CITY OF HAMILTON

BY-LAW NO. 04-212

To Adopt:

Official Plan Amendment No. 195 to the Former City of Hamilton Official Plan;

Respecting:

Lands known municipally as 74 Hughson Street South/1 Hunter Street East

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

1. By-law No. 04-187 adopting Amendment No. 195 to the Official Plan of the Former City of Hamilton Planning Area be repealed.

2. Amendment No. 195 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.

3. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 15th day of September, 2004.

MAYOR

CLERK
Amendment No. 195

to the

Official Plan for the former City of Hamilton

The following text together with Schedule A - Land Use and Development Permit Area; Schedule B - Building Height; and, Schedule C – Overall Land Use Strategy attached hereto, constitute Official Plan Amendment No. 195.

Purpose:

The purpose of this Amendment is to redesignate the subject lands from “Prime Retail Streets” and “3-6 stories” to “Mixed use” and “4 stories” in the Downtown Secondary Plan to permit redevelopment of the lands for “Commercial/Residential” uses.

Location:

The lands affected by this Amendment are part of Lots 65, 66, 67, and 68 Plan 1431 of the City of Hamilton, located on the north side of Hunter Street East bordering James Street South to the west and Hughson Street South to the east.

Basis:

The intent of the Amendment is to provide for a designation that will facilitate the sale of the subject lands and allow the redevelopment of the property for a mix of Commercial/Residential uses. The basis for permitting this Amendment is as follows:

- It complies with the Hamilton-Wentworth Official Plan, and maintains the intent of the Downtown Hamilton Secondary Plan;
- It is consistent with existing and planned development in the neighbourhood; and
- It is an appropriate infill development that will make efficient use of existing services in a downtown neighbourhood.
Actual Changes:

1. Schedule L1 – Land Use and Development Permit Area, Downtown Secondary Plan, is hereby revised by redesignating the lands shown on Schedule A from “Prime Retail Streets” to “Mixed Use”

2. Schedule L-3 – Building Heights, Downtown Secondary Plan is hereby revised by redesignating the lands shown on Schedule B from “3-6 stories” to “4 stories”

3. Schedule L8 – Overall Land Use Strategy, Downtown Secondary Plan, is hereby revised by redesignating the lands show on Schedule C from “Prime Retail Streets” to “Mixed Use”.

Implementation:

An implementing Zoning By-Law Amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 04-212, passed on the 15th day of September, 2004

The

City of Hamilton

[Signatures]

Mayor

City Clerk
Schedule A
Amendment No. 195
To the Downtown Hamilton Secondary Plan

Date: AUG. 4, 2004
Revised by: C.N.
Reference file No. OPA 195(H)

Redesignate the Subject Lands to “Mixed Use”.

Schedule A - Amendment No. 195
To the Downtown Hamilton Secondary Plan

Date: AUG. 4, 2004
Revised by: C.N.
Reference file No. OPA 195(H)

Redesignate the Subject Lands to “Mixed Use”.

SCHEDULE L-1 - LAND USE AND DEVELOPMENT PERMIT AREA

Putting People First
The New Land Use Plan for Downtown Hamilton
July, 2001

OPA No. 172, as per Board Order dated July 19, 2002

Legend
- Public Open Space
- Central Business District
- Specialty Commercial
- Mixed Use
- Low Density Residential
- Planning Area Boundary
- DPA Boundary
- Public Use
- Prime Retail Streets
- Local Commercial
- Medium Density Residential
- Station
Redesignate the Subject Lands to "4 Stories".

Note: Heights are subject to the policies of this plan.
Putting People First
The New Land Use Plan for Downtown Hamilton
July 2001
OPA No. 172, as per Board Order dated July 19, 2002

SCHEDULE L-8
OVERALL LAND USE STRATEGY
Legend
- Public Open Space
- Central Business District
- Specialty Commercial
- Mixed Use
- Low Density Residential
- Planning Area Boundary
- DPA Boundary
- Public Use
- Prime Retail Streets
- Local Commercial
- Medium Density Residential

Date: AUG. 4, 2004
Revised by: C.N.
Reference file No.: OPA 195(H)

Redesignate the Subject Lands to "Mixed Use".