

Authority: Item 9
Planning Committee
Report: 13-012 (PED13136)
CM: August 16, 2013

Bill No. 208

CITY OF HAMILTON

BY-LAW NO. 13-208

To Amend Zoning By-law No. 87-57, Respecting Lands Located at 331 and 333 Springbrook Avenue, in the former Town of Ancaster, now in the City of Hamilton

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as the “The Corporation of the Town of Ancaster” and is the successor to the former Regional Municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 9 of Report 13-012 of the Planning Committee, at its meeting held on the 16th day of August, 2013, recommended that Zoning By-law No. 87-57, be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster) in accordance with the provisions of the Planning Act.

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

1. That Map 1 of Schedule "B", appended to and forming part of By-law No. 87-57 (Ancaster), as amended, is hereby further amended as follows:
 - (a) By changing the zoning from the Residential "R4-555" Zone, Modified, to the Residential "H-R4-548" Zone, Modified, with a Holding Provision, on the lands comprised of Block 1; and,
 - (b) By changing the zoning from the Residential "R4-549" Zone, Modified, to the Residential "H-R4-548" Zone, Modified, with a Holding Provision, on the lands comprised of Block 2;

the extent and boundaries of which are more particularly shown on Schedule "A" annexed hereto and forming part of this By-law.

2. That Section 34: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following Sub-section:

"H-R4-548"

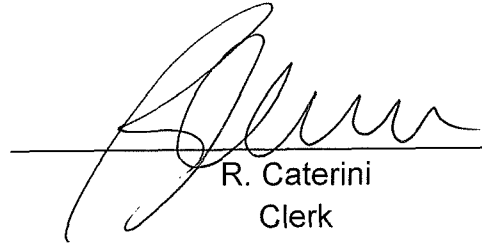
That notwithstanding the provisions of Paragraphs (a), (c), (d), and (e)(ii) of Sub-section 12.2 "Regulations" of Section 12: Residential "R4" Zone, the provisions of the Residential "R4-548" Zone, Modified, shall apply.

3. That the amending By-law apply the 'H' Holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, as amended, to those lands zoned "R4-548" Zone, Modified, by introducing the Holding Symbol 'H' as a prefix to the proposed Residential "R4-548" Zone, Modified.
4. That the 'H' symbol shall only be removed conditional upon:
 - (i) That the construction of the sanitary and storm sewers, curbs, and gutters on Springbrook Avenue have been completed, and that all matters, financial and otherwise, have been addressed, to the satisfaction of the Senior Director of Growth Management.
5. 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.

PASSED this 16th day of August, 2013.

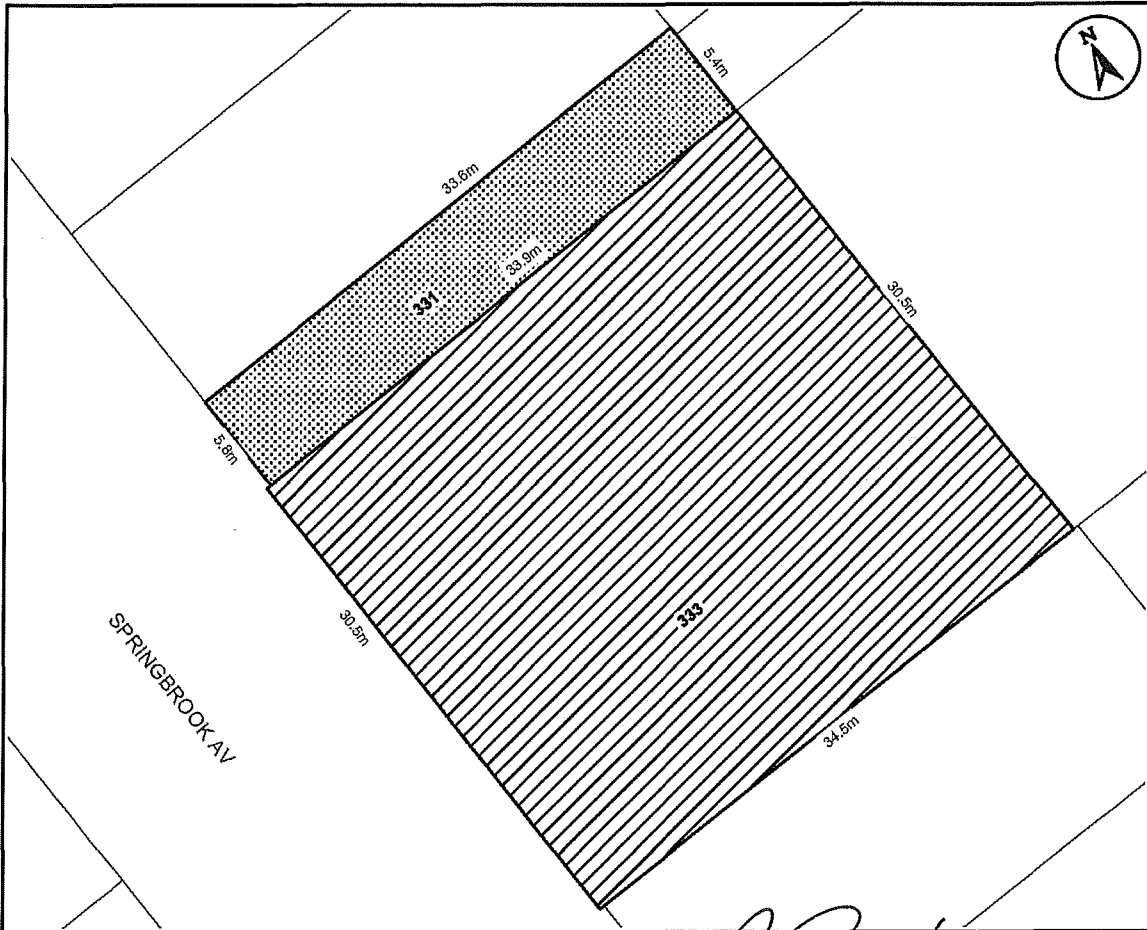
A handwritten signature in cursive script, appearing to read "R. Bratina", written over a horizontal line.

R. Bratina
Mayor

A handwritten signature in cursive script, appearing to read "R. Caterini", written over a horizontal line.

R. Caterini
Clerk

ZAR-13-006





This is Schedule "A" to By-Law No. 13- 208
 Passed the 16th day of August....., 2013


R. Bratina
 Mayor
[Signature]
 Clerk

Schedule "A"
 Map Forming Part of
 By-Law No. 13- 208
 to Amend By-law No. 87-57

Subject Property
 331 & 333 Springbrook Avenue

 **Block 1** - Change in Zoning from the Residential "R4-555" Zone, Modified, to the Residential "H-R4-548" Zone, Modified, with a Holding

 **Block 2** - Change in Zoning from the Residential "R4-549" Zone, Modified, to the Residential "H-R4-548" Zone, Modified, with a Holding

Scale: N.T.S.	File Name/Number: ZAR-13-006	
Date: July 11, 2013	Planner/Technician: TL/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		