

**Authority:** Item 10, Planning Committee  
Report: 22-013 (PED22155)  
CM: August 12, 2022  
Ward: 2

**Bill No. 219**

**CITY OF HAMILTON**

**BY-LAW NO. 22-**

**To Adopt:**

**Official Plan Amendment No. 249 to the  
City of Hamilton Official Plan**

Respecting:

**405 James Street North  
(Hamilton)**

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

1. Amendment No. 249 to the City of Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 12<sup>th</sup> day of August, 2022.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**Amendment No. 249**  
**to the**  
**City of Hamilton Official Plan**

The following text, together with:

Appendix “A”	Schedule M-2: General Land Use
Appendix “B”	Schedule M-4: Building Height

attached hereto, constitutes Official Plan Amendment No. 249 to the City of Hamilton Official Plan.

**1.0 Purpose and Effect:**

The purpose and effect of this Amendment is to amend the West Harbour (Setting Sail) Secondary Plan by changing the designation of the subject lands from “Medium Density Residential 1” to “Medium Density Residential 2” and establishing a Special Policy Area to specify the location of commercial uses and building entrances, as well as permissions for building heights.

**2.0 Location:**

The lands affected by this Amendment are located at 405 James Street North in the City of Hamilton.

**3.0 Basis:**

The basis for permitting the Amendment is as follows:

- The proposed development efficiently utilizes existing infrastructure, positively contributes to the streetscape and makes use of underutilized lands;
- The proposed development implements the vision of the West Harbour (Setting Sail) Secondary Plan by providing intensification and affordable housing at a form and scale that is in keeping with the character of the surrounding neighbourhood and is in proximity to existing transit; and,
- The Amendment is consistent with the Provincial Policy Statement, 2020 and

the A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

#### **4.0 Changes:**

#### **4.1 Text Changes:**

4.1.1 That Section A.6.3.3.1.14 be amended by adding Policy No. A.6.3.3.1.14.1 as follows:

- "A.6.3.3.1.14.1      The following policies shall apply to lands known municipally as 405 James Street North, designated Medium Density Residential 2 and identified as Special Policy Area 14 on Schedule M-2: General Land Use of the West Harbour Secondary Plan:
- i)      In addition to Policy A.6.3.3.1.14 i), pedestrian oriented local commercial uses shall be permitted within the ground floor of a multiple dwelling;
  - ii)     Notwithstanding Policy A.6.3.3.1.14 iii), the height of buildings shall range from 3 to 4 storeys, except where otherwise identified on Schedule "M-4"; and,
  - iii)    In addition to Policy A.6.3.3.1.14 x), the main entrances to buildings shall also be permitted to face private streets or a pedestrian mews."

#### **4.2 Schedule Changes:**

4.2.1 That Schedule M-2: General Land Use, of the West Harbour (Setting Sail) Secondary Plan is amended by:

- a)    redesignating the subject lands from "Medium Density Residential 1" to "Medium Density Residential 2"; and,
- b)    identifying the subject lands as Special Policy Area 14, as shown on Appendix "A" to this Amendment.

4.2.2 That Schedule M-4: Building Heights, of the West Harbour (Setting

Sail) Secondary Plan is amended by:

- a) adding a new building height category of “5-7 Storeys” to the map legend;
- b) changing the building height category for portions of the subject lands from “2-4 Storeys” and “Height is governed by the Secondary Plan Policies” to “5-7 Storeys”; and,
- c) changing the building height category for a portion of the subject lands from “2-4 Storeys” to “Height is governed by the Secondary Plan Policies”, as shown on Appendix “B” to this Amendment.

## **5.0 Implementation:**

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

This is Schedule “1” to By-law No. 22-219, passed on the 12<sup>th</sup> day of August, 2022.

### **The City of Hamilton**

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F. Eisenberger  
Mayor

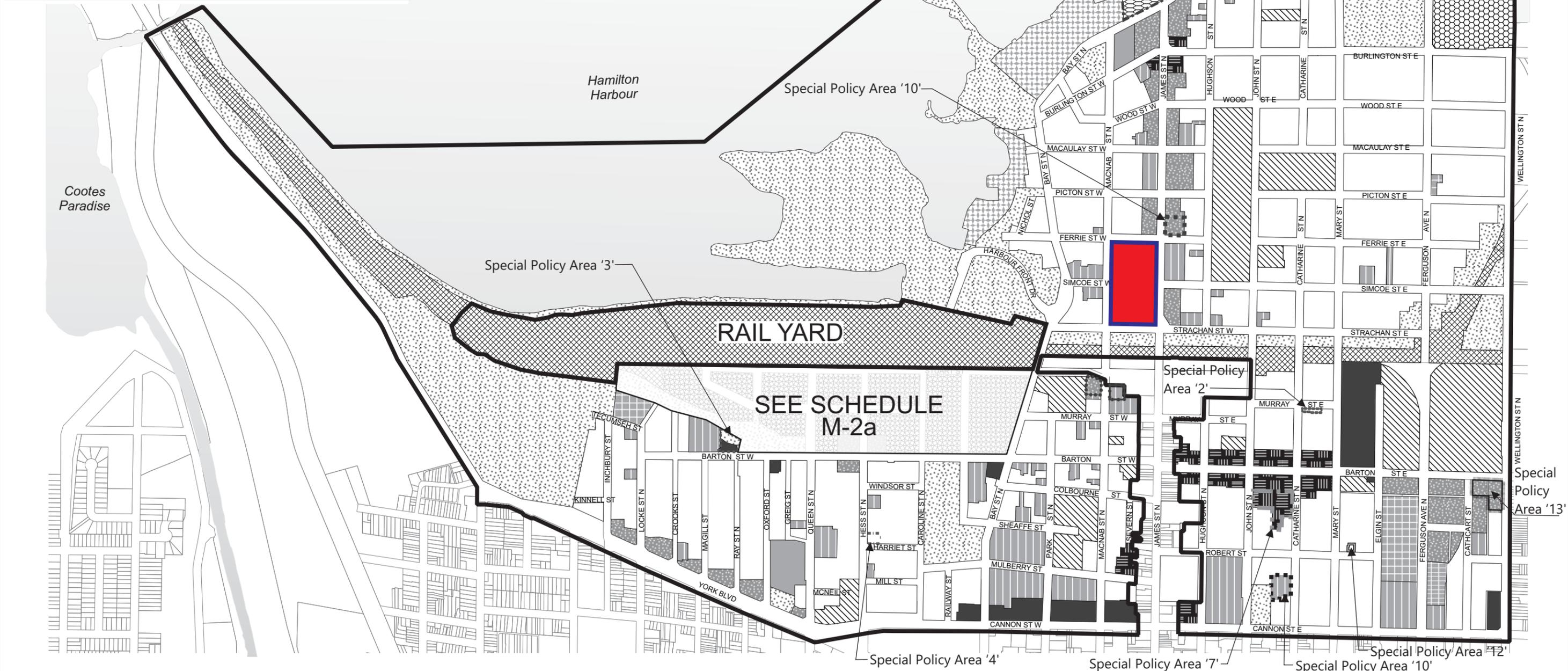
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A. Holland  
City Clerk

Appendix A  
 APPROVED Amendment No. 249  
 to the City of Hamilton Official Plan

- Lands to be redesignated from "Medium Density Residential 1" to "Medium Density Residential 2"
- Lands to be identified as Site Specific Policy Area "14"  
 (405 James Street North, Hamilton)

Date: July 28, 2022	Revised By: MK/NB	Reference File No.: OPA-249
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<b>Legend</b> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; border: 1px solid black; background-color: white;"></span> Low Density Residential</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #cccccc; border: 1px solid black;"></span> Medium Density Residential 1</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #999999; border: 1px solid black;"></span> Medium Density Residential 2</li> </ul> </div> <div style="width: 33%;"> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #666666; border: 1px solid black;"></span> High Density Residential</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #333333; border: 1px solid black;"></span> Mixed Use</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #000000; border: 1px solid black;"></span> Local Commercial</li> </ul> </div> <div style="width: 33%;"> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black;"></span> Institutional</li> <li><span style="display: inline-block; width: 15px; height: 10px; background: repeating-linear-gradient(-45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black;"></span> Prime Retail</li> <li><span style="display: inline-block; width: 15px; height: 10px; background: radial-gradient(circle, black 1px, transparent 1px); background-size: 4px 4px; border: 1px solid black;"></span> Open Space</li> </ul> </div> <div style="width: 33%;"> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black;"></span> Marine Recreational</li> <li><span style="display: inline-block; width: 15px; height: 10px; background: repeating-linear-gradient(-45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black;"></span> Waterfront Commercial</li> <li><span style="display: inline-block; width: 15px; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black;"></span> Shipping &amp; Navigation</li> </ul> </div> <div style="width: 33%;"> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black;"></span> Utilities and Transportation</li> <li><span style="display: inline-block; width: 15px; height: 10px; background: repeating-linear-gradient(-45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black;"></span> Special Policy Area</li> <li><span style="display: inline-block; width: 15px; height: 10px; border: 2px solid black;"></span> Study Area Boundary</li> </ul> </div> </div>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; border-bottom: 2px dashed black;"></span> Special Policy Area '1'</li> <li><span style="display: inline-block; width: 15px; border-bottom: 2px dotted black;"></span> Special Policy Area '2'</li> <li><span style="display: inline-block; width: 15px; border-bottom: 2px dashed black;"></span> Special Policy Area '3'</li> <li><span style="display: inline-block; width: 15px; border-bottom: 2px dotted black;"></span> Special Policy Area '4'</li> <li><span style="display: inline-block; width: 15px; border-bottom: 2px dashed black;"></span> Special Policy Area '7'</li> <li><span style="display: inline-block; width: 15px; border-bottom: 2px dotted black;"></span> Special Policy Area '8'</li> <li><span style="display: inline-block; width: 15px; border-bottom: 2px dashed black;"></span> Special Policy Area '9'</li> <li><span style="display: inline-block; width: 15px; border-bottom: 2px dotted black;"></span> Special Policy Area '10'</li> <li><span style="display: inline-block; width: 15px; border-bottom: 2px solid black;"></span> Special Policy Area '12'</li> <li><span style="display: inline-block; width: 15px; border-bottom: 2px solid black;"></span> Special Policy Area '13'</li> </ul>
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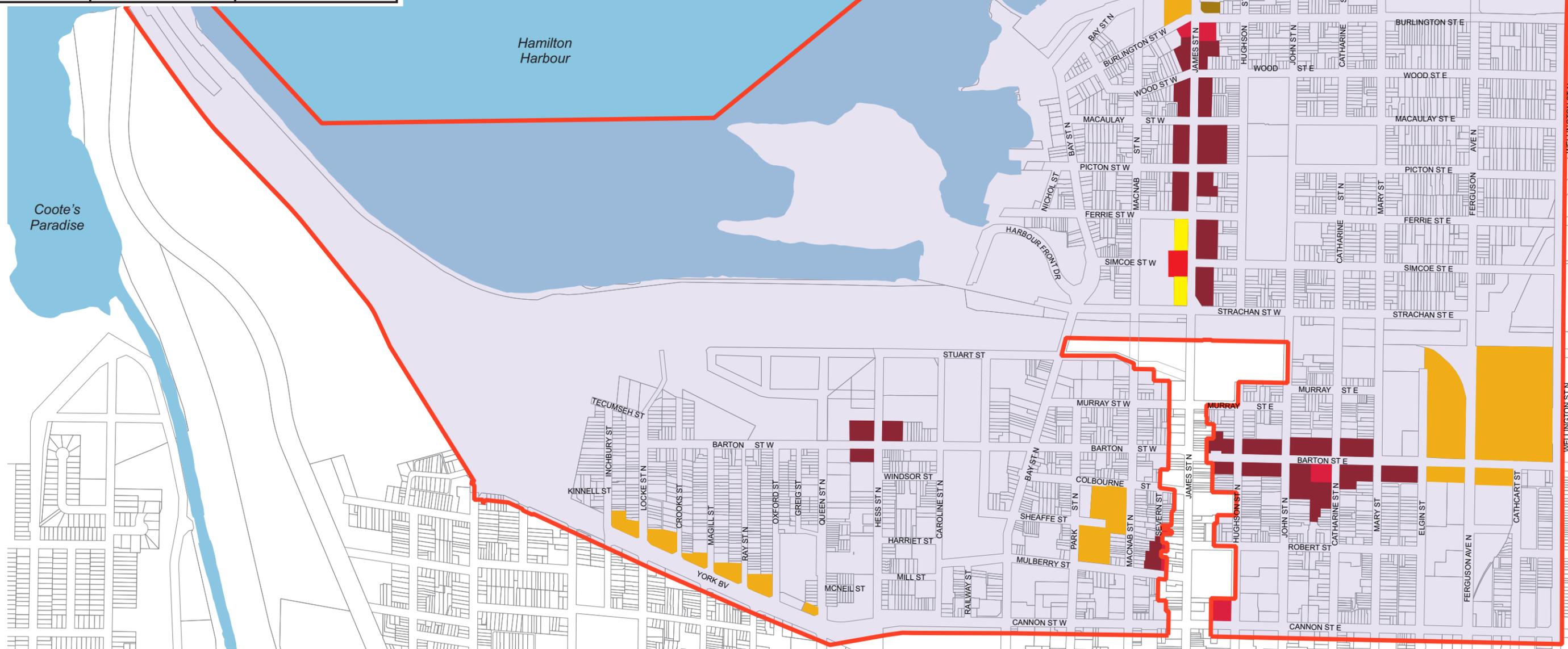
Appendix B  
 APPROVED Amendment No. 249  
 to the City of Hamilton Official Plan

- Lands to be changed from "2-4 Storeys" and "Height is governed by the Secondary Plan Policies" to "5-7 Storeys"
  - Lands to be changed from "2-4 Storeys" to "Height is governed by the Secondary Plan Policies"
- Add "5-7 Storeys" to the legend  
 (405 James Street North, Hamilton)

Date:  
 July 28, 2022

Revised By:  
 MK/NB

Reference File No.:  
 OPA-249



Legend

- 2-4 Storeys
- 4-6 Storeys
- Height is governed by the Secondary Plan Policies
- 3-5 Storeys
- 7-9 Storeys
- Study Area



Hamilton West Harbour  
 Planning Area Study

