

Authority: Item 3
Planning Committee
Report 13-007 (PED13073)
CM: April 30, 2013

Bill No. 141

CITY OF HAMILTON

**BY-LAW No. 13-141
To Amend Zoning By-law No. 05-200
Respecting Lands Located at 1361 Barton Street, Stoney Creek**

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, S.O. 1999, Chap. 14;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

AND WHEREAS Zoning By-law No. 05-200 was enacted on the 25th day of May, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 3 of Report 13-007 of the Planning Committee, at its meeting held on the 8th day of May, 2013, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986, upon approval of Amendment No. 176;

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

1. That Map No. 1312 of Schedule "A" to Zoning By-law No. 05-200, is amended by incorporating the following:

(a) Neighbourhood Institutional (I1) Zone boundaries for the lands comprised of Block 1;

the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".


2. That Schedule "D" of By-law No. 05-200 is amended by adding additional Holding (H) provisions as follows:

"51. Notwithstanding Section 8.1 of this By-law, within the lands zoned Neighbourhood Institutional (I1) Zone, on Map 1312 of Schedule "A", known as 1361 Barton Street (Stoney Creek) no development shall be permitted until such time as:

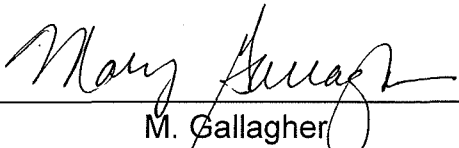
1. Municipal servicing is addressed, to the satisfaction of the Senior Director of Growth Management.
2. An Archaeological Assessment has been completed, to the satisfaction of the Director of Planning, and the Ministry of Tourism, Culture and Sport.
3. The existing Traffic Impact Study (TIS), prepared by Paradigm Transportation Solutions Ltd. (PTSL), receives approval by the Director of Engineering Services, Public Works Department.
4. The owner enters into a Development Agreement with the City of Hamilton, to the satisfaction of the Senior Director of Growth Management, to address:
 - i. The extension of the sanitary sewer on Barton Street, including private sanitary drains from its current terminus to the east limits of the subject lands;
 - ii. The payment of urbanization fees deferred at the severance stage across the frontage of the subject lands; and,

- iii. The installation of any road upgrades required for the school identified in an approved Traffic Impact Study (TIS), prepared for the "Foothills of Winona - Phase 2" Plan of Subdivision and Future Site Plan application for the Winona CES.
5. The owner demonstrates that a satisfactory solution can be implemented to address stormwater management requirements for the site, in both the interim and ultimate (full build out of "Foothills of Winona - Phase 2") condition, including that the owner has appropriate drainage rights in place to allow for implementation, operation, and maintenance of the interim Stormwater Management Plan, to the satisfaction of the Senior Director of Growth Management, and the Hamilton Conservation Authority."
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.
4. That this By-law No. 13-141 shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the Planning Act, either upon the date of passage of this By-law or as otherwise provided by the said Sub-section.

PASSED this 22nd day of May, 2013.

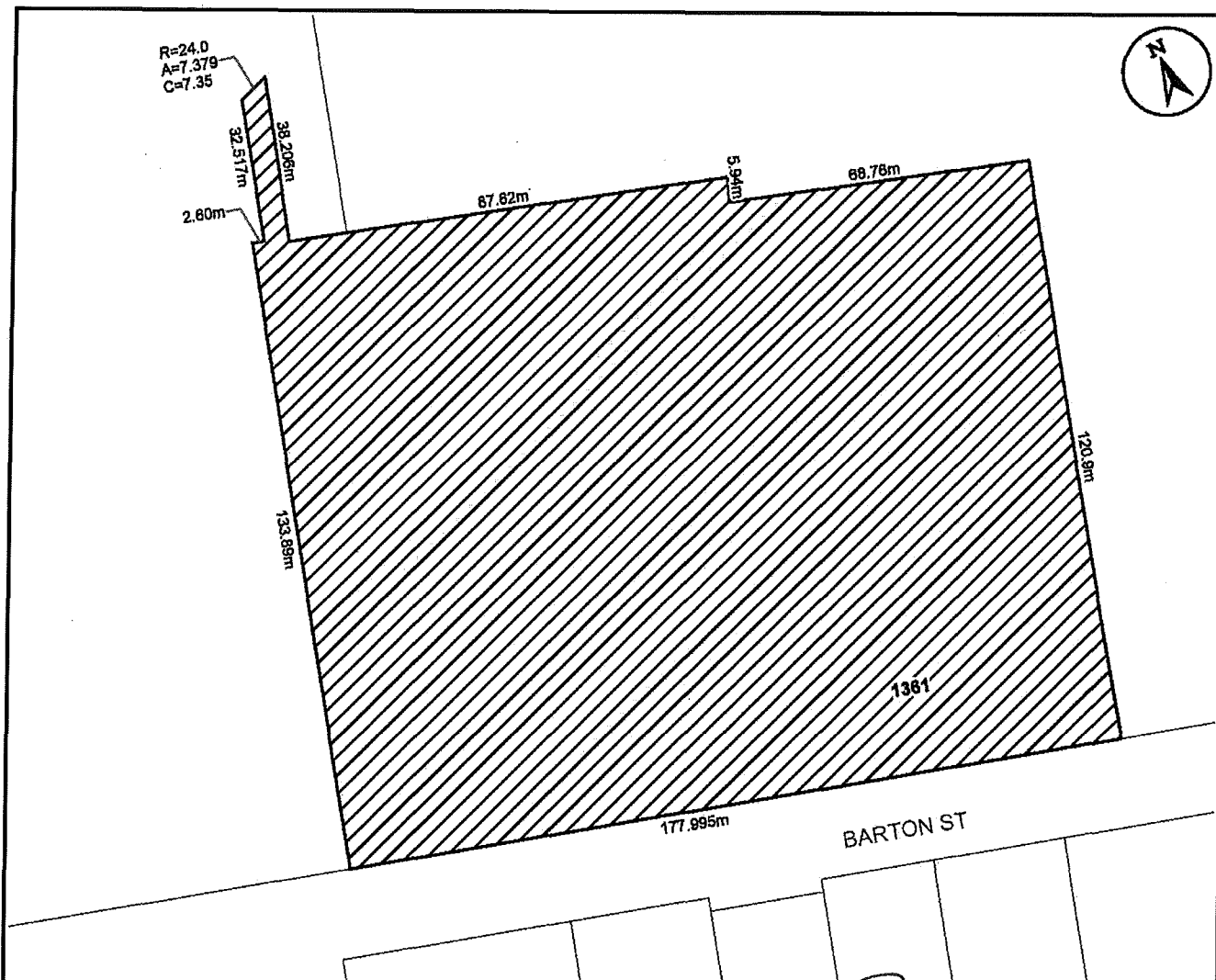


R. Bratina
Mayor



M. Gallagher
Acting City Clerk

ZAC-12-050
OPA-12-019



This is Schedule "A" to By-law No. 13- 141

Passed the 22 day of May, 2013

R. Bratina
 Mayor
Mary Savage
 Clerk

Schedule "A"

Map Forming Part of
 By-law No. 13- 141

to Amend By-law No. 05-200
 Map 1312

Subject Property

1361 Barton Street, Stoney Creek



Lands to be Zoned Neighbourhood Institutional (I1, H51) Holding Zone

Scale: N.T.S.	File Name/Number: ZAC-12-050 & OPA-12-019
Date: March 27, 2013	Planner/Technician: JM/NB

