundary expansions. Staff met with the Ministry on this issue on March 22. ED and P Committee directed staff to continue discussions with the Province; through subsequent e-mails developed alternative wording staff could support while meeting the objectives of both the Province and the City.

Recommendation: The clause B.2.3.2.c) be deleted provided that the following new policy is added as follows:

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

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Values: Honest, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
2.0 City Modifications

2.1 Lands located East of Highway 6, north and south of Highway 5

At the March 23, ED and P meeting, staff was directed to further review the area specific policy UF-1 for the lands in the vicinity of Hwy 5 and 6.

The revised wording is attached as Appendix “C-19” (text) and “C-19a” (map).

2.2 Lands located north of Highland Road West, on the west side of Upper Centennial Parkway

Map B.7.6.1- West Mountain Area (Heritage Green) – Land Use Plan contains are reference to a Site Specific Policy-Area C. The text, accompanying that reference, was inadvertently omitted. The site specific policy would allow district commercial uses in the arterial commercial designation which is consistent with the designations in the West Mountain Area (Heritage Green) Secondary Plan

**Recommendation:** That a new Site Specific Policy-Area C be added as follows:

7.6.18.9 – Site Specific Policy – Area C

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

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

2.3 Upper Mount Albion and Highland Rd

On August 13, 2009, Council approved, in principle, redesignations in the area of Upper Mount Albion and Highland (ORC lands) for residential and mixed use. The OPA for the existing Stoney Creek OP was held in abeyance pending the dedication of the road to the City. Further, there was a 2nd recommendation to amend the Urban Hamilton Official Plan once the former Stoney Creek OPA became final and binding.
The Province is required to get an Order in Council for the land transfer. Due to the delay associated with this process, the new OP may be in effect by that time and the Council action to amend the Stoney Creek OP would no longer be valid. To avoid another OPA process, it would be prudent to amend the Western Development Area Secondary Plan but defer the decision on the change until such time as the road transfer has occurred and City has adopted an OPA that would be final and binding.

**Recommendations:**

1. Add new policies and change the land use designations from Arterial commercial, Neighbourhood Park and Medium Density 3 to Mixed Use Medium and Medium Density 3 for the lands located on Upper Mt Albion Road, north of Highland Road (ORC lands) to the West Mountain Area Secondary Plan
2. Delete and replace Appendix “C-7” – Schedule E-1- Urban Land Use Designations
3. Delete and replace Appendix "C-17"-West Mountain Area Secondary Plan Map
4. Add a new Appendix “C-17a” - policies
5. Add a new recommendation to the staff report to defer the designations and associated policies as follows:

   (d)(iii) to defer the Mixed Use-Medium Density designation on Schedule “E-1” – Urban Land Use Designations in Volume 1 and land use designations on Map B.7.6-1 and policies for Site Specific Area D Volume 2- Section B.7-West Mountain Area (Heritage Green) Secondary Plan, for the lands in the area of Upper Mount Albion, north of Highland Road until such time as for the extension of Trinity Church Corridor lands has been transferred to the City and the Official Plan Amendment to the former City of Stoney Creek Official Plan is final and binding.

### 3.0 Additional letters

City Council referred three letters received at its March 31 meeting to staff to address.

3.1 Letter from Ontario Realty Corporation respecting Karst Lands (Modifications E.1, E.3)

Modifications E.3 proposed changes to Schedule “B” – Natural Heritage System and Schedule “B-7” – Areas of Scientific and Natural Interest (ANSI) to include the area specific policies to the entire feeder area, not a portion as the City proposed.
Upon reading these modifications, staff interpreted the province requested the ‘entire’ the feeder area and the area specific policies (USC-1) be included in the OP, a portion of which is outside the urban boundary. A further discussion with provincial staff revealed they wanted to extend the area specific policies to all the feeder area lands (north of Rymal Road) whereas the City only included a small portion.

The ORC is undertaking a Class Environmental Assessment and it is through this process that the feeder lands will be evaluated for potential development, if any. Based on the information received, staff, ESAIEG and the Hamilton Conservation Authority and are currently not satisfied that the feeder area lands can be developed without impacting the Eramosa Karst. Until such time as this work is completed and the EA is approved, staff is of the opinion that the Council adopted delineation of the USC-1 policies are appropriate. Any changes to the core area and the extent of the USC policies will be determined at a later date.

3.2 Letter from Ontario Realty Corporation respecting lands at Upper mount Albion and Highland

Their concerns have been addressed by the new recommendation contained in Section 1.3 of this report.

3.3 Letter from Susan Rogers representing Twenty Road landowners:

Ms. Rogers requested that City request the Province to amend the Urban Hamilton Official Plan to include the Twenty Road area in future growth area subject to a Municipally Initiated Comprehensive Review.

Policy B.2.2.1.b) provided a geographic description of the future Elfrida area node. The Ministry, through modification 3b, is requesting the City to describe this node in a more generalized manner.

The purpose of this Report is to provide comments on the proposed modifications to the Province. It is not a public process intended to reopen previous decisions of Council.

**ALTERNATIVES FOR CONSIDERATION:**

(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

Council may choose to not support some or all of the proposed modifications put forward by the Province or City staff.
Pros: Council may wish to retain its existing mapping or policies, as adopted in the July 2009 OP.

Cons: The Province may impose the Provincial changes to the OP since it is the approval authority. Not including the proposed City changes will result in some inconsistencies and errors being perpetuated and OPA’s adopted to the existing OP’s not being included in the new Plan.

**CORPORATE STRATEGIC PLAN** (Linkage to Desired End Results)


As stated in Report PED09164(c).

**APPENDICES / SCHEDULES**

Appendix “C-7 (revised Schedule “E-1” – Urban Land Use Designations);

Appendix "C-17"- West Mountain Area Secondary Plan Map;

Appendix “C-17a” (new-text for Site Specific Policy – Areas C and D - West Mountain Area Secondary Plan)

Appendix “C-19” (revised text for Hwy 5 and 6 – Area Specific UF-1); and,

Appendix “C-19a” (revised Map of Hwy 5 and 6 – Area Specific UF-1).

JHE/dkm

Attachs. (5)

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Note: For Rural Land Use Designations, refer to Schedule D of the Rural Hamilton Official Plan.

Legend

- Neighbourhoods
- Open Space
- Institutional
- Utility
- Commercial and Mixed Use Designations
  - Downtown Mixed Use Area
  - Mixed Use – High Density
  - Mixed Use – Medium Density
  - District Commercial
  - Arterial Commercial
- Employment Area Designations
  - Industrial Land
  - Business Park
  - Airport Business Park
  - Shipping & Navigation
- Other Features
  - Rural Area
  - John C. Munro Hamilton International Airport
  - Niagara Escarpment
  - Urban Boundary
  - Municipal Boundary
  - Subject to Future OMB Hearing

Urban Hamilton Official Plan
Schedule E-1
Urban Land Use Designations

City Modifications
February 2010

Lands to be redesignated from "Neighbourhoods" to "Industrial Land"
Amendment to West Mountain (Heritage Green) Secondary Plan. Add two new Site Specific Policies as Site Specific Policy - Area C and Site Specific Policy - Area D.

Site Specific Policy - Area C

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

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

Site Specific Policy - Area D

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

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

7.6.8.21 Development Principles

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

a) The interface with the West Mountain Core Area should consist primarily of mixed land uses.

b) The mixed use and residential areas shall have a high degree of connectivity internally and to the West Mountain Core Area, with interconnecting pedestrian/bicycle linkages between the residential and the commercial uses and transit facilities.
b) Residential frontages shall include high quality pedestrian features, including but not limited to, sidewalks, trees and benches.

c) Buildings shall generally range from 2 storeys to 9 storeys, though some single storey buildings may be permitted subject to minimum height requirements as set out in the Zoning By-law, and compliance with urban design requirements.

d) Medium Density Residential 3 uses fronting Highland Road West shall include features such as wide boulevards, street trees, and pedestrian amenities.

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

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

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

a) Commercial, Residential, and Institutional uses shall be permitted in the Mixed Use – Medium Density designation. Mixed Use buildings shall permit commercial uses on the ground floor only, with the exception of hotels, financial institutions and office uses.

b) Commercial uses permitted in the Mixed Use – Medium Density designation are limited to offices, local commercial, retail stores, personal services, financial institutions, day nurseries, restaurants and hotels.

c) Stand alone commercial buildings shall not be permitted, with the exception of stand alone office, hotel, financial institution and restaurant uses.
d) Residential uses permitted within the Mixed Use - Medium Density designation are limited to apartment dwellings.

e) Ground floor commercial and institutional uses are permitted in residential buildings.

f) Institutional uses shall be permitted.

g) It is the intent of the Official Plan to achieve a minimum density of 50 residents and jobs per gross hectare for all development within the Mixed Use - Medium Density Designation. This shall be achieved through the application of appropriate minimum density provisions in the implementing Zoning By-law.

h) The density of residential development shall be consistent with the Medium Density Residential 3 ranges detailed in Section B.7.6.2.3 b) of this plan.

i) Multi-storey buildings with grade related commercial and institutional uses with residential/office above are encouraged

7.6.8.24 Urban Design Policies

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

a) Buildings should be located close to the street to provide definition to the street edge, screen large areas of parking from the boundary roads, and create a pedestrian oriented environment.

b) Development along Upper Mount Albion Road should contribute to a strong community image, providing a ‘central street’ character and a pedestrian friendly environment.

c) Building facades should be varied by use to provide visual interest for pedestrians.
Gateways shall be developed for the land south of the West Mountain Core Area in accordance with the following:

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

b) Buildings at corner gateways should be appropriately positioned at the intersection and parallel to public streets to create a publicly accessible space of high quality in terms of design and materials, as well as ensure adequate sight lines.
Delete and replace Amendments to Area Specific Policy UF-1 in Urban Hamilton Official Plan

Flamborough

UF-1 Lands located east of Highway 6, west of the pipeline easement, north of the Niagara Escarpment and south of Borer’s Creek (part of Clappison’s Corners)

1.0 In addition to Notwithstanding Section E.4.7 – District Commercial of Volume 1, the following policies shall apply to lands located east of Highway 6, west of the pipeline easement, north of the Niagara Escarpment and south of Borer’s Creek (part of Clappison’s Corners), and shown as sub areas A, B (B-1 and B-2), C and D on Area Specific UF-1 on Map F-1:

a) a combined maximum of 93,610 square metre of retail and service commercial gross floor area shall be permitted in areas A, B and C, excluding a hotel and motel for area C of UF-1; and,

b) a combined maximum of 101,724 square metres of retail gross floor area shall be permitted in areas A, B and C; and,

c) residential uses shall not be permitted.

Area A

1.1 In addition to Policy E.4.7.2 but notwithstanding Policies E.4.7.2, E.4.7.3, and E.4.7.7 – District Commercial of Volume 1, the lands west of the pipeline easement and south of Highway 5, shown as Area A on Area Specific UF-1 on Map F-1, shall be subject to the following policies:

a) The following additional uses shall be permitted:

   i) Hotel/motel;

   ii) Government service buildings such as fire halls and ambulance stations;

   iii) Recreational and entertainment facilities;

   iv) Wholesale and/or retail warehouses;

   v) Home improvement, household furniture and/or appliance outlet and/or lawn and garden centre; and,

   vi) Business, professional, and administrative offices in stand alone buildings.

b) The maximum total combined gross floor area of retail space shall not exceed 2,500 square metres.

c) Minimum unit sizes of retail establishments shall be 465 square metres.
Area B

1.2  **In addition to Policy E.4.7.2 but notwithstanding Policies E.4.7.2, E.4.7.3, E.4.7.7 -** District Commercial of Volume 1, the lands east of Highway 6, and south of Highway 5 shown as Area B in Area Specific UF-1 on Map F-1, including B-1 and B-2, shall be subject to the following policies:

a) The following **additional** uses shall be permitted:

i) Hotel/motel;

ii) Government service buildings such as firehalls and ambulance stations;

iii) Recreational and entertainment facilities;

iv) Wholesale and/or retail warehouses;

v) Home improvement, household furniture and/or appliance outlet and/or lawn and garden centre;

vi) Department store; and, 

vii) Business, professional, and administrative offices in stand alone buildings.

b) Area B, including B-1 and B-2, shall be developed in accordance with the following policies:

i) The maximum gross floor area for all **combined retail establishments** combined, excluding a hotel, motel, community centre and public uses, shall not generally be exceed **60,114** **52,000** square metres and shall generally be distributed in an **equable manner** between B-1 and B-2;

ii) Individual retail establishments shall generally have a minimum size of 1,858 square metres. However, subject to a Retail Impact Analysis, the Zoning-By-law may permit smaller store areas, including retail establishments without further amendment to this Plan;

iii) A maximum of 6 individual wholesale and retail warehouse facilities or retail establishments each having a gross floor area of between 465 square metres and 700 square metres.

iv) A “gateway” feature shall be required to establish the site as a focal point to one of the major entrances to the Waterdown urban area;

v) Enhanced landscaping and tree planting shall be required especially as the site relates to Highway 5 and 6 and the internal road pattern;

vi) Development must ensure adequate traffic infrastructure both on the site and at the access points; and development shall be phased-in accordingly with road improvements; and,
vii) Buffering and screening of the site relative to the lands to the south shall be required. Consideration shall be required to identify and provide for a suitable barrier or fence to prevent trespassing on lands to the south.

Area C

1.3  In addition to Policy E.4.7.2 but notwithstanding Policies E.4.7.2 and E.4.7.3, 4.7.7 - District Commercial of Volume 1, the land south of Borer’s Creek, east of Highway 6, north of Highway 5 and west of the pipeline easement shown as Area C in Area Specific UF-1 on Map F-1, shall be subject to the following policies:

a) The following additional uses shall be permitted:

i) Hotel/motel and conference/convention facilities;

ii) Government service buildings such as fire halls, community centres, ambulance stations and other public uses;

iii) Recreational and entertainment facilities;

iv) Wholesale and/or retail warehouses;

v) Home improvement, household furniture and/or appliance outlet and/or lawn and garden centre;

vi) Department store;

vii) Automobile service station and gas bar; and,

viii) Business, professional, and administrative offices in stand alone buildings.

b) Area C shown on UF-1 on Map F-1, shall be developed in accordance with the following policies:

i) Retail uses exceeding a combined gross floor area of 39,110 square metres shall require a market impact study to ensure that there are no significant detrimental impacts on other planned commercial functions within the City, but no amendment to this Plan shall be required;

ii) The maximum gross floor area for all uses combined, excluding a hotel, motel, community centre and public uses, shall be 55,740 square metres;

iii) A maximum of thirty-five percent of the total gross floor area of all wholesale and/or retail warehouses and other retail uses equal to or greater than 1,858 square metres each in gross floor area may be comprised of individual retail establishments between 465 square metres and 1,857 square metres each in gross floor area;
iv) A “gateway” feature shall be required to establish the site as a focal point to one of the major entrances to the Waterdown urban area;

v) Enhanced landscaping and tree planting shall be required especially as the site relates to Highway 5 and 6 and the internal road pattern;

vi) As part of the staging of development, all required transportation improvements must be secured to properly service the extent of development permitted by the implementing Zoning By-law.

**Area D**

In addition to Section E.4.7 – District Commercial of Volume 1, the lands located on the north and south side of Highway 5, shown as Area D in Area Specific UF-1 on Map F-1, redevelopment of the lands within Area D shall only be permitted following the completion of a traffic impact study to the satisfaction of the City and the Province Ministry of Transportation.