

Schedule “1”

**Draft Amendment No. “X”
to the
Former City of Hamilton Official Plan**

The following text constitutes Official Plan Amendment No. “X” to the former City of Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to:

- Amend the former City of Hamilton Official Plan to permit the continuation of lawfully established uses that are now excluded from locating within an Area of Employment as per the *Planning Act*.
- Amend the former City of Hamilton Official Plan to affirm that parcels which contain lawfully established non-conforming uses in an Area of Employment form part of an Area of Employment, as per the *Planning Act*.

2.0 Location:

The lands affected by this amendment are located within the West Harbour (Setting Sail) Secondary Plan area.

3.0 Basis:

The basis for permitting this Amendment is:

- To update the former City of Hamilton Official Plan to reflect updated policy direction of the *Planning Act* and Provincial Planning Statement, 2024.

4.0 **Changes:**

4.1 **Text Changes**

4.1.1

- a. That Subsection A.2.11 - Shipping and Navigation Uses be amended by adding policies A.2.11.3, A.2.11.4 and A.2.11.5 (iv) to the former City of Hamilton Official Plan as follows and renumbering the subsequent policies:

"A.2.11.3 Notwithstanding Policies A.2.11.1 and A.2.11.2, the establishment of a new use on lands designated Shipping and Navigation on Schedule A – Land Use Concept shall conform to the definition of *Employment Area*.

A.2.11.4 Land Within an Area of Employment, comprised of one or more parcels of land, and are currently used for uses(s) excluded from the definition of Area of Employment in paragraph 2 subsection 1(1) of the *Planning Act* and were lawfully established on or before October 20, 2024, may continue to be used for such purposes pursuant to subsection 1(1.1) and (1.2) of the *Planning Act*.

A.2.11.5(iv) Notwithstanding Policy A.2.11.5 i) through iii), Policies A.2.11.3 and A.2.11.4 shall apply to lands designated Special Shipping and Navigation on Schedule A – Land Use Concept."

4.1.2 Section A.6 – Secondary Plans

- a. That Section A.6 – Secondary Plans, Subsection A.6.3 – West Harbour (Setting Sail) Secondary Plan be amended by adding Policy A.6.3.3.1.27 vii) to the former City of Hamilton Official Plan as follows:

vii) Notwithstanding Policy A.6.3.3.1.27 i) through vi), Policies A.2.11.3 and A.2.11.4 shall apply.

5.0 **Implementation:**

The policy amendments will be implemented through the submission of development applications which will give effect to the intended uses within Areas of Employment.

This Official Plan Amendment is Schedule "1" to By-law No. _____ passed on the ___th day of __, 2026.

**The
City of Hamilton**

A. Horwath
MAYOR

M. Trennum
CITY CLERK