

Authority: Item 24, Economic Development
and Planning Committee
Report: 10-016 (PED10170)
CM: August 12, 2010

Bill No. 242

CITY OF HAMILTON

BY-LAW NO. 10-242

To Adopt:

Official Plan Amendment No. 123 to the former Town of Flamborough Official Plan;

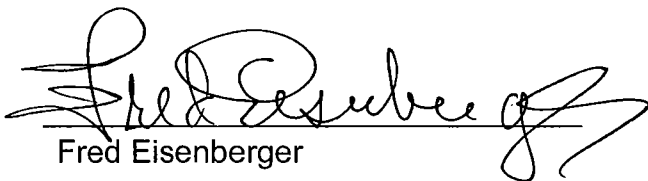
Respecting:


**403 Old Brock Road
(Former Town of Flamborough)**

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

1. Amendment No. 123 to the Official Plan of the former Town of Flamborough Planning Area consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 29th day of September, 2010.


Fred Eisenberger
Mayor


Rose Catemni
City Clerk

Schedule "1"

**Amendment No. 123
to the
Official Plan for the former Town of Flamborough**

The following text constitutes Official Plan Amendment No. 123 to the Official Plan of the former Town of Flamborough.

Purpose:

The purpose of this amendment is to permit the development of a 13 lot subdivision, notwithstanding that the Development Phasing Policy of the Greenville Secondary Plan only permits 12 lots per phase.

Location:

The lands affected by this amendment are located at the east end of Shakespeare Road, known municipally as 403 Old Brock Road.

Basis:

The basis for permitting the proposal is as follows:

- The proposed amendment is consistent with the Provincial Policy Statement and Greenbelt Legislation.
- The proposed amendment is compatible with the existing and planned development in the immediate area, and represents an efficient use of land that protects existing environmental features.
- The proposed amendment maintains the intent of the Greenville Secondary Plan, as the recommended Holding provision would ensure development proceeds cautiously in order to avoid any degradation to ground and surface water.

Actual Changes:

1. That Schedule B-16 - Greenville Rural Settlement Area, be revised by illustrating the lands have been subject to OPA 123, as shown on Schedule "B" attached to this amendment.
2. That a new Policy be added to the *Development Phasing* section of the Greenville Secondary Plan as *Policy B.11.1.10.6*, as detailed below:

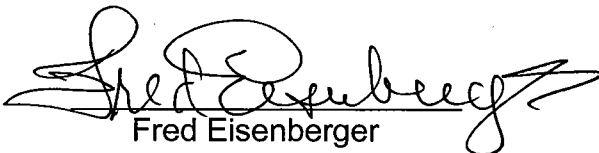
Policy B.11.1.10.6. Notwithstanding Policy B.11.1.10.6, a maximum of thirteen (13) lots in a plan of subdivision shall be draft approved for the lands located at 403 Old Brock Road, on the basis that the thirteenth lot be subject to a Holding provision. The Holding provision shall preclude development of the thirteenth lot until such time as the City of Hamilton is satisfied that sufficient monitoring assessment of 10 of the 13 approved lots have been completed, and that it has been demonstrated that the remaining lots can be sustained without unacceptable degradation of the ground and surface waters.

Implementation:

A Zoning By-law Amendment and Plan of Subdivision will give effect to this Amendment.

This is Schedule "1" to By-law No 10-242, passed on the 29th day of September, 2010.

The City of Hamilton


Fred Eisenberger
Mayor


Rose Caterini
City Clerk

