

Authority: Item 4, Planning Committee
Report: 16-006 (PED16083)
CM: April 13, 2016

Bill No. 115

CITY OF HAMILTON

BY-LAW NO. 16-

To Adopt:

**Official Plan Amendment No. 54 to the
Urban Hamilton Official Plan**

Respecting:

**120 & 128 Portia Drive
(Ancaster)**

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

1. Amendment No. 54 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 27th day of April, 2016.

F. Eisenberger
Mayor

R. Caterini
City Clerk

Urban Hamilton Official Plan Amendment No. 54

The following text, schedule and map

Appendix A Volume 3: Map A-2 Area Specific Policies

constitutes Official Plan Amendment 54 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to add lands to the Ancaster Area Specific Policies, Section “UA-5A Lands located north of Wilson Street West and north of Portia Drive (Area A) (OPA 18)” and, to delete and replace the policies in their entirety with new Ancaster Area Specific Policies regarding permitted uses, prohibited uses and Gross Floor Area caps, for lands known as 120 and 128 Portia Drive.

2.0 Location:

The lands affected by this Amendment are known municipally as 120 and 128 Portia Drive, in the former Town of Ancaster.

3.0 Basis:

The basis for permitting this Amendment is as follows:

- the proposed development will not negatively impact the planned function of the urban structure including existing and designated retail areas, Nodes, Corridors, and Commercial and Mixed Use areas in Ancaster or elsewhere in Hamilton.
- the site is located within an existing, expanding, and recognized shopping area in Ancaster. The proposal is suitable considering the context of the market area and population growth. The proposed development would increase and improve the level of service and convenience for shoppers.
- The proposed amendment has assessed the impact of the proposal on designated retail areas and the potential for negative impacts to the planned function of these areas.

From a market perspective, permission for up to 10,525 m² (113,290 ft²) GFA of District Commercial space on the subject lands is warranted based on market need, demand and lack of impact.

- The proposal is consistent with the Provincial Policy Statement.
- The proposal conforms to the Growth Plan for the Greater Golden Horseshoe.

4.0 Actual Changes:

4.1 Text Changes – Volume 3, Chapter B - Ancaster Area Specific Policies

- a) That Ancaster Area Specific Policies, Section “UA-5A Lands located north of Wilson Street West and north of Portia Drive (Area A) (OPA 18)”, Policies 1.0, 1.1 and 1.2, inclusive, be deleted and replaced with the following:

- “1.0 A maximum of 11,788 square metres of commercial uses are permitted, inclusive of the district commercial uses referenced in subsection 1.1 hereto.
- 1.1 Notwithstanding Policy E.4.8.2 – Arterial Commercial of Volume 1, a maximum of 10,525 square metres of District Commercial uses, in accordance with Policy E.4.7.2 shall be permitted, subject to the prohibitions in Policy E.4.7.3.
- 1.2 For greater certainty, the following uses shall be prohibited:
- a) Movie Theatre(s);
b) Department stores;
c) Warehouse Membership Club; and,
d) Residential uses.”

4.2 Mapping Changes

Volume 3 – Special Policy Areas

- 4.2.1 That Map A-2 – Area Specific Policies be amended by adding and designating additional lands to Ancaster Area Specific Area “UA-5 – Area A”, as shown on Appendix “A” attached to this amendment.

5.0 Implementation:

An implementing Zoning By-Law Amendment and Site Plan will give effect to the intended uses on the subject lands.

This is Schedule “1” to By-law No. 16-115 passed on the 27th day of April, 2016.

**The
City of Hamilton**

F. Eisenberger
MAYOR

R. Caterini
CITY CLERK

Appendix A
APPROVED Amendment No. 54
to the Urban Hamilton Official Plan

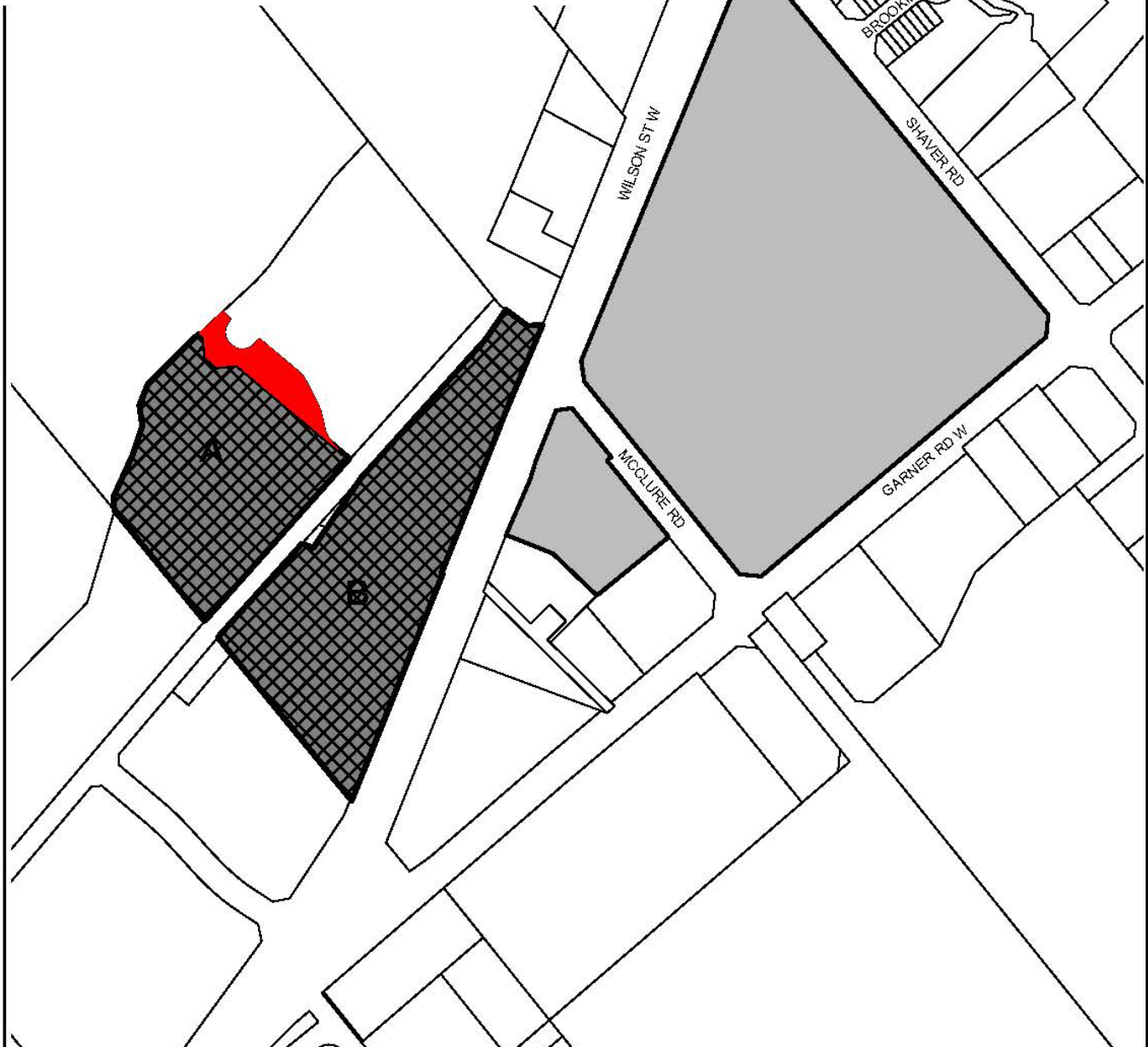


Lands to be added to "UA-5"

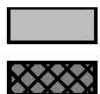
Date:
April 8, 2016

Revised By:
AC/NB

Reference File No.:
UHOPA-15-018



Legend



UA-4

UA-5

Council Adopted: July 9, 2009
Ministerial Approval: March 16, 2011
Effective Date: August 16, 2013

Urban Hamilton Official Plan
Volume 3: Map A-2
Area Specific Policies



PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
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