

## PART II: THE LAND USE PLAN

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The planning principles and policies contained within Part II constitute the official Land Use Plan for the HPA. They will be used to actively guide the Port's activities and development.

### 2. LAND USE PLAN PRINCIPLES

The following five principles are the foundation for the Land Use Plan. These principles will be achieved through the implementation of detailed policies that outline directions for the HPA's management and development with respect to its lands and holdings.

- Principle 1. ***Ensure the economic vitality of the Port of Hamilton, over the long term.*** Achieving this principle will involve continued investment in and maintenance of the Port's facilities by the HPA, provision of appropriate ground transportation facilities and connections, and continuous exploration of new technologies and market opportunities, as well as ongoing support from the Cities of Hamilton and Burlington for the Port's marine and industrial operations.
- Principle 2. ***Partner with the Cities of Hamilton and Burlington, and other agencies and interest groups to achieve a healthy harbour environment.*** This principle will be achieved through implementation of the HPA's own *Draft Environmental Code of Practice* (see Appendix One), active partnerships with the Cities of Hamilton and Burlington, and the continued support of the Remedial Action Plan and its implementing agencies. The opportunity exists to continue to build on the tremendous gains that have been realized to date in improving the harbour's water quality and habitat environments.
- Principle 3. ***Ensure a continuing mix of uses and activities in Hamilton Harbour.*** This principle recognizes that complexity is a sign of vitality and health, and that the harbour is big enough to accommodate many different uses and functions. As the variety of uses in the harbour intensifies, the delineation

between industrial and non-industrial uses will need to be clearly and appropriately articulated, so that the Port can remain an active and positive economic contributor to a waterfront setting that is of essential public importance.

Principle 4. ***Celebrate the industrial heritage of the Port, working to enhance the physical image of Hamilton Harbour, both locally and regionally.*** The HPA will continue to demonstrate its commitment to this principle through improvements that will green the Port environment, enhance its overall image and better link it to the surrounding city, in collaboration with the Cities of Hamilton and Burlington.

Principle 5. ***Maintain an ongoing dialogue with Stakeholders.*** The HPA recognizes that it operates in a dynamic environment where adjacent uses and activities are interdependent with its own. As a good neighbour, the HPA will continue to embrace a land use planning process that encompasses the knowledge, experience and ideas of a broad range of stakeholders, including Port tenants, neighbouring residents, representatives from the City of Hamilton and Burlington and environmental groups.

### 3. LAND USE PLAN POLICIES

#### 3.1. General Policies

This section details the Land Use Plan policies that shall direct the Port Authority's management and development activities with respect to its land holdings. The general policies are described first, followed by the specific policies that apply to each of the distinct land use areas of the Port identified on *Schedule A: Planning Areas*.

##### 3.1.1. Effective Use of Port Assets

The Port's land assets must be employed to meet the planning principles described in Part II, Section 2 of this document. The Port Authority shall take a long-term view of these responsibilities, recognizing that while economic and

technological change in the future will create different demands on the size, configuration and quantity of lands required, there will always be a need for significant land areas for inter-modal goods and materials transfer and logistics. It shall therefore generally not dispose of lands, and then only after having clearly determined that such land is not required to meet its long-term functional objectives. It shall also maintain a high degree of flexibility in its management of its lands to enable it to best meet the changing demands of its mandate.

In the allocation of sites adjacent to the dock wall, the Port Authority shall give priority to site users requiring marine access. Lease lengths and level of investment in site improvements and service infrastructure by the HPA and/or the tenant shall be commensurate with the use's fit with the long-term vision for the Port as expressed in this Land Use Plan.

### 3.1.2. Environmental Policies and Protocol

The HPA's activities, and the activities of its tenants, have direct impacts on the ecological health of the Hamilton Harbour, and surrounding neighbourhoods. As the types of uses increase in the harbour, air and water quality levels, and the attributes of its natural setting, will become even more significant. The HPA shall continue to actively promote environmental protection and to work with environmental agencies towards the creation of a stable and liveable harbour environment.

The HPA shall establish itself as a leader in environmental protection, conservation and remediation. Its *Draft Environmental Code of Practice* identifies policies and procedures related to new capital projects and major maintenance, dredging activities and capping procedures at the confined disposal facility, and leasing of land. It is a strong and practical statement about the HPA's willingness to thoroughly engage environmental matters. The *Draft Environmental Code of Practice* is contained in Appendix One, and is an active component of this Land Use Plan.

### 3.1.3. Ground Transportation and Access

The Port's marine-based activities are dependant on good and reliable ground transportation connections. The HPA shall therefore continue to ensure that good access to the 400 series highways is maintained along the major arterial streets that service the Port. The proposed Red Hill Creek Expressway will connect the Lincoln M. Alexander Parkway to the QEW southeast of the Burlington Skyway, providing an additional access point to the Port on the eastern side of the harbour, providing some potential to decrease the flow of industrial traffic through residential streets and the downtown core. The HPA, through this Land Use Plan, will work with its tenants to encourage trucking operators to use this route.

Various other strategies have been presented to alleviate the pressure of truck traffic in residential neighbourhoods and in the downtown core, including the proposition of a perimeter type-road that would connect between the west end of the Port and Highway 403. While such a road would allow trucks to by-pass the neighbourhoods and downtown core, it remains logistically difficult to achieve. The HPA supports and advocates for good access between the Port lands and the 403, and will continue to support the City of Hamilton in further studies related to this issue.

Southern Ontario Rail services the entire western portion of the HPA lands, and extends westward towards Highway 403. Also providing rail service is CP Rail, although it primarily services Stelco and Dofasco. Southern Ontario Rail /Rail Link provides extensive short line services to Eastport, Stelco and Dofasco, and throughout Piers 10-15. The HPA will continue to work with the rail lines and the local service provider(s) to advocate for improved rail infrastructure and service levels, as appropriate.

Long-term consideration shall be given to the improvement of road access between Burlington Street and Piers 25 – 27 via an improved South Gateway Road and bridge. Such bridge improvements may also be required to ensure that Eastport is adequately served by rail with the necessary functional characteristics as it is developed over time.

### 3.1.4. Recreational Uses

The Port Authority shall continue to encourage recreational use of the Harbour through the allocation of land and water areas to such uses and the provision of training, safety and other services to recreational water users. It will continue to support initiatives to develop the western area of the harbour as the City of Hamilton's primary public waterfront, and encourage the development of a mix of uses and activities consistent with that objective. The HPA shall continue to support efforts to develop a safe and fully connected multi-use trail around the harbour, recognizing that public access cannot always be accommodated along the water's edge. It will actively support the City of Hamilton's efforts to remediate Windermere Basin, as a future passive recreational and wildlife habitat area. To meet this objective, the HPA will facilitate the development of the Fisherman's Pier/Canal area (Piers 28 and 29) as a new marine-related public activity centre, and continue the use of La Salle Park (Pier 34) for public recreation and recreational boating.

### 3.1.5. Urban Design and Public Art

Hamilton Harbour is one of the most important visual assets of the entire Golden Horseshoe region. In undertaking development and in managing its land assets, the HPA shall endeavour to maintain a high standard of urban design and landscaping consistent with its functional requirements, celebrating the strength and character of the harbour's unique industrial heritage. The colour, materials and visual quality of the often large structures constructed in the Port should be reviewed to ensure that they add to the visual quality of the harbour. In particular, public art that includes turning industrial forms into industrial art shall be considered, where appropriate.

Opportunities for landscaping improvements shall be pursued, particularly where they can shield/soften views and reduce the off-site impacts of open storage and industrial activities. New publicly accessible park areas at the water's edge shall be provided where most compatible with port activities. Key gateway locations around the harbour also present attractive opportunities for public art. Specific opportunities to enhance the image of the Port and its environs are described below in Sections 4.2.4 (Eastport) and Section 4.2.7 (Burlington Street Corridor).

### 3.1.6. Land Acquisition and Consolidation

Consistent with the planning principles of the Land Use Plan, the Port Authority shall continue to acquire lands within the area bounded generally by Hamilton Harbour, Pier 9 and Burlington Street. Such acquisitions shall be directed toward areas where they would constitute consolidations of the Port Authority's existing land holdings. The Port Authority shall also ensure that a supply of adequately sized and serviced industrial/commercial sites with marine access can continually be made available to appropriate potential users.

## 3.2. Area-Specific Policies

### 3.2.1. Port Area "A" – Pier 8

The westerly 8.25 acres of Pier 8 have been conveyed to Parks Canada for the purpose of developing the Canada Discovery Centre on Marine Conservation; the City of Hamilton has right of first refusal if the project is not complete within 36 months, and commercial vessels using the Hamilton Harbour will be allowed to tie up along Berths 83 and 84 for the purpose of loading and unloading cargo along the northern face of the pier. If the land is conveyed back to the City of Hamilton, the City shall lease back the land to the HPA for the remainder of the term.

The remaining lands and facilities on the easterly portion of Pier 8 were also conveyed to the City, subject to a 25 year lease back to the HPA, conditional upon the continued use of these lands for shipping and navigation purposes. While these lands are not in direct HPA ownership, the Port Authority, as the lessee and the agency responsible for the management of port land and water activities, has objectives for the long-term development of this area. During the lease back period the HPA agrees not to construct any new facilities on Pier 8 without the consent of the City of Hamilton.

Pier 8 is a critical location at the interface between the urban and recreational uses located at the western end of the harbour and the marine-related industrial activities located to the east. The Marine Discovery Centre will introduce a new level of public activity and require a significant re-evaluation of the Port's role and functions at this location.

The pier's eastern section is occupied by an existing terminal building used for general cargo handling, a marina storage facility, the Navy League, and the activities of Brewer Brothers Marine Supply and Ontario Sailing Association.

In the immediate term, Pier 8 shall continue to be used for such functions. In the medium to long term more recreational and tourist related activities will be encouraged, building from the investment in the Marine Discovery Centre. Pier 8 is a large area, and existing uses that are compatible with a public waterfront may be maintained. Consideration shall be given to the eventual use of the terminal building for public recreational and cultural activities and for associated landscaping of the pier, particularly if HMCS Haida is located immediately east on Pier 9 [HMCS Star]. Landscaping requirements shall be appropriate to public waterfront uses.

Pier 8 is the appropriate location for servicing the increasing activity of cruise ships in the Great Lakes. As the waterfront becomes more and more of a destination, the demand for harbour-area boat tours is also likely to increase substantially. Both short and long-haul cruise boat services can likely be accommodated in existing and temporary facilities unless Hamilton becomes a port of origin for such cruises.

A consistent minimum 20-metre zone should be preserved adjacent to the dockwall of Pier 8 to allow commercial and/or passenger ships to dock and unload. Buildings/permanent structures should not be permitted in this zone, which would also function as a generous public promenade area, subject to appropriate safety standards.

Consistent with the shifting emphasis within the west harbour towards recreational activities, the HPA will seek to continue to offer boating and training services as deemed appropriate, through revision of its Letters Patent.

Marina components of this area should stay in the short to medium term, although storage and repair functions could be relocated to Fisherman's Pier if it is advantageous from a business perspective.

Together with the City of Hamilton, the Port Authority shall contribute to enhancing the destination potential of Pier 8, providing for uses which promote public enjoyment through a

variety of marine and waterfront-related uses, facilities and/or events. The HPA will offer its management, expertise and resources to work with the city to achieve these ends.

### 3.2.2. Port Area "B" – Piers 10 to 14, 23 and 24

Port Area "B" consists of those areas of the Port now in active marine-related industrial use along the southern edge of the harbour. The majority of the Port Authority's current tenants are in this area, and therefore public access cannot be safely accommodated or encouraged. The general objectives specified earlier regarding consolidation of land holdings and ensuring the availability of good development sites with water access apply strongly in this area.

The general cargo facilities on Pier 10 shall be strengthened to establish a clear long-term border between the industrial/commercial uses of the port and the recreational uses to the west, with HMCS Star on Pier 9 acting as a long-term buffer. Existing terminal facilities shall be upgraded and where necessary replaced over time to reflect changing needs.

Most of the current industrial activities on Piers 11 – 14 represent long-term port tenants, the majority requiring marine access, many of whom have made substantial investments in their sites. The Authority shall create a climate of confidence for such users to encourage further investment. Consideration shall be given to progressive up-grading of site services in association with existing users. Ultimately, the HPA should set a goal of providing adequate utility infrastructure for its holdings and should on a case-by-case basis enter into partnership arrangements with its tenants to provide additional infrastructure. The HPA may require tenants or other proponents to submit landscape plans. The tenant shall be required to implement these plans upon HPA approval.

Piers 23 and 24 are located at the eastern end of the port and used primarily for bulk cargo and general cargo handling. Consolidation and expansion of the land base associated with these piers is appropriate as properties become available.



### 3.2.3. Port Area “C” – Pier 15

Port Area “C” represents the largest long-term development opportunity for the HPA on the southern edge of the Port. Recent land acquisitions have consolidated the site and allowed for renewed use of some of the existing buildings while certain older and obsolete buildings are being demolished in 2002. The long-term development of this area shall be guided by a number of considerations.

While priority shall be given to tenants requiring marine access for sites adjacent to the dock wall, the scale and property depth of this area would also permit the introduction of appropriate non-marine related users east of Sherman Avenue, towards Burlington Street. The opportunity exists to attract a range of large-site prestige industrial users in an attractive and functional setting. A gateway entrance to the port shall also be established at this location, and landscaping shall be used to enhance this area, particularly along Burlington Street. Port uses immediately adjacent to residential neighbourhoods shall be mindful of impacts on residential communities, and consideration shall be given to ensuring the establishment of appropriate uses.

The former natural creek known as Sherman Inlet provides an opportunity to combine ecological regeneration with an open space area and appropriate public access to this central part of the industrial harbour. Such ‘green’ elements could become a feature of a higher market level ‘Port of Hamilton Business Park’ that may be appropriate here.

Marine use of Pier 15 is constrained by the presence of Randle Reef, a coal tar deposit that also detrimentally affects water quality in the harbour. The remediation of Randle Reef is important therefore from both an environmental and economic perspective. It is defined as a “Special Study Area” in the Land Use Plan, indicating the need for more detailed analysis of the opportunities, constraints and options associated with its remediation. The HPA has indicated its preferred direction for the resolution of the issue as the “Contain and Cap” option. This would, over time, allow for the creation of a new Pier for port use. The HPA believes that this alternative is worthy of active consideration since it would appear to be a pragmatic, achievable solution combined with the opportunity to create a significant new state-of-the-art port development. Detailed design and implementation of

the “Contain and Cap” plan would occur in cooperation with the Cities, the Hamilton Conservation Authority, the Bay Area Restoration Council and the Randle Reef Project Advisory Group. This being said, the HPA recognizes that there is an on-going process designed to resolve this issue that it wishes to respect. This option may also provide interesting opportunities to encourage public access in this part of the Harbour, when considered together with the potential to remediate the Sherman Inlet. The potential to provide public access in this area would be dependant on the ability to ensure public safety, without compromising the operations of Port tenants. If public access is to be encouraged, then landscaping shall be in keeping with its public waterfront setting, and should reinforce public access routes.

#### 3.2.4. Port Area “D” – Piers 25 through 27 (Eastport)

Port Area “D”, known as Eastport, is the other most significant development area in the Port, providing a major opportunity to respond to future transportation and goods handling requirements. While significant expansion of Great Lakes cargo handling is unlikely in the immediate term, the rate of growth in the Golden Horseshoe area, the continued expansion of NAFTA-related trade and the growing regional demands on all modes of ground transportation suggest that a portion of these lands, with their excellent and combined marine, freeway and rail access, be reserved for large-scale inter-modal logistics use. The HPA shall continuously monitor the potential for developing state-of-the-art inter-modal cargo handling facilities at Eastport on Piers 26 and 27.

The HPA is actively implementing an investment plan for Eastport as per the \$15 million allotment specified in the Minutes of Settlement. 20 acres of appropriately surfaced and serviced land, as well as a new cargo handling area, has already been created. The balance of available land will be developed to further facilitate port expansion at Eastport in a financially responsible manner.

Eastport shall be developed for marine related uses, although existing tenants may be permitted to expand as appropriate. The 9-acre site at Windermere Basin (south of the bridge) shall be permitted to develop with clean, non marine industrial uses, including storage. The HPA recognizes the planning process currently underway by the City of Hamilton to

naturalize and remediate Windermere Basin, and shall ensure that development on this site does not compromise these efforts.

The guidelines for the long-term development of Eastport are illustrated in *Schedule B: Eastport Master Development Concept*. The Master Development Concept envisions the northerly extension of Eastport Drive to the head of Pier 27, once the confined disposal facility is filled and capped. It indicates the creation of up to three new gateway roads connecting between Eastport Drive, Eastport Boulevard, and the water's edge, dividing the area into a series of large development sites, all with excellent road and rail access.

Considerable opportunities for public access to Eastport shall be provided, in a way that is consistent with safe and viable port operations and activities. Water's edge public open spaces shall be provided at the dockwall terminations of the proposed gateway roads and, when filling of the existing confined disposal facility has been completed, on a significant new 2-acre park at the northeast end of Pier 27. Once such public open spaces have been developed, the existing unsuccessful parkette shall be replaced.

The HPA will continue to advocate for the preparation of a harbour-wide Wildlife Management Plan. As Eastport becomes more developed for both marine based-industry and public recreational uses, this plan will provide an appropriate response to the existing marine bird habitat area which has evolved at the confined disposal facility.

The water's edge public open spaces envisioned along the western dockwall of Piers 26 and 27 shall be designed as integral components of the proposed gateway roads, which will be retained in the HPA's ownership, but designed to public standards. For the water's edge open spaces to be successful, it will be important for the gateway streets which lead to them to have sidewalks, bicycle lanes, street trees and pedestrian-scale lighting, in order to look and function as safe and welcoming elements of the public realm.

The Master Development Concept suggests that there may be a need to enhance the South Gateway Road bridge, to provide additional road and/or rail capacity to Eastport from Piers 23/24. The plan indicates a further opportunity, either independently or in combination with capacity-based

upgrades, to install a pedestrian bridge at the southeast corner of the basin that can function as a loop in the proposed Windermere basin trail, and provide an interesting vantage point for viewing both the Harbour and the Basin. A landscaped buffer shall be created along the Eastport Drive frontage, providing a location for a recreational trail through the full length of Eastport, connecting between Windermere Basin and Fisherman's Pier, and linking to the Burlington Beach trail, the proposed Hamilton Beach trail, and the new waterfront pier parkettes on Eastport.

Significant opportunities exist in this area to provide a positive image of the Port to drivers traveling along Eastport Drive and the QEW. The landscape edge described above will soften the view of the port-related activities, while buffering the proposed recreational trail from Eastport Drive and the QEW. The north and south ends of the buffer are proposed to terminate in large-scale landscapes/ earthworks which would provide visual anchors and symbolic markers for the Port and City of Hamilton. Landscaping along the public faces of new buildings, including the new cargo handling facility, will mitigate the visual impacts of industrial activities. The points of connection between Eastport Drive and each of the gateway roads provide opportunities for gateway treatments, including landscape and signage like that found at the existing South Gateway Road. Specific landscape treatments and the siting of future buildings/facilities along the length of this corridor will need to ensure that views to the harbour are preserved.

Since Piers 25-27 are in the vicinity of the Hamilton Beach residential community, to the east of the QEW, proposals for development in this area shall be cognizant of this unique community and the impacts of noxious spillover effects (noise, air pollution, dust) shall be considered when development proposals are brought forward.

While the Master Development Concept for Eastport (Schedule E) has been prepared to meet the requirements of the Minutes of Settlement (2001), the HPA and the City of Hamilton have agreed that a Detailed Design Concept will also be created for the area. The HPA, in consultation with the City of Hamilton, will produce these standards, ensuring that they are compatible with similar design policy developed by the City. They will address the following elements:

- Special natural habitat considerations;

- The design of publicly accessible areas;
- Development sites and relationships;
- View enhancement;
- Landscaping;
- Signage; and
- Phasing and costing.

The HPA and the City of Hamilton have agreed that the Master Development Concept and the Detailed Design Concept will provide the basis for evaluation of future applications for Site Plan Approval, which will be received and administered by the HPA.

### 3.2.5. Port Area "E" – Piers 28 and 29 (Fisherman's Pier/Canal Area)

Port Area "E", known as Fisherman's Pier, consists of the area around the Burlington Canal entrance to Hamilton Harbour. Both the vacant lands on the southerly side of the Canal and the lands associated with the Canada Centre for Inland Waterways constitute an opportunity to create a long-term destination not currently present at the easterly end of the harbour.

As a site, Fisherman's Pier has both significant assets and formidable challenges. On the positive side, it is largely vacant, has excellent freeway access, and contains the historic lighthouse and lighthouse keeper's cottage, which is owned by the Federal Government, but not the Port Authority. It provides an excellent vantage point for watching ships as they enter and leave the harbour, the activity of the lift bridge and splendid views of the harbour and surrounding landscape. On the negative side, much of the site is located underneath the Burlington Skyway structure and is exposed to strong western winds coming in off the harbour, creating a challenging micro-climate. It is also not currently easily accessible.

The concept presented in *Schedule C: Fishermans' Pier Concept Plan* suggests a long-term vision for the future of the Fisherman's Pier area as a marine activity, recreational and heritage area. Significant improvements will be required to capitalize on the area's advantages and overcome its challenges, so that it can become an attractive location for private investment and generate the necessary levels of visitation. The Concept Plan is intended to identify the

needed marine and land infrastructure, the responsibility for which can be determined once tenants are identified.

A major new breakwall system is shown in order to create sheltered space for marina activities. The breakwall springs from the existing side wall of the Canal, connecting to improved trail and viewing areas along its edges, leading to the lighthouse and keeper's cottage. These buildings, and the adjacent lift bridge are shown in an improved and landscaped setting. The breakwall offers a significant new opportunity for a public waterfront promenade, and locations for fishing. It should be designed to provide fish and/or wildlife habitat areas, building on the success of such environments at the western end of the harbour. The site labelled as *Area A* is a good location for a variety of potential public uses, activities, services and amenities, including but not limited to, a restaurant and observation/interpretative sites. The public boat launch facility will be maintained.

Any significant new activity at Fisherman's Pier will require improved access from Eastport Drive and new parking areas, both indicated on *Schedule C*. The lands between the parking areas and the water's edge, labelled as *Area B*, are proposed for development of a range of private marine-related uses, helping to activate the area and fund the site enhancements that will be required to make it a successful public destination. The specific layout of building sites, access roads and parking areas shall be established once the nature of tenant interest and requirements have been determined. The HP \ will work with the Ministry of Transportation to determine appropriate safety measures that address issues related to the site's location below the QEW.

*Area C* could be developed with either public or private-sector uses, provided that appropriate opportunities for public access are maintained, as this is a key point for viewing the harbour and is an important junction point between the proposed Hamilton Beach and Eastport recreational trails.

The success of Fisherman's Pier as a destination would be greatly enhanced if the Canada Centre for Inland Waters increased the level of public visitation to their facility, through tours of their current scientific operations and/or through development of new publicly-oriented activity space on its substantial site.

The HPA owned lands to the immediate east of the Canada Centre for Inland Waters have potential for uses associated with expanded public activities – initially as parking, freeing up waterside areas for other uses. In the long term, development shall be considered that is similar to that which is recommended for Fisherman's Pier. More detailed planning and design for the Fisherman's Pier area should occur jointly between the Cities of Hamilton and Burlington, Park's Canada, CCIW, Public Works and Government Services, and the HPA. These agencies should consider collaboration on a tertiary level plan for this area. Common interests can be served through such collaboration, including:

- smooth interfaces between trail systems;
- the full realization of the potential of historic resources in this area;
- maximization of public access and recreation at the water's edge where appropriate;
- the potential for waterfront commercial activities; and
- the creation of gateway features.

Any HPA development that takes place to the north of the Burlington Canal shall respect and take into consideration the Greenlands designation in the City of Burlington Official Plan and also the anticipated Region of Halton Environmentally Sensitive Area designation for the dunes along Burlington Beach.

With appropriate attractions and visitation levels from Fisherman's Pier and the Canada Centre for Inland Waters, scheduled water taxi/mini-ferry activity may be possible in the summer months between Fisherman's Pier, Pier 8, LaSalle Park and Desjardins Canal, greatly increasing the general public's enjoyment of the unique environment of Hamilton Harbour.

### 3.2.6. Port Area "F" – Pier 34 (LaSalle Park)

Current club boating and recreational boating uses shall continue, in keeping with the HPA commitment to provide public access to the north shore. Improvements to the public realm, in consultation with the City of Burlington, shall be pursued. The base of existing fish habitats and trails shall continue to be upgraded and developed, consistent with both environmental policies and the wider community vision of

extended trail access. LaSalle Park might also provide a location/destination for a scheduled water taxi/ferry.

### 3.2.7. Burlington Street Corridor

Burlington Street shall be recognized as an important industrial corridor and treated as a key spine where diverse interests and communities overlap. The dynamic nature of emerging urban nodes along Burlington Street, linked together by an overall industrial narrative, can lead to a positive image and character for the street. For the purposes of discussion, the corridor has been divided into a variety of “character areas”, recognizing and reinforcing the unique and varying nature of its different segments. These character areas are identified and described on *Schedule D: Burlington Street Corridor*. A number of important threshold locations provide opportunities for gateway treatments: at Eastwood Park, Sherman Inlet and the QEW junction. Smaller gateway opportunities exist at Strathearn Ave and in the vicinity of Ottawa Street, as identified in *Schedule D*. The HPA will work with the City of Hamilton to develop detailed design guidelines for the corridor and gateways. Port related improvements on Burlington Street will coordinate with the recommendations of two studies currently being undertaken by the City of Hamilton, the North East Gateway Study and the Downtown Streets Master Plan.

## 4. LAND USE PLAN IMPLEMENTATION AND REVIEW

### 4.1. Land Use Plan Adoption, Review and Ongoing Stakeholder Involvement

Sections 2 and 3 of Part II of this document shall constitute the official Land Use Plan for the Port of Hamilton, and shall be formally approved by the Board of the HPA. Every second year, the HPA will prepare an informal *Report Card* that will comment on how the Plan has served it during the past two years, and recommend any appropriate changes, amendments or elaborations. The Report Cards will be posted on the HPA’s website, and made available to the public at a bi-annual Community Open House to be hosted by the Port Authority.

The Open House will provide members of the public with an ongoing opportunity to provide their feedback and indicate any



concerns regarding Port activities. At the same time, the HPA will continue to actively encourage open communication with concerned stakeholders on an as needed basis.

The HPA will formally review and update the Land Use Plan every six years, or earlier in the event of a significant, unanticipated change in direction. The six-year plan review process will involve active dialogue with the Cities and community stakeholders. Future versions of the Land Use Plan will be available on the HPA's website, and made available at the Open House scheduled for the year in which the updated Plan is produced.

#### 4.2. Development Review Process

The Port of Hamilton Land Use Plan provides the basis upon which all proposals for new developments/changes of use will be considered by the HPA. All proposals must meet the principles and policies outlined in this Plan. All proposals will be reviewed for compliance with the Land Use Plan by HPA staff. Records relating to all use and development proposals will be maintained by HPA staff.

From time to time, the HPA may develop more detailed design standards to address setbacks, signage, landscaping and site plan approval requirements.

Once the Detailed Design Concept for Eastport is complete, it shall govern Eastport's future development. Similar design standards may subsequently be prepared for Fisherman's Pier and Pier 15.

In executing its authority with respect to development proposals by existing tenants, the HPA shall refer to the Land Use Plan.

#### 4.3. Building Review Process

As a federal agency, the HPA must ensure that all buildings and structures comply with the standards of the National Building Code. Construction of new buildings/structures or renovation of existing buildings/structures on lands owned by the HPA will continue to be reviewed by HPA staff, to ensure compliance with the Code. Records relating to building construction and Code compliance review will be maintained by HPA staff.

#### 4.4. Environmental Review Process

As a Federal agency, the HPA must meet the requirements of the Canadian Environmental Assessment Act, and other applicable Federal environmental policies and guidelines for both the land and water it owns and occupies. The HPA will expect a high standard of environmental controls from its tenants, and intends to comply with applicable Federal and Provincial environmental legislation. It will cooperate and consult with environmental agencies, including Environment Canada, Fisheries and Oceans Canada, the Ontario Ministry of Environment and local conservation authorities, when deemed appropriate or necessary.

The Canadian Coast Guard maintains authority, through the Navigable Waters Protection Act, to comment on any structural activities that occur in the harbour that could impact navigation. The Canadian Coast Guard has delegated responsibility for spill monitoring and reporting to the HPA.

#### 4.5. Intergovernmental Relationships

Lands owned by the HPA are located primarily within the City of Hamilton, while lands it owns at Piers 29 through 34 are located within the City of Burlington. The HPA has worked hard to build positive working relationships with both Cities, and intends to actively maintain and foster these over time. Other situations demand collaboration with either the Federal or Provincial Government. The HPA recognizes the value of continuing to work in concert with all levels of government, and as such, it will maintain an open planning process, and will consult with and inform the Cities, the Federal and Provincial governments, and its neighbours regarding significant future developments/changes in use, particularly where there are clear stakeholder concerns and/or areas of mutual interest.

#### 4.6. Municipal Planning Provisions

The Official Plan and zoning provisions currently applicable to the lands owned by the HPA (under the jurisdiction of both the City of Hamilton and the City of Burlington) are supportive of port activities and requirements. No changes are required to the provisions applicable to lands owned by the HPA; nor are there any issues or conflicts related to zoning on adjacent properties. The HPA will continue to work with the Cities to ensure that

potential future zoning/Official Plan changes remain supportive of port-related activities and industrial uses.

As per the requirements of the Minutes of Settlement between the City of Hamilton and the HPA, lands at Eastport are to be subject to a Site Plan Approval process. The City of Hamilton and the HPA have agreed that the Master Development Concept set out on *Schedule B* and the Detailed Design Concept to be prepared by the HPA shall guide the location and form of future development at Eastport. Once the City of Hamilton has endorsed the Detailed Design Concept, they will form the basis for site plan applications to be submitted to and administered by the HPA.

