

**CITY OF HAMILTON**

**BY-LAW NO. 12-027**

To Adopt:

Official Plan Amendment No. 45 to the former  
Region of Hamilton-Wentworth Official Plan;


Respecting:


**Part of Lots 12 and 13, Concession 3 (East Flamborough)  
(southeast corner of Highway No. 6 and Highway No. 5)**

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

1. Amendment No. 45 to the Official Plan of the former Region of Hamilton-Wentworth Planning Area consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 8<sup>th</sup> day of February, 2012

  
\_\_\_\_\_  
R. Bratina  
Mayor

  
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R. Caterini  
City Clerk

**Amendment**  
**to the**  
**Region of Hamilton-Wentworth Official Plan**

The following text constitutes Official Plan Amendment No. 45 to the former Regional Official Plan Hamilton-Wentworth.

**1.0 Purpose:**

The purpose of the amendment is to amend the Business Park policies of Section C.3.1.3.1 of the former Region of Hamilton-Wentworth Official Plan to add policies previously approved by ROPA 17 which were inadvertently deleted through Regional Official Plan Amendment No. 38, and to renumber the policies accordingly.

**2.0 Location:**

The subject property comprises 24.27 hectares of land and is located in the general vicinity of the southeast corner of Highway No. 6 and Highway No. 5 (Dundas Street). These lands are legally described as, Part of Lots 12 and 13, Concession 3 (East Flamborough) in the former Town of Flamborough, commonly referred to as Clappison's Corners.

**3.0 Basis:**

Policy C.3.1.3.1 of the Hamilton-Wentworth Official Plan was amended by ROPA 38, in which the Section was deleted in its entirety and replaced with policies that align with the policies of the Urban Official Plan. However, the text for Special Policy Area 6 was inadvertently deleted. The intent was to delete only the parent policy, while maintaining any Special Policy Areas. This amendment will add the policy which was amended into the Hamilton-Wentworth Official Plan through ROPA 17. As a result of this amendment, the existing policies are to be renumbered and Special Policy Area 6 be added as subsection 3.

**4.0 Actual Changes:**

**4.1 Regional Official Plan of Hamilton-Wentworth**

**Text Changes:**

- a) Section C.3.1.3.1 be amended by adding reference "a)" before the words "Clusters of business and economic activities such as, manufacturing, research and development, transport terminal, building or contracting supply establishment , tradesperson's shop, warehousing, waste

management facilities, private power generation, office and accessory uses. Ancillary uses which primarily support businesses and employees within the Business Parks shall also be permitted.”, and adding policy reference “a)” after the words “Section C.3.1.3.1”.

b) Section C.3.1.3.1 be amended by adding reference “b)” before the words, “Notwithstanding Section C.3.1.3.1, designate Business Parks, namely Special Policy Area 7, shown on Map No. 1, shall permit the following:”, and adding policy reference “a)” after the words “Section C.3.1.3.1”

c) Section C.3.1.3.1 be amended by adding the following policy:

“c) Notwithstanding Section C.3.1.3.1 a), shall permit the following uses on lands located in the general vicinity of the southeast corner of Highway No. 6 and Highway No. 5 (Dundas Street), designated Business Parks, and shown as Special Policy Area 6 on Map No. 1:

i) a full range of manufacturing, construction, wholesale establishments, truck terminals, research and development uses and office development associated with these uses; and,

ii) Service type uses, including hotels, banquet centres and recreational facilities, and land extensive warehouse retail – wholesale uses required site and building specifications similar to industrial uses (excluding operations automobile dealerships); and,

iii) Notwithstanding Section C.3.1.3.1 c) ii), department stores and grocery stores may be permitted in the area shown on Map No. 1 as Special Policy Area No. 6 (SPA 6).

So the entire policy C.3.1.3.1 reads as follows:

“3.1.3.1 Designate Business Parks shown on Map No. 1, to accommodate:

a) Clusters of business and economic activities such as, manufacturing, research and development, transport terminal, building or contracting supply establishment, tradesperson’s shop, warehousing, waste management facilities, private power generation, office and accessory uses. Ancillary uses which primarily support businesses and employees within the Business Parks shall also be permitted.

b) Notwithstanding Section C.3.1.3.1 a), designate Business Parks, namely Special Policy Area 7, shown on Map No. 1, shall permit the following:

- i) a full range of manufacturing, construction, wholesale establishments, truck terminals, research and development uses and office development associated with these uses; and,
  - ii) Service type uses, including hotels, banquet centres and recreational facilities, and land extensive warehouse retail – wholesale uses required site and building specifications similar to industrial uses (excluding operations such as department stores, grocery stores and automobile dealerships); and,
  - iii) Notwithstanding Section C.3.1.3.1 b) ii), department stores may be permitted in the area shown on Map No. 1 as Special Policy Area No. 7 (SPA 7) (OPA 21); and,
  - iv) Notwithstanding Section C.3.1.3.1 b) ii), grocery stores may be permitted in the area shown on Map No. 1 as Special Policy Area No. 7 (SPA 7).
- c) Notwithstanding Section C.3.1.3.1 a), shall permit the following uses on lands located in the general vicinity of the southeast corner of Highway No. 6 and Highway No. 5 (Dundas Street), designated Business Parks, and shown as Special Policy Area 6 on Map No. 1:
- i) a full range of manufacturing, construction, wholesale establishments, truck terminals, research and development uses and office development associated with these uses; and,
  - ii) Service type uses, including hotels, banquet centres and recreational facilities, and land extensive warehouse retail – wholesale uses required site and building specifications similar to industrial uses (excluding operations such as automobile dealerships); and,
  - iii) Department stores and grocery stores.”

**5.0 Implementation:**


A Zoning By-Law Amendment will give effect to this Amendment.

These Amendments are Schedule "1" to By-law No. 12-027, passed on the 8th day of February, 2012.

The  
City of Hamilton



R. Bratina  
Mayor



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R. Caterini  
City Clerk