

Authority: Item 18, Economic Development  
and Planning Committee  
Report:09-015 (PED09181)  
CM: July 6, 2009

**Bill No. 187**

**CITY OF HAMILTON**

**BY-LAW NO. 09-187**

To Adopt:

Official Plan Amendment No. 221 to the former City of Hamilton

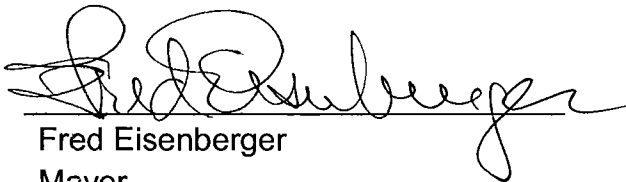
Respecting:

**1151-1171 Upper James Street (Adam Estates)**

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Amendment No. 221 to the Official Plan of the former City of Hamilton Planning Area consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED and ENACTED** this 13th day of August, 2009.



Fred Eisenberger  
Mayor



Kevin C. Christenson  
City Clerk

**Amendment No. 221**  
**to the**  
**Former City of Hamilton Official Plan**

The following text, together with Schedule "A", "Land Use Concept", and Schedule "B", "Special Policy Areas", attached hereto, constitute Official Plan Amendment No. 221.

**Purpose:**

The purpose of this Amendment is to re-designate the subject lands comprising 0.73 hectares from "Residential" to "Commercial" on Schedule "A", Land Use Concept Plan, and to include the subject lands within Special Policy Area 31 on Schedule "B".

**Location:**

The lands affected by this Amendment are known municipally as 1151-1171 Upper James Street, are located south of the Lincoln Alexander Parkway.

**Basis:**

The intent of the Amendment is to permit the expansion of commercial development along Upper James Street in accordance with Special Policy Area 31. The subject parcel was conveyed to the Owner of the existing commercial property at 1151-1171 Upper James Street, in April, 2009, through the severance of this parcel from lands, which are subject of the "Adam Estates" Draft Plan of Subdivision. The basis for the re-designation is as follows:

- The proposed development is consistent with the Provincial Policy Statement;
- The proposed development offers an opportunity for enhanced commercial development within the built-up urban area, and conforms to the intent of the Places to Grow Plan;
- The proposed development conforms with the Region of Hamilton-Wentworth Official Plan;
- The proposal is consistent with the "Commercial" designation of the City of Hamilton Official Plan;

- The proposed development is suitably located in proximity to a major arterial road (Upper James Street) with direct access to public transit, and is adjacent and contiguous to the existing commercial corridor along Upper James Street;
- The proposed development is compatible with the existing and planned development in the immediate area, and will not detract from the character of the surrounding neighbourhood due to the separation of land uses by a proposed noise barrier;
- The property would be developed as part of a future land assembly with 1151 Upper James Street, which would reduce access points;
- Mitigation measures can be employed to address noise impacts on the adjacent future residential neighbourhood of Adam Estates; and,
- The proposed commercial parcel is designated for “General Commercial” use in the Jerome Neighbourhood Plan, and is designated “Arterial Commercial” in the City’s proposed Urban Official Plan.

**Actual Changes:**

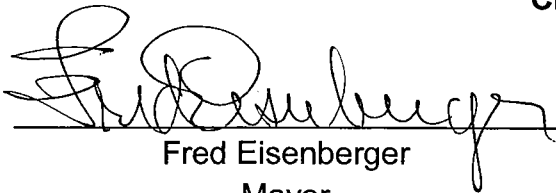
1. Schedule “A”, Land Use Concept, be revised by re-designating the subject lands from “Residential” to “Commercial”, as shown on the attached Schedule “A” to this Amendment.
2. Schedule “B”, Special Policy Areas, be revised by including the subject lands within Special Policy Area 31, as shown on the attached Schedule “B” to this Amendment.

**Implementation:**

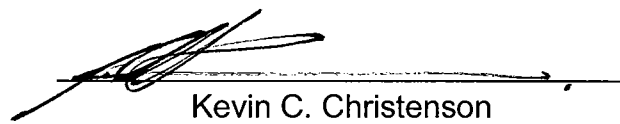
An implementing Zoning By-law Amendment and site plan will give effect to the intended use on the subject lands.

This is Schedule “1” to By-law No. 09-187, passed on the 13<sup>th</sup> day of August, 2009.

**The  
City of Hamilton**




Fred Eisenberger  
Mayor



Kevin C. Christenson  
City Clerk

Schedule A  
Amendment No. 221  
To the Official Plan  
for the  
former City of Hamilton

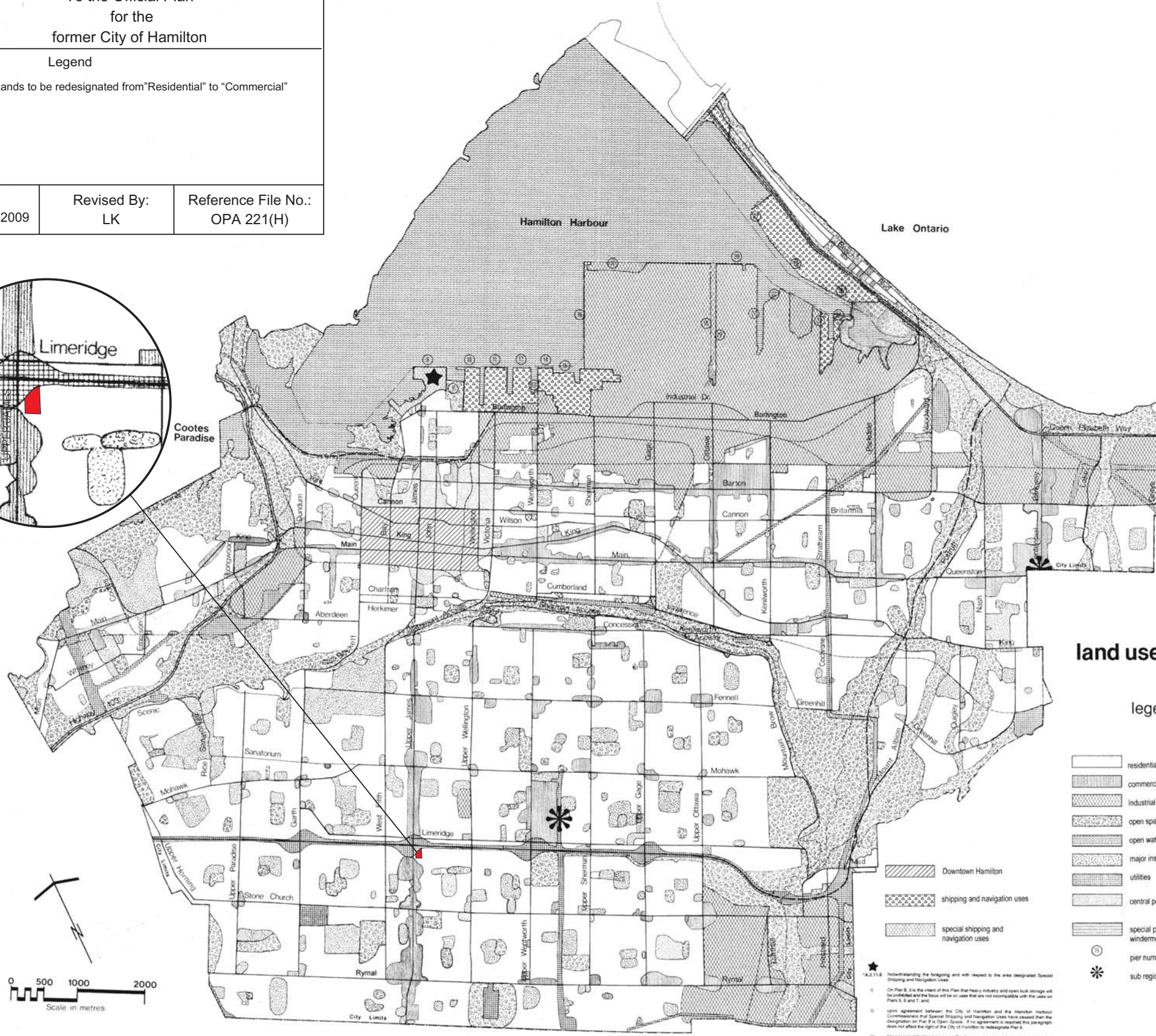
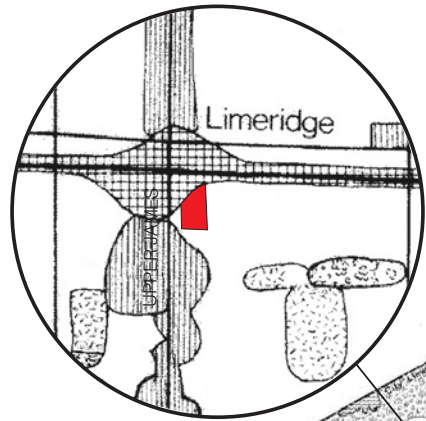
Legend

 Lands to be redesignated from "Residential" to "Commercial"

Date:  
August 11, 2009

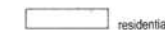




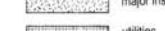
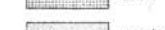




Revised By:  
LK

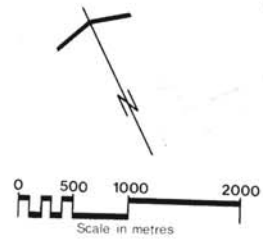
Reference File No.:  
OPA 221(H)



land use concept

legend

-  residential
-  commercial
-  industrial
-  open space
-  open water
-  major institutional
-  utilities
-  central policy area
-  special policy area: windermere basin
-  pier numbers
-  sub regional centre




\*A2.11.8 Notwithstanding the foregoing and with respect to the area designated Special Shipping and Navigation Uses:  
 i) On Part 8, it is the intent of this Plan that heavy industry and open bulk storage will be prohibited and the focus will be on uses that are not incompatible with the uses on Parts 8, 9 and 10 and;  
 ii) upon agreement between the City of Hamilton and the Hamilton Harbour Commissioners that Special Shipping and Navigation Uses have ceased their designation on Part 8 is Open Space. If no agreement is reached this paragraph does not affect the right of the City of Hamilton to redesignate Part 8;  
 iii) It is recognized that lands shown as Part 8 serve as an area of transition between the commercial and open space uses of the west harbor and the intense industrial, Shipping and Navigation Uses in the central and east harbor. On this basis, the implementing zoning to use for Part 8 permits, in addition to Special Shipping and Navigation Uses and limited commercial uses, other permitted commercial activities.\*

schedule A  
to the official plan  
for  
the city of hamilton

February 2009

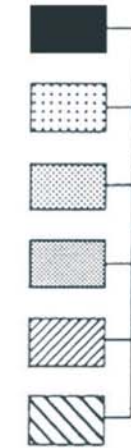
Schedule B  
Amendment No. 221  
To the Official Plan  
for the  
former City of Hamilton

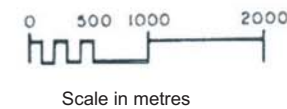
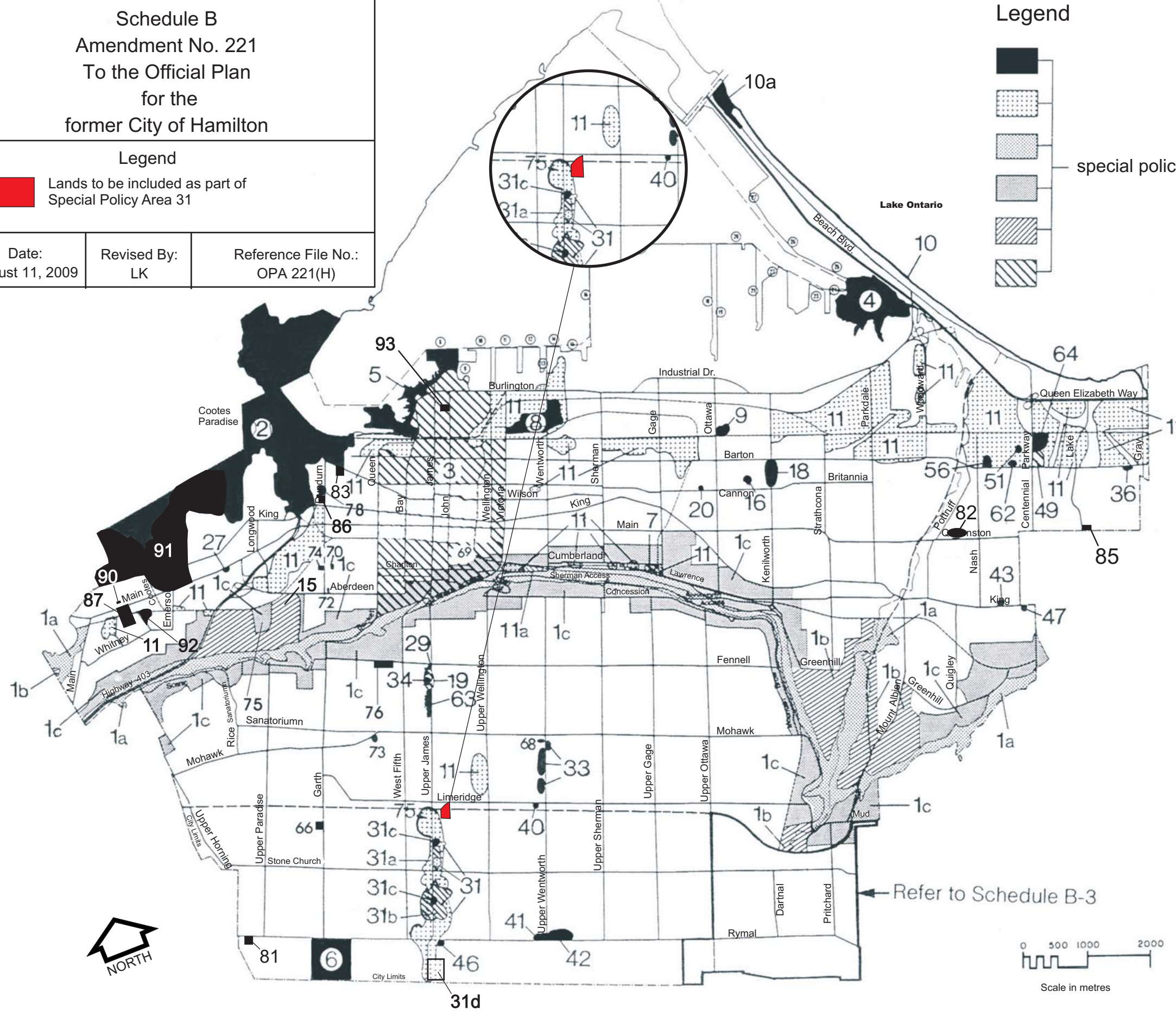
Legend

 Lands to be included as part of Special Policy Area 31

Date: August 11, 2009  
Revised By: LK  
Reference File No.: OPA 221(H)

Legend

 special policy areas



special policy areas

AREA	REFER TO POLICY	AREA	REFER TO POLICY
1(a)	A.2.9.1	56	A.2.9.3.51
1(b)	A.2.9.1	62	A.2.9.3.57
1(c)	A.2.9.1	63	A.2.9.3.58
2	A.2.9.2	64	A.2.9.3.59
3	A.2.9.3	65	A.2.9.3.60
	A.2.9.3.1	66	A.2.9.3.61
4	A.2.9.3.2	67	"Deleted"
5	A.2.9.3.3	68	A.2.9.3.63
6	A.2.9.3.4	69	A.2.9.3.64
7	A.2.9.3.5	70	A.2.9.3.65
8	A.2.9.3.6	71	A.2.9.3.66
9	A.2.9.3.7	72	A.2.9.3.67
10	A.2.9.3.8	73	A.2.9.3.68
10a	A.2.9.3.8	74	A.2.9.3.69
11	A.2.9.3.9	75	A.2.9.3.70
11(a)	A.2.9.3.9	76	A.2.9.3.71
16	A.2.9.3.14	77	A.2.9.3.72
17	"Deleted"	78	A.2.9.3.73
18	A.2.9.3.16	79	"Deleted"
19	A.2.9.3.17	80	Denied by OMB
20	A.2.9.3.18	81	A.2.9.3.76
26	A.2.9.3.21	82	A.2.9.3.77
27	A.2.9.3.22	83	A.2.9.3.78
29	A.2.9.3.24	84	Pending
30	A.2.9.3.25	85	A.2.9.3.80
31	A.2.9.3.26	86	A.2.9.3.81
31(a)	A.2.9.3.26	87	A.2.9.3.82
31(b)	A.2.9.3.26	89	Pending OMB
31(c)	A.2.9.3.26	90	A.2.9.3.85
32	A.2.9.3.27	91	A.6.4.9.1
33	A.2.9.3.28	92	A.6.4.9.2
34	A.2.9.3.29	93	A.2.9.3.86
35	A.2.9.3.30		
36	A.2.9.3.31		
37	A.2.9.3.32		
38	"Deleted"		
40	A.2.9.3.35		
41	A.2.9.3.36		
42	A.2.9.3.37		
43	A.2.9.3.38		
45	A.2.9.3.40		
46	A.2.9.3.41		
47	A.2.9.3.42		
48	"Deleted"		
49	A.2.9.3.44		
50	A.2.9.3.45		
51	A.2.9.3.46		
53	"Deleted"		
54	"Deleted"		
55	A.2.9.3.50		

For other Special Policy Areas numbers, refer to Schedules: B-1, B-2, and B-3.

schedule B  
to the official plan  
for  
the City of Hamilton

January 2007