

Authority: Item 10, Planning Committee
Report: 11-019 (PED11199)
CM: November 13, 2011

Bill No. 278

CITY OF HAMILTON

BY-LAW NO. 11-278

To Adopt:

Official Plan Amendment No. 140 to the former Town of Ancaster Official Plan;
Official Plan Amendment No. 21 to the former Town of Dundas Official Plan;
Official Plan Amendment No. 126 to the former Town of Flamborough Official Plan;
Official Plan Amendment No. 85 to the former Township of Glanbrook Official Plan;
Official Plan Amendment No. 227 to the former City of Hamilton Official Plan;
Official Plan Amendment No. 165 to the former City of Stoney Creek Official Plan;

Respecting:

Employment Designations

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

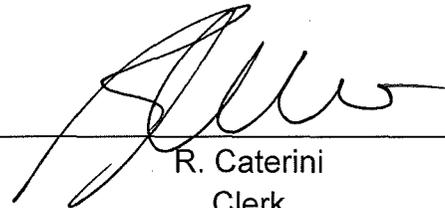
1. Amendment No. 140 to the Official Plan of the former Town of Ancaster Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. Amendment No. 21 to the Official Plan of the former Town of Dundas part of this by-law, is hereby adopted.
3. Amendment No. 126 to the Official Plan of the former Town of Flamborough Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
4. Amendment No. 85 to the Official Plan of the former Township of Glanbrook Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

5. Amendment No. 227 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.
6. Amendment No. 165 to the Official Plan of the former City of Stoney Creek Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 16th day of November, 2011



R. Bratina
Mayor



R. Caterini
Clerk

Amendments to the

Towns of Ancaster, Dundas, and Flamborough, the former Township of Glanbrook and the former Cities of Hamilton and Stoney Creek Official Plans

The following text constitutes:

1. Official Plan Amendment No 140 to the former Town of Ancaster Official Plan;
2. Official Plan Amendment No. 21 to the former Town of Dundas Official Plan;
3. Official Plan Amendment No. 126 to the former Town of Flamborough Official Plan;
4. Official Plan Amendment No. 85 to the former Township of Glanbrook Official Plan;
5. Official Plan Amendment No. 227 to the former City of Hamilton Official Plan; and,
6. Official Plan Amendment No. 165 to the former City of Stoney Creek Official Plan.

1.0 Purpose:

The purpose of the Amendments is to undertake general text amendments to provide clearer direction for the location of ancillary uses within Employment areas.

2.0 Location:

The lands subject to this Amendment are all lands within the urban area that are designated Industrial/Light Industrial, Industrial-Business Park, Prestige Industrial – Business and North Glanbrook Industrial Business Park

3.0 Basis:

As part of the Ontario Municipal Board hearing and the settlements, the policies related to ancillary uses had to be clarified to more specifically reflect the intent of the original drafting and development of the industrial zones. As a result, the policies include specific locational criteria which focus the ancillary uses and allow the Zoning By-law to be more restrictive depending on a number of criteria, such as the surrounding land uses.

The general text amendments are consistent with the Provincial Policy Statement and conform to Growth Plan for the Greater Golden Horseshoe.

4.0 Actual Changes:

4.1 Former Town of Ancaster Official Plan

Text Changes

a) Modify Policy 4.6.1.1 by:

- i) deleting the word 'shall' and replacing it with the word 'may';

- ii) adding the words ', in accordance with the Zoning By-law' after the word 'Schedule B':

so the entire policy reads as follows:

*4.6.1.1 The following uses shall **may** be permitted on lands designated Industrial on Schedule B, in accordance with the Zoning By-law:*

- b) Delete Policy 4.6.3 and replace it with the following new policy:

4.6.3 In addition to Policy 4.6.1.1 iii), ancillary uses may be permitted within the Industrial Areas provided the following conditions are met:

- i) the uses shall be determined through the Zoning By-law in accordance with the policies of this Plan;
- ii) Notwithstanding Policy 4.6.3.i), the Zoning By-law may:
 - (a) permit a limited number of restaurants where a need for the use can be justified; or,
 - (b) restrict or limit the number of ancillary uses from occupying Industrial Areas.
- iii) the need for the uses to support the businesses and employees within the Industrial Area has been determined;
- iv) the uses shall only be located along the exterior of the Industrial Area and should generally be located at intersections of arterial or collector roads; and,
- v) where possible, the uses should be clustered on single sites to limit the impact on the supply of developable lands for use permitted in Policy 4.6.1.1 i).

4.2 Former Town of Dundas Official Plan

Text Changes

- a) Modify Policy 3.2.3.2 by:

- i) deleting the word 'shall' in the first line and replacing it with the word 'may';

- ii) adding the words ', in accordance with the Zoning By-law' after the word 'Schedule A':

so the entire policy reads as follows:

3.2.3.2 *The following uses shall **may** be permitted on lands designated Industrial Area on Schedule A, in accordance with the Zoning By-law:*

- b) Add a new policy as follows:

3.2.3.9 In addition to Policy 3.2.3.2 iii), *ancillary* uses may be permitted within the Industrial Area provided the following conditions are met:

- a) the uses shall be determined through the Zoning By-law in accordance with the policies of this Plan;
- b) notwithstanding Policy 3.2.3.9a), the Zoning By-law may:
 - (i) permit a limited number of restaurants where a need for the use can be justified; or,
 - (ii) restrict or limit the number of ancillary uses from occupying Employment Areas.
- c) the need for the uses to support the businesses and employees within the Industrial Area has been determined;
- d) the uses shall only be located along the exterior of the Industrial Area and should generally be located at intersections of arterial or collector roads; and,
- e) where possible, the uses should be clustered on single sites to limit the impact on the supply of developable lands for use permitted in Policy 3.2.3.2 a).

4.3 Former Town of Flamborough Official Plan

Text Changes

- a) Modify Policy A.6.2.1.1 by:
 - i) deleting the word 'shall' in the first line and replacing it with the word 'may';
 - ii) adding the words ', in accordance with the Zoning By-law' after the word 'Schedule "A-1":

so the entire policy reads as follows:

*A.6.2.1.1 The following uses shall **may** be permitted on lands designated Prestige Industrial – Business on Schedule "A-1", in accordance with the Zoning By-law:*

b) Delete Policy A.6.2.1.3 and replace it with the following new policy:

A.6.2.1.3 *In addition to Policy A.6.2.1.1 (iii), ancillary uses may be permitted within the Prestige Industrial – Business Areas provided the following conditions are met:*

i) the uses shall be determined through the Zoning By-law in accordance with the policies of this Plan;

ii) Notwithstanding Policy A.6.2.1.3(i), the Zoning By-law may:

(a) permit a limited number of restaurants where a need for the use can be justified; or,

(b) restrict or limit the number of ancillary uses from occupying Industrial Areas.

iii) the need for the uses to support the businesses and employees within the Prestige Industrial – Business Area has been determined;

iv) the uses shall only be located along the exterior of the Prestige Industrial – Business Area and should generally be located at intersections of arterial or collector roads; and,

v) where possible, the uses should be clustered on single sites to limit the impact on the supply of developable lands for use permitted in Policy A.6.2.1.1(i).

4.4 Former Township of Glanbrook Official Plan

Text Changes

a) Modify Policy B.2.5.1 by:

i) deleting the word 'shall' in the first line and replacing it with the word 'may';

ii) adding the words ', in accordance with the Zoning By-law' after the word 'Schedule "A"':

so the entire policy reads as follows:

B.2.5.1 *The following uses shall ~~may~~ be permitted on lands designated North Glanbrook Industrial-Business Park on Schedule "A", in accordance with the Zoning By-law:*

b) Delete Policy B.2.5.2.3 and replace it with the following new policy:

B.2.5.2.3 *In addition to Policy B.2.5.1 (c), ancillary uses may be permitted within the North Glanbrook Industrial-Business Park provided the following conditions are met:*

a) the uses shall be determined through the Zoning By-law in accordance with the policies of this Plan;

b) Notwithstanding Policy B.2.5.2.3 (a), the Zoning By-law may:

(i) permit a limited number of restaurants where a need for the use can be justified; or,

(ii) restrict or limit the number of ancillary uses from occupying Industrial Areas.

c) the need for the uses to support the businesses and employees within the North Glanbrook Industrial-Business Park has been determined;

d) the uses shall only be located along the exterior of the North Glanbrook Industrial-Business Park and should generally be located at intersections of arterial or collector roads; and,

e) where possible, the uses should be clustered on single sites to limit the impact on the supply of developable lands for use permitted in Policy B.2.5.1i).

4.5 Former City of Hamilton Official Plan

a) Modify Policy A.2.3.1 by:

i) adding the words 'and zoned in accordance with the Zoning By-law' between the words 'Schedule "A"' and 'shall'; and,

ii) deleting the word 'shall' and replacing it with the word 'may';

A.2.3.1 *Uses permitted on lands designated Industrial on Schedule "A" ~~shall~~ **and zoned in accordance with the Zoning By-law** may include*

b) Add a new policy A.2.3.7A as follows:

A.2.3.7A In addition to Policy A.2.3.1 and A.2.3.6 iii), *ancillary* uses may be permitted within the Industrial Areas provided the following conditions are met:

- i) the uses shall be determined through the Zoning By-law in accordance with the policies of this Plan;
- ii) Notwithstanding Policy A.2.3.7A.i), the Zoning By-law may:
 - (a) permit a limited number of restaurants where a need for the use can be justified; or,
 - (b) restrict or limit the number of ancillary uses from occupying Industrial Areas.
- iii) the need for the uses to support the businesses and employees within the Industrial Area has been determined;
- iv) the uses shall only be located along the exterior of the Industrial Area and should generally be located at intersections of arterial or collector roads; and,
- v) where possible, the uses should be clustered on single sites to limit the impact on the supply of developable lands for use permitted in Policy A.2.3.1 and A.2.3.6 i).

c) Modify Policy A.2.3.10 to delete the first sentence "*Ancillary uses which serve the businesses and employees of the LIGHT INDUSTRIAL CLASSIFICATION as described in Policy 2.3.9 iii), shall be encouraged to locate fronting arterial roads or collectors roads into the industrial area.*"

d) Add a new policy A.2.3.10A as follows:

A.2.3.10A In addition to Policy A.2.3.1, and A.2.3.9.iii), *ancillary* uses may be permitted within the Light Industrial Classification provided the following conditions are met:

- i) the uses shall be determined through the Zoning By-law in accordance with the policies of this Plan;
- ii) Notwithstanding Policy A.2.3.10A i), the Zoning By-law may:

- (a) permit a limited number of restaurants where a need for the use can be justified; or,
- (b) restrict or limit the number of ancillary uses from occupying Industrial Areas.
- iii) the need for the uses to support the businesses and employees within the Light Industrial Classification has been determined;
- iv) the uses shall only be located along the exterior of the Light Industrial Classification and should generally be located at intersections of arterial or collector roads; and,
- v) where possible, the uses should be clustered on single sites to limit the impact on the supply of developable lands for use permitted in Policy A.2.3.1 and A.2.3.9 i).

4.6 Former City of Stoney Creek Official Plan

Text Changes

a) Modify Policy A.4.2.1.1 by:

- i) deleting the word 'shall' in the first line and replacing it with the word 'may';
- ii) adding the words ', in accordance with the Zoning By-law' after the word 'Schedule "A"':

so the entire policy reads as follows:

*A.4.2.1.1 The following uses shall **may** be permitted on lands designated INDUSTRIAL-BUSINESS PARK on Schedule "A", in accordance with the Zoning By-law:*

b) Modify Policy A.4.2.1.3 to delete the first sentence:

"Ancillary uses which serve the businesses and employees of the Industrial-Business Park as described in Policy A.4.2.1.1 c), shall only be permitted at locations fronting arterial roads or collectors roads into the business parks".

c) Add a new Policy A.4.2.1.3A to delete the first sentence:

A.4.2.1.3A In addition to Policy A.4.2.1.1(c), ancillary uses may be permitted within the North Glanbrook Industrial-Business Park provided the following conditions are met:

- a) *the uses shall be determined through the Zoning By-law in accordance with the policies of this Plan;*
- b) *Notwithstanding Policy A.4.2.1.3A (a), the Zoning By-law may:*
 - (i) *permit a limited number of restaurants where a need for the use can be justified; or,*
 - (ii) *restrict or limit the number of ancillary uses from occupying Industrial Areas.*
- c) *the need for the uses to support the businesses and employees within the North Glanbrook Industrial-Business Park has been determined;*
- d) *the uses shall only be located along the exterior of the North Glanbrook Industrial-Business Park and should generally be located at intersections of arterial or collector roads; and,*
- e) *where possible, the uses should be clustered on single sites to limit the impact on the supply of developable lands for use A.4.2.1.1 a)*

5.0 Implementation:

A Zoning By-Law Amendment will give effect to this Amendment.

These Amendments are Schedule "1" to By-law No. 11- 278, passed on the 16th day of November, 2011.

The
City of Hamilton



R. Bratina
Mayor



R. Caterini
City Clerk