

Authority: Item 13, Planning & Economic Development
Committee
Report: 05-003 (PD05026)
CM: February 9, 2005

Bill No. 020

CITY OF HAMILTON

BY-LAW NO. 05 -020

To Adopt:

**Official Plan Amendment No 21 to the Regional Municipality of
Hamilton-Wentworth Official Plan, and
Official Plan Amendment No. 98 to the Town of Flamborough Official Plan**

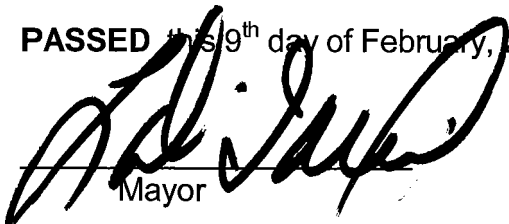
Respecting:

**Part of Lots 12 and 13, Concession 3 (East Flamborough), in the former Town of
Flamborough, and Block 157 Registered Plan 62M-739, City of Hamilton**

The Council of the City of Hamilton enacts as follows:

1. Amendment No. 21 to the Official Plan of the former Regional Municipality of Hamilton-Wentworth Official Plan consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. Amendment No.98 to the Official Plan of the former Town of Flamborough 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 Amendments referred to in section 1 and 2 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 9th day of February, 2005.



Mayor



City Clerk

Schedule “ I ”

Amendments to the former Regional Municipality of Hamilton-Wentworth, and former Town of Flamborough Official Plans

The following text, together with Schedule “A” (Map No. 1 – Regional Development Pattern, Official Plan of the former Regional Municipality of Hamilton-Wentworth) and Schedule “B” (Schedule B-1 – Land Use Plan – Flamborough Business Park Secondary Plan, Official Plan of the former Town of Flamborough), attached hereto, constitutes;

1. Official Plan Amendment No. 21 to the Regional Municipality of Hamilton-Wentworth Official Plan.
2. Official Plan Amendment No. 98 to the Town of Flamborough Official Plan

Purpose:

The purpose of these amendments is to add site-specific policy areas in the Regional and local official plans to permit the development of a ‘big box’ retail centre at the northeast corner of Highways 5 and 6, thereby creating a ‘big box’ retail centre node with the lands at the southeast corner of Highways 5 and 6.

Location:

The subject property for the proposed ‘big box’ retail centre comprises 34.5 hectares and is situated at the northeast corner of Highway No. 6 and Highway No.5 (Dundas Steet) in the former Town of Flamborough, commonly referred to as Clappison’s Corners. The lands are legally described as Part of Lots 12 and 13, Concession 3 (East Flamborough), in the former Town of Flamborough, Block 157 Registered Plan 62M-739, being in the City of Hamilton and are shown on Schedules “ A ” and “ B ” attached hereto and forming part of this Amendment.

Basis:

- The location of the subject land at the intersection of two major highways immediately adjacent to a planned “big box” retail area is appropriate for the use as it is being planned as an extension to previously approved commercial to create a larger commercial node extending across both sides of Highway No. 5.
- The amendment will permit uses that are compatible with the surrounding properties and that are appropriate and desirable for the subject property.

- The amendment contains provisions to protect the City's planned commercial functions and its transportation system.

Actual Changes:

1. Regional Official Plan

- (a) Map No. 1, Regional Development Pattern is hereby revised by adding "Special Policy Area 7", as shown on the attached Schedule "A" of this Amendment.
- (b) Section 3.1.3.1 is hereby revised by adding a new subsection, 3.1.3.1 d) as follows:
 - "d) Notwithstanding Section 3.1.3.1 b), department stores may be permitted in the area shown on Map No. 1 as Special Policy Area No.7 (SPA 7)."

2. Town of Flamborough Official Plan

- (a) Schedule "A-I" – Land Use Plan – Flamborough Business Park Secondary Plan is hereby revised by
 - (i) identifying the subject lands as OPA#98 - Site Specific Area #14; and
 - (ii) redesignating a portion of the subject lands from "General Industrial-Commercial" to "Prestige Industrial-Commercial".
- (b) Section A.6 – Industrial Business Park Secondary Plan is hereby revised by adding the following subsection:

"A.6.2.2.6 Prestige Industrial – Commercial - Site Specific Area 14 (Flamborough Power Centre – North East)

In response to a changing market, 'big box' retail has proven to be a successful retail format. The proposed type of retail will carry a range of products and services, and these facilities tend to distinguish themselves from local downtowns and shopping centres based on their large size format and the increased market area that they typically serve. These lands will form part of a 'big box' retail node with the lands covered by Site Specific Area #4 to the south.

The following uses are permitted within Site Specific Area #14 (Flamborough Power Centre – North East):

- (i) A business, professional, administrative office building;
- (ii) Research and development facilities;

- (iii) Hotel/motel and conference/convention facilities;
- (iv) Government service buildings such as fire halls, community centres ambulance stations and other public uses;
- (v) Recreational and entertainment facilities;
- (vi) Financial institution, personal and business services, accessory convenience retail, and large restaurants;
- (vii) Wholesale and/or retail warehouses;
- (viii) Retail establishments;
- (ix) Home improvement, household furniture and/or appliance outlet and/or lawn and garden centre; and
- (x) Department store.

A.6.2.2.6.1 In addition to the site plan requirements for the Town, the lands shown on Schedule “A-I” as Prestige Industrial-Commercial – Site Specific Area #14 shall be developed in accordance with the following policies:

- (i) A wholesale and/or retail warehouse is a facility which is either large scale and distributes a broad range of goods, or distributes high volumes of a specific type of merchandise, and functions in a warehouse format where most goods are stored, displayed and offered for sale in one and the same area;
- (ii) The maximum gross floor area for all uses combined, excluding a hotel, motel, community centre and public uses, shall be 55,740 square metres (600,000 square feet);
- (iii) Retail uses exceeding a combined gross floor area of 39,110 square metres (421,000 square feet) shall require a market impact study to ensure that there are no significant impacts on other planned commercial functions within the City, but no amendment to this plan shall be required;
- (iv) A maximum of thirty-five percent (35%) of the total gross floor area of all wholesale and/or retail warehouses and other retail uses equal to or

greater than 1,858 square metres (20,000 sq. feet) each in gross floor area may be comprised of individual retail establishments between 465 square metres (5,000 square feet) and 1,857 square metres (19,999 square feet) each in gross floor area;

- (v) Restaurants, except as accessory to retail uses, shall have a minimum gross floor area of 372 square metres (4,000 square feet) each;
- (vi) A “gateway” feature will be required to establish the site as a focal point to one of the major entrances to the Waterdown urban area;
- (vii) Enhanced landscaping and tree planting will be required especially as the site relates to Highway 5 and 6 and the internal road pattern;
- (viii) As part of the staging of development, all required transportation improvements must be secured to properly service the extent of development permitted by the implementing Zoning By-law. “

Implementation:

An implementing Zoning By-law will give effect to this Amendment.

This is Schedule “1” to By-law No. 05-020 passed on the 9th day of February, 2005.

The
City of Hamilton




Mayor



Clerk

MAP No. 1

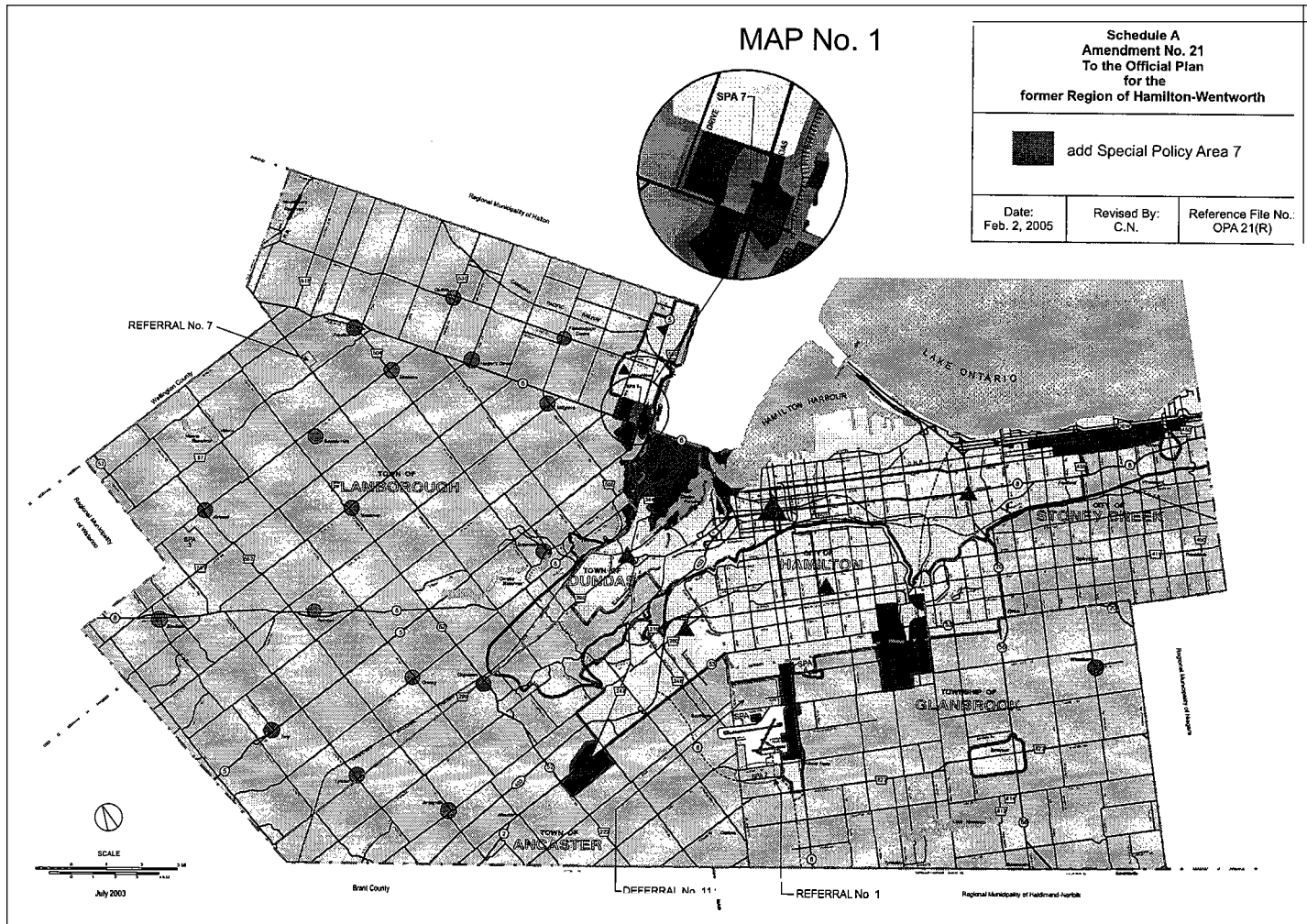
Schedule A
Amendment No. 21
To the Official Plan
for the
former Region of Hamilton-Wentworth

 add Special Policy Area 7

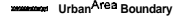
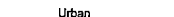

Date:
Feb. 2, 2005

Revised By:
C.N.

Reference File No.:
OPA 21(R)


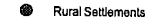


URBAN AREAS



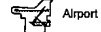


-  Urban Area Boundary
-  Urban
-  Business Parks

-  Regional Centre
-  Mixed Use Centre
-  High Density Mixed-use Corridors

RURAL AREAS

-  Rural Area
-  Rural Settlements

OTHER

-  Parkway Belt West Policy Areas
-  Special Policy Areas
-  Airport
-  Future Roadway
-  Municipal Boundary


REGIONAL DEVELOPMENT PATTERN



THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
Regional Environment Department

February 2004

Schedule Amendment No. 98 To the Official Plan for the Former Town of Flamborough






 Redesignate from "General Industrial- Commercial to "Prestige Industrial- Commercial".

 OPA # 98 Site Specific Area No. 14

Date: Feb. 2, 2005	Revised By: C.N.	Reference File No.: OPA 98(F)
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Schedule 'A-1'
Land Use Plan

FLAMBOROUGH BUSINESS PARK SECONDARY PLAN

-  INDUSTRIAL BUSINESS PARK BOUNDARY
-  Prestige Industrial
-  Prestige Industrial - Commercial
-  General Industrial
-  General Industrial - Commercial
-  Open Space
-  Special Treatment Area
-  Prestige Industrial-Automotive Deferred Under Section 17(21) of the Planning Act

Scale 1:400'



NOTE: Consolidation of Official Plan Amendment numbers 1, 20, 23, and 38.

NOTE: This is an office consolidation. References should be made to the original Official Plan and Amendments.

