

**Authority:** Item 4, Planning Committee  
Report: 16- 016 (PED16191)  
CM: September 28, 2016

**Bill No. 266**

**CITY OF HAMILTON**

**BY-LAW NO. 16-266**

**To Adopt:**

**Official Plan Amendment No. 235 to the City of Hamilton Official Plan  
Respecting Lands located on the north side of Barton Street West and opposite  
Ray Street North, Hamilton**

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

1. Amendment No. 235 to the City of Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 12<sup>th</sup> day of October, 2016.

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F. Eisenberger  
Mayor

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R. Caterini  
Clerk

**Amendment No. 235**  
**to the**  
**Official Plan of the City of Hamilton**

The following text, together with Schedule "M-2" – General Land Use, attached hereto, constitutes Official Plan Amendment No. 235 of the Official Plan of the City of Hamilton.

**1.0 Purpose and Effect:**

The purpose of this Amendment is to change the land use designation of the property from "Medium Density Residential 1" to "Local Commercial" for the portion of the site south of the top of bank to permit the development of a 300 square metre commercial building and from "Medium Density Residential 1" to "Open Space" for the balance of the subject property. An Amendment to establish Special Policy Area 3 is also required to permit the right-of-way width for Barton Street West to be 21 metres instead of 25 metres due to site constraints imposed by an existing slope.

**2.0 Location:**

The lands affected by this Amendment, being approximately 0.29 ha, are located at 280 Barton Street West and are located directly north of the intersection of Barton Street West and Ray Street North, in the City of Hamilton.

**3.0 Basis:**

- The proposed development is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow) and complies with the Hamilton-Wentworth Official Plan;
- The development of commercial uses provides for an appropriate re-use of a brownfield site; and,
- The proposed commercial uses would be compatible with existing uses and the planned function of this area, and would provide for an appropriate

range of commercial uses to predominantly serve the local community with adequate off-site parking.

- The proposed redesignation of the naturalized area north of the top of bank to "Open Space" would recognize and protect this area as a linkage consistent with the policy direction provided in the Provincial Policy Statement, the Hamilton-Wentworth Official Plan and City of Hamilton Official Plan and would allow the open space component to be expanded with adjacent lands.

#### **4.0 Changes:**

#### **4.1 Mapping Changes:**

4.1.1 That Schedule M-2, General Land Use Plan, be amended by changing the land use designation for the property located at 280 Barton Street West as shown on Appendix "A" attached:

- 1) from "Medium Density Residential 1" to "Local Commercial";
- 2) from "Medium Density Residential 1" to "Open Space;" and,
- 3) identifying the subject lands at 280 Barton Street West as "Site Specific Policy Area – 3."

#### **4.2 Text Changes:**

4.1.2 That a new Policy be added to the City of Hamilton Official Plan as Policy No. "A.6.3.3.2.4

A.6.3.3.2.4 iv) The following policy shall apply to the lands known municipally as 280 Barton Street West and identified as "Site Specific Policy Area –3":

- 1) Notwithstanding Policy A.6.3.3.2.4 ii), the right-of-way width of Barton Street West, a Neighbourhood Mobility Street, shall be 21 metres for the property located at 280 Barton Street West.

## 5.0 Implementation:

An implementing Zoning By-law Amendment and Site Plan Application will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 16-266 passed on the 12<sup>th</sup> day of October, 2016.

### **The City of Hamilton**

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F. Eisenberger  
MAYOR

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R. Caterini  
CITY CLERK

