

Authority: Item 20, Economic Development
and Planning Committee Report;
07-003 (PED060405a)
CM: February 14, 2007

Bill No. 100

CITY OF HAMILTON

BY-LAW NO. 07-100

To Adopt:

Official Plan Amendment No. 112 to the former Town of Ancaster Official Plan;
Official Plan Amendment No. 13 to the former Town of Dundas Official Plan;
Official Plan Amendment No. 107 to the former Town of Flamborough Official Plan;
Official Plan Amendment No. 58 to the former Township of Glanbrook Official Plan;
Official Plan Amendment No. 134 to the former City of Stoney Creek Official Plan.

Respecting:

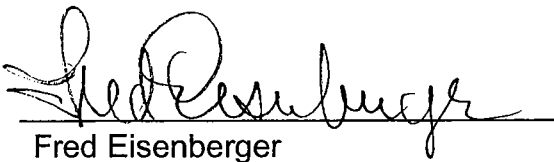
Institutional uses

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

1. Amendment No. 112 to the Official Plan of the Ancaster Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. Amendment No. 13 to the Official Plan of the Dundas Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
3. Amendment No. 107 to the Official Plan of the Flamborough Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
4. Amendment No. 58 to the Official Plan of the Glanbrook Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

5. Amendment No. 134 to the Official Plan of the Stoney Creek Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
6. It is hereby authorized and directed that such approval of the Official Plan Amendments referred to in sections 1 to 5 inclusive, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 28th day of March, 2007.



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk

Amendment

to the

**Former Towns of Ancaster, Dundas, and Flamborough,
the former Township of Glanbrook and the
former City of Stoney Creek Official Plans**

The following text constitutes;

1. Official Plan Amendment No. 112 to the former Town of Ancaster Official Plan;
2. Official Plan Amendment No. 13 to the former Town of Dundas Official Plan;
3. Official Plan Amendment No. 107 to the former Town of Flamborough Official Plan;
4. Official Plan Amendment No. 58 to the former Township of Glanbrook Official Plan;
5. Official Plan Amendment No. 134 to the former City of Stoney Creek Official Plan.

1.0 Purpose:

The purpose of the Amendments is to add/revise policies to the existing Official Plans and appropriate sections of various secondary plans to:

- Permit accessory uses that are complimentary to Institutional uses;
- Allow for residential uses to be developed in conjunction with an institutional use, where appropriate; and
- Allow lands that are no longer required for institutional uses to be developed for residential uses without an Official Plan Amendment.

2.0 Location:

This Amendment applies to all lands designated Institutional in the urban area including those lands identified as Institutional in various Secondary Planning Areas in the Official Plans for the former Towns of Ancaster, Flamborough and Dundas, the Township of Glanbrook, and the City of Stoney Creek.

3.0 Basis:

The City is preparing new Zoning By-law zones for existing institutional uses within the City. The new zones will also include limited residential uses within the various zones. Amendments to the Official Plans are required to implement the new zones.

The basis for permitting these Amendments is as follows:

- To broaden the definition of institutional to allow for accessory uses to the primary institutional use;
- The additional residential uses will permit potential for adaptive reuse of buildings or redevelopment of the lands in a form compatible with the surrounding area; and
- The proposed change of use for lands that are no longer required for Institutional uses to residential uses will not detract from the general intent and objectives of the existing Official Plans.

4.0 Actual Changes:

TEXT CHANGES

4.1 FORMER TOWN OF ANCASTER OFFICIAL PLAN

- (a) Amend Policy 4.7.1 to add a new clause to the end of the sentence as follows:

“and accessory uses that are necessary, ancillary and subordinate to the institutional use.”

- (b) Delete Policy 4.7.5 in its entirety and renumber the subsequent policies.

- (c) Add the following new policy to Section 4.7 - Institutional, as Policy 4.7.9;

“4.7.9 Notwithstanding the policies set out above, in areas designated Institutional, residential uses may be permitted without amendment to this Plan provided they are compatible with the surrounding area and are in keeping with the policies of this Plan.”

4.1.1 Meadowbrook West Neighbourhood Secondary Plan

- (a) Delete Policy 6.1.5.2 (j) in its entirety.

4.1.2 Shaver Neighbourhood Secondary Plan

- (a) Delete Policy 6.2.5.2 (f) in its entirety.

4.2. FORMER TOWN OF DUNDAS OFFICIAL PLAN

- (a) Amend Policy 3.8.3.1 – Institutional - General Policies to add a new clause to the end of the first sentence as follows:

“and accessory uses that are necessary, ancillary and subordinate to the institutional use.”

- (b) Add the following new policy to Section 3.8.3 Institutional - General Policies as Policy 3.8.3.2:

“3.8.3.2 Notwithstanding the policies set out above, in areas designated Institutional, residential uses may be permitted without amendment to this Plan provided they are compatible with the surrounding area and are in keeping with the policies of this

4.3. FORMER TOWN OF FLAMBOROUGH OFFICIAL PLAN

- (a) Amend Subsection A.4.1 by deleting the word “Residential” and replacing it with the word “Accessory”.

- (b) Add the following new policy to Section A.4. – Urban Institutional:

“A.4.4 Notwithstanding the policies set out above, in areas designated Urban Institutional, residential uses may be permitted without amendment to this Plan provided they are compatible with the surrounding area and are in keeping with the policies of this Plan”.

- (c) Renumber Section A.4.4 - Urban Institutional - Site Specific Areas, as A.4.5. and renumber subsequent policies accordingly.

4.3.1 West Waterdown Secondary Plan

- (a) Amend Policies A.7.4.1 and A.7.4.2 by adding the following clause to the end of each of the policies as follows:

“and accessory uses that are necessary, ancillary and subordinate to the institutional use.”

- (b) Delete Policy A.7.4.5 in its entirety and replace it with the following new policy:

“A.7.4.5 Notwithstanding the policies set out above, in areas designated Major Institutional or Neighbourhood Institutional, residential uses may be permitted without amendment to this Plan provided they are compatible with the surrounding area and are in keeping with the policies of this Secondary Plan.”

4.4 FORMER TOWNSHIP OF GLANBROOK OFFICIAL PLAN

4.4.1 Mount Hope Urban Settlement Area

- (a) Amend the preamble of Subsection B.2.1.24.2(d) – Institutional to include the words “and accessory uses that are necessary, ancillary and subordinate to the institutional use” between the words “institutional uses” and “to serve”.
- (b) Add the following new policy to Subsection B.2.1.24.2 – Institutional:
“B.2.1.24.2(d)
 - (viii) Notwithstanding the policies set out above, in areas designated Institutional, residential uses may be permitted without amendment to this Plan provided they are compatible with the surrounding area and are in keeping with the policies of this Plan.”
- (c) Amend the preamble of Subsection B.2.3.11.2(d) – Institutional to include the words “and accessory uses that are necessary, ancillary and subordinate to the institutional use” between the words “institutional uses” and “to serve”.

4.4.2 Rymal Road Secondary Plan

- (a) Amend Policy B.3.2.3(a) - Institutional by adding the following clause to the end of the sentence:

“including accessory uses that are necessary, ancillary and subordinate to the institutional use.”

4.5. FORMER CITY OF STONEY CREEK OFFICIAL PLAN

- (a) Delete Policy A.1.2.17 in its entirety and renumber the subsequent policies accordingly.
- (b) Amend Policy A.5.2.1 by deleting the word “Residential” and replacing it with the word “Accessory”.
- (c) Delete Policy A.5.2.7 in its entirety and renumber the subsequent policy accordingly.

(d) Amend Section A.5.2 – Policies by adding the following new policy:

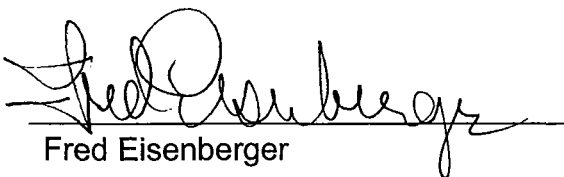
“5.2.9 Notwithstanding the policies set out above, in areas designated Institutional, residential uses may be permitted without amendment to this Plan provided they are compatible with the surrounding area and are in keeping with the policies of this Plan.”

5.0 Implementation:

The provisions of Section 7 – Implementation, of the Official Plan for the former Town of Ancaster, Section 5 – Implementation and Administration, of the Official Plan for the former Town of Dundas, Section F – Implementation of the Official Plan for the former Town of Flamborough, Section G – Implementation, of the Official Plan for the former Township of Glanbrook, and Section F – Implementation, of the Official Plan for the former City of Stoney Creek, will give effect to the amendments.

This is Schedule “1” to By-law No. 07-100 passed on the 28th day of March, 2007.

**The
City of Hamilton**



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk