

**Authority:** Item 9, Planning Committee  
Report: 21-011 (PED20188)  
CM: July 9, 2021  
Ward: 15

**Bill No. 136**

**CITY OF HAMILTON**

**BY-LAW NO. 21-136**

**To Adopt:**

**Official Plan Amendment No. 154 to the  
Urban Hamilton Official Plan**

Respecting:

**10, 39, and 40 Mallard Trail, 488 Dundas Street East and 585 Skinner Road  
(Flamborough)**

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

1. Amendment No. 154 to the Urban Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 13<sup>th</sup> day of August, 2021.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

## Urban Hamilton Official Plan Amendment No. 154

The following text, together with Appendix “A” – Volume 2, Map B.4.3.1 – Waterdown South Secondary Plan – Land Use Plan attached hereto, constitutes Official Plan Amendment No. 154 to the Urban Hamilton Official Plan.

### 1.0 Purpose and Effect:

The purpose and effect of this Amendment is to establish an Area Specific Policy within the Waterdown South Secondary Plan to facilitate the appropriate development of the Mixed Use – Medium Density designation.

### 2.0 Location:

The lands affected by this Amendment are known municipally as 10 Mallard Trail, 39 Mallard Trail, 40 Mallard Trail, 488 Dundas Street East and 585 Skinner Road, in the former Township of Flamborough.

### 3.0 Basis:

The basis for permitting this Amendment is:

- The Amendment reflects the retail and commercial development trends for the area;
- The Amendment will not result in a negative impact on established commercial areas such as Downtown Waterdown;
- The proposed land use is compatible with existing and approved development in the immediate area; and,
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

### 4.0 Actual Changes:

Urban Hamilton Official Plan Amendment No. 154	Page 1 of 3	
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## 4.1 Volume 2 – Secondary Plans

### Text

#### 4.1.1 Chapter B.4 – Waterdown Secondary Plans – Section B.4.3 – Waterdown South Secondary Plan

- a. That Volume 2, Chapter B.4 – Waterdown Secondary Plans, Section B.4.3 – Waterdown South Secondary Plan be amended by adding a new Area Specific Policy, as follows:

#### **“Area Specific Policy – Area D**

B.4.3.15.4 For the lands located at 10 Mallard Trail, 39 Mallard Trail, 40 Mallard Trail and 488 Dundas Street East, Flamborough, designated Mixed Use – Medium Density, and identified as Area Specific Policy – Area D on Map B.4.3-1 – Waterdown South Secondary Plan – Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy B.4.3.4.3 a) of Volume 2, commercial uses shall be located primarily at grade;
- b) Notwithstanding Policy B.4.3.4.3 e) v) of Volume 2, residential accessory uses such as fitness rooms, amenity areas and access to the residential uses above shall be permitted on the first floor of the building;
- c) Notwithstanding Policy B.4.3.4.3 g) of Volume 2, the total retail and service commercial floor space within the Mixed Use - Medium Density designation shall not be less than 1,980 square metres; and,
- d) Notwithstanding Policy B.4.3.4.3 j) iv) of Volume 2, the implementing Zoning By-law shall establish a minimum requirement for 1,980 square metres of retail and service commercial space to be divided amongst 10 Mallard Trail, 39 Mallard Trail, 40 Mallard Trail and 488 Dundas Street East along the ‘retail main street’.

B.4.3.15.5 For the lands located at 10 Mallard Trail, 39 Mallard Trail, 40 Mallard Trail, 488 Dundas Street East, Flamborough, designated Mixed Use – Medium Density and the lands located at 585 Skinner Road, Flamborough, designated District Commercial, and identified as Area Specific Policy – Area D on Map B.4.3-1 – Waterdown South Secondary Plan – Land Use Plan, the following policies shall apply:

- a) Policy B.4.3.4.2 g) of Volume 2, shall not apply to 10 Mallard Trail, 39 Mallard Trail, 40 Mallard Trail, 488 Dundas Street East, and 585 Skinner Road;
- b) Policy B.4.3.14.4 b) of Volume 2 shall not apply.”

**Maps and Appendices**

4.2.1 Map

- a. That Volume 2: Map B.4.3-1 – Waterdown South Secondary Plan – Land Use Map be amended by identifying the subject lands as Area Specific Policy Area D, 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 Official Plan Amendment is Schedule “1” to By-law No. 21-136 passed on the 13<sup>th</sup> day of August, 2021.

**The  
City of Hamilton**

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F. Eisenberger  
Mayor

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A. Holland  
CITY CLERK

Appendix A  
 APPROVED Amendment No. 154  
 to the Urban Hamilton Official Plan

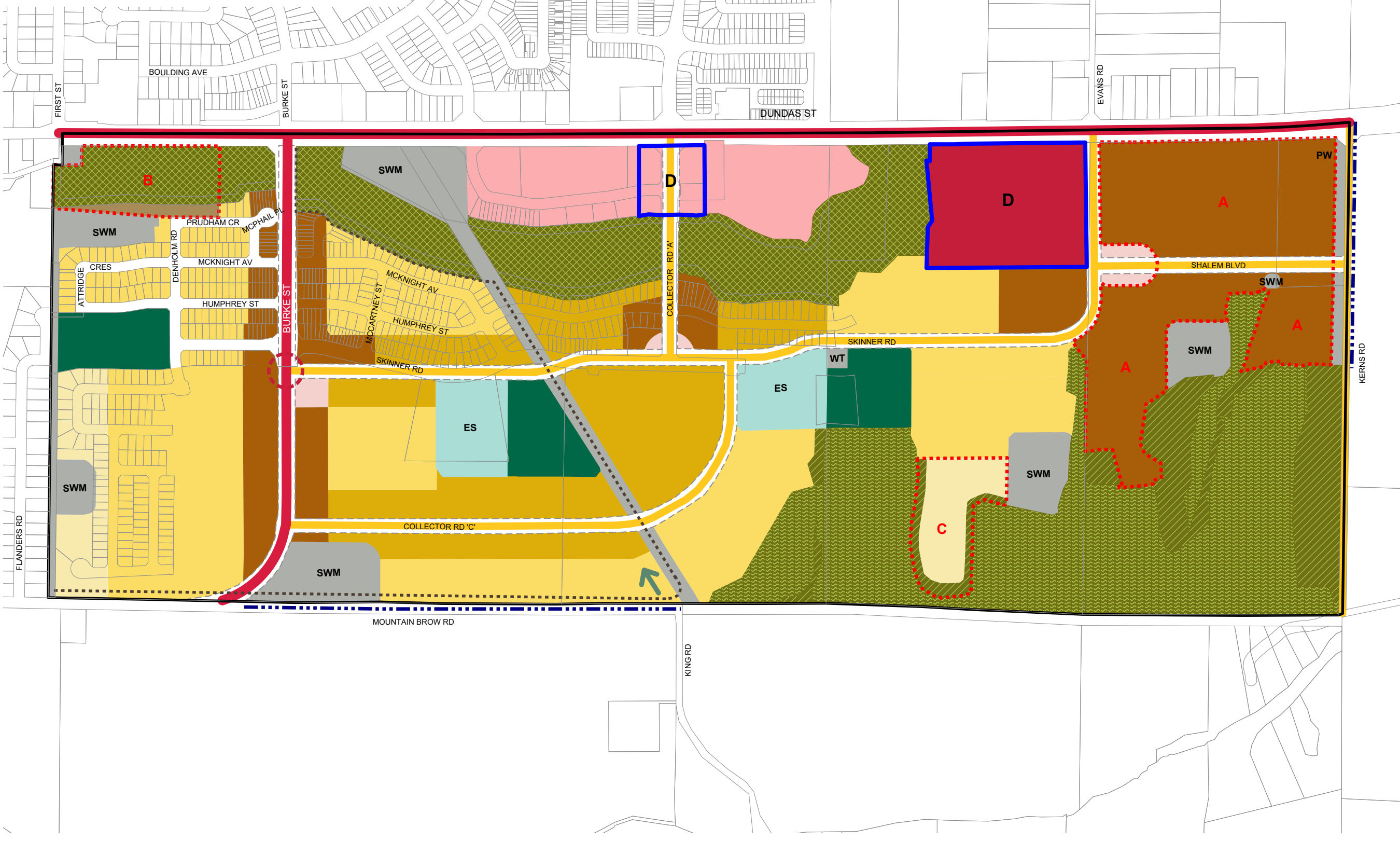
**D** Lands to be identified as  
 Area Specific Policy - Area D

(10, 39 and 40 Mallard Trail, 488 Dundas Street East and  
 585 Skinner Road, Flamborough)

Date:  
 August 5, 2021

Revised By:  
 CT/NB

Reference File No.:  
 OPA-U-154(F)



**Legend**

- Residential Designations**
  - Low Density Residential 1
  - Low Density Residential 2
  - Low Density Residential 3
  - Medium Density Residential 2
- Commercial and Mixed Use Designations**
  - Local Commercial
  - Mixed Use - Medium Density
  - Arterial Commercial
- Parks and Open Space Designations**
  - Neighbourhood Park
  - Natural Open Space - Grindstone Creek Natural Area
  - Natural Open Space - Escarpment Natural Area
  - Natural Open Space - Escarpment Protection Area
- Other Designations**
  - Institutional
  - ES - Elementary School
  - Hazard Lands - Karst Area
  - Utility
  - SWM - Storm Water Management
  - WT - Water Tower
- Other Features**
  - Area or Site Specific Policy
  - Roundabouts
  - Local Road Connection
  - PW - Place of Worship
  - Major Arterial Road
  - Collector Road
  - Trail Links
  - Special Character Road
  - Proposed Roads
  - Secondary Plan Boundary

Urban Hamilton Official Plan  
 Waterdown South  
 Secondary Plan  
 Land Use Plan  
 Map B.4.3-1