

**CITY OF HAMILTON  
BY-LAW NO. 21-250**

**Being a By-law to amend By-law 06-026,  
The Sewer and Drain By-law**

**WHEREAS** the lands owned by Community Housing Hamilton (“CHH”) at 41 Reid Avenue South (the “CHH Lands”) are intended to be developed with over 100 rental units;

**WHEREAS** this development by CHH is in partnership with a residential development within the adjacent lands comprising Registered Plan of Subdivision 62M-1278 (the “Private Lands”);

**WHEREAS** the City, CHH, and the owner of the Private Lands previously entered into a joint services agreement for a temporary stormwater management system for the CHH Lands and the Private Lands, intended to be replaced by a permanent stormwater system; and

**WHEREAS** the proposed permanent stormwater management system for the CHH Lands and the Private Lands requires a modification to City of Hamilton By-law 06-026;

**NOW THEREFORE THE COUNCIL OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:**

1. Section 5 of By-law 06-026 is hereby amended by adding thereto the following subsection 15:

(15) In the event that plans, drawings, conditions, agreements or other requirements are approved pursuant to section 41 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, in respect of any development of lands and premises included in Schedule “C” and:

(a) there is full compliance with such approved plans, drawings, conditions, agreements or other requirements; and,

(b) such approved plans, drawings, conditions, agreements, or other requirements authorize the disposal of storm and/or surface water from the lands and premises in a manner that conflicts with the requirements of subsections (2) or (9),

the provisions of subsections (2) or (9) shall not apply to the said lands and premises to the minimum extent necessary to resolve such conflict.

2. By-law 06-026 is amended by adding thereto the attached Schedule “C”.

3. This By-law shall come into effect immediately upon passage.

**PASSED** this 15<sup>th</sup> day of December, 2021

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

SCHEDULE "C"  
SITE SPECIFIC EXCEPTIONS TO SUBSECTIONS 5(2) AND 5(9)

1. All lands and premises within Registered Plan of Subdivision 62M-1278
2. The lands and premises described as follows:

PART BLOCK C, PLAN 876; PART 1, 62R21399; SAVE AND EXCEPT PART 1  
ON 62R21577; CITY OF HAMILTON being all of PIN 17284-0204 (LT)