CITY OF HAMILTON

BY-LAW NO. 09-187

To Adopt:

Official Plan Amendment No. 221 to the former City of Hamilton

Respecting:

1151-1171 Upper James Street (Adam Estates)

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

1. Amendment No. 221 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.

PASSED and ENACTED this 13th day of August, 2009.

Fred Eisenberger
Mayor

Kevin C. Christenson
City Clerk
Schedule “A”

Amendment No. 221

to the

Former City of Hamilton Official Plan

The following text, together with Schedule “A”, “Land Use Concept”, and Schedule “B”, “Special Policy Areas”, attached hereto, constitute Official Plan Amendment No. 221.

**Purpose:**

The purpose of this Amendment is to re-designate the subject lands comprising 0.73 hectares from “Residential” to “Commercial” on Schedule “A”, Land Use Concept Plan, and to include the subject lands within Special Policy Area 31 on Schedule “B”.

**Location:**

The lands affected by this Amendment are known municipally as 1151-1171 Upper James Street, are located south of the Lincoln Alexander Parkway.

**Basis:**

The intent of the Amendment is to permit the expansion of commercial development along Upper James Street in accordance with Special Policy Area 31. The subject parcel was conveyed to the Owner of the existing commercial property at 1151-1171 Upper James Street, in April, 2009, through the severance of this parcel from lands, which are subject of the “Adam Estates” Draft Plan of Subdivision. The basis for the re-designation is as follows:

- The proposed development is consistent with the Provincial Policy Statement;

- The proposed development offers an opportunity for enhanced commercial development within the built-up urban area, and conforms to the intent of the Places to Grow Plan;

- The proposed development conforms with the Region of Hamilton-Wentworth Official Plan;

- The proposal is consistent with the “Commercial” designation of the City of Hamilton Official Plan;
• The proposed development is suitably located in proximity to a major arterial road (Upper James Street) with direct access to public transit, and is adjacent and contiguous to the existing commercial corridor along Upper James Street;

• The proposed development is compatible with the existing and planned development in the immediate area, and will not detract from the character of the surrounding neighbourhood due to the separation of land uses by a proposed noise barrier;

• The property would be developed as part of a future land assembly with 1151 Upper James Street, which would reduce access points;

• Mitigation measures can be employed to address noise impacts on the adjacent future residential neighbourhood of Adam Estates; and,

• The proposed commercial parcel is designated for “General Commercial” use in the Jerome Neighbourhood Plan, and is designated “Arterial Commercial” in the City’s proposed Urban Official Plan.

Actual Changes:

1. Schedule “A”, Land Use Concept, be revised by re-designating the subject lands from “Residential” to “Commercial”, as shown on the attached Schedule “A” to this Amendment.

2. Schedule “B”, Special Policy Areas, be revised by including the subject lands within Special Policy Area 31, as shown on the attached Schedule “B” to this Amendment.

Implementation:

An implementing Zoning By-law Amendment and site plan will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 09-187, passed on the 13th day of August, 2009.

The
City of Hamilton

Fred Eisenberger
Mayor

Kevin C. Christenson
City Clerk
special policy areas

For other Special Policy Areas numbers, refer to Schedules: B-1, B-2, and B-3.