CITY OF HAMILTON

BY-LAW NO. 10-173

To Adopt:

Official Plan Amendment No. 20 to the former Town of Dundas Official Plan

Respecting:

397 King Street West and 365 Park Street West

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

1. Amendment No. 20 to the Official Plan of the former Town of Dundas Planning Area consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 8th day of July, 2010.

Fred Eisenberger
Mayor

Rose Caminiti
City Clerk
Amendment No. 20

to the

Official Plan of the Former Town of Dundas

The following text, together with Schedule “A” - Land Use - Schedule A, and Schedule “B” - Exceptions - Schedule B-1, attached hereto, constitutes Official Plan Amendment No. 20 to the Official Plan of the former Town of Dundas.

Purpose:

The purpose of this Amendment is for a change in designation for the subject lands from “Major Institutional” and “Employment/Residential Mixed-Use” to the “Residential Neighbourhoods” designation; and, to add a site-specific exception to permit the conversion of the existing four storey, 14.7m high building to a maximum 45 unit apartment building, on lands located at 365 Park Street West and 397 King Street West, in the former Town of Dundas.

Location:

The lands affected by this Amendment are approximately 1.03 hectares (2.55 acres) in size, located at 365 Park Street West and 397 King Street West, on the north side, east of the intersection of Bond Street North and King Street West, in the former Town of Dundas.

Basis:

The basis for permitting the proposal is as follows:

- The proposal is consistent with the Provincial Policy Statement.
- The proposed development offers an opportunity for Residential Intensification within the built boundary, and conforms to the intent and purpose of the Growth Plan for the Greater Golden Horseshoe.
- The proposal conforms to the policies of the Niagara Escarpment Plan.
- The proposal conforms to the former Region of Hamilton-Wentworth Official Plan.
- The property is located on a major arterial road, and the proposal is consistent with the intent and purpose of the policies with regard to Residential Intensification within the former Town of Dundas Official Plan.
• The proposal is a form of adaptive re-use and is, therefore, consistent with the existing building setbacks and massing found within the neighbourhood, while providing for a mix of housing opportunities in terms of unit size, type, and tenure.

• A modification/amendment to the Urban Hamilton Official Plan has also been passed by Council to provide for similar site-specific policies for these lands. The Urban Hamilton Official Plan will be amended/modified at the appropriate time.

**Actual Changes:**

**Text Changes:**

1. Subsection 3.1.4: *Residential Exceptions* be amended by adding an additional policy as follows:

   • 3.1.4.6

   Notwithstanding Policy 3.1.3.1, for the lands consisting of an area of approximately 1.03 hectares (2.55 acres) situated on the northwest corner of King Street West and Bond Street North, known municipally as 365 Park Street West and 397 King Street West, and identified on Schedule “B-1” as Exception R5, permitted uses shall be limited to:

   a. A maximum of 45 residential units within the existing four storey, 14.7m high building; and,

   b. Accessory buildings and structures within the rear yard only.

**Schedule Changes:**

1. Schedule “A” - Land Use - be revised by re-designating the subject lands from “Major Institutional” and “Employment/Residential Mixed-Use” to the “Residential Neighbourhoods” designation, as shown on the attached Schedule “A” of this amendment.

2. Schedule “B-1” - Exceptions - be revised by identifying the subject lands as Exception R5, as shown on the attached Schedule “B” of this amendment.
Implementation:

A Zoning By-law Amendment, Site Plan Application, and Draft Plan of Condominium will give effect to this Amendment.

This is Schedule "1" to By-law No. 10-173, passed on the 8th day of July, 2010.

The City of Hamilton

Fred Eisenberger
Mayor

Rose Caterini
City Clerk