

Authority: Item 26, Economic Development and
Planning Committee
Report: 10-016 (PED10173)
CM: August 12, 210

Bill No. 199

CITY OF HAMILTON

BY-LAW NO. 10-199

**To Amend Zoning By-law No. 87-57 (Ancaster), respecting lands located at
215, 221, 285, 305, and 311 Springbrook Avenue (Ancaster)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario 1999 Chap. 14, Schedule C did incorporate, as of January 1st, 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 Corporation of the City of Hamilton”, and is the successor of 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd 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 26 of Report 10-016 of the Economic Development and Planning Committee, at its meeting held on the 12th day of August, 2010, recommended that Zoning By-law No. 87-57 (Ancaster) 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” of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended as follows:

- (a) That Block 1 be rezoned from the Residential "R-549" Zone, Modified, to the Residential "R4-'H'-619" Zone, Holding, Modified;
- (b) That Block 2 be rezoned from the Residential "R-557" Zone, Modified, to the Residential "R4-'H'-619" Zone, Holding, Modified;

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

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

"H-R4-619"

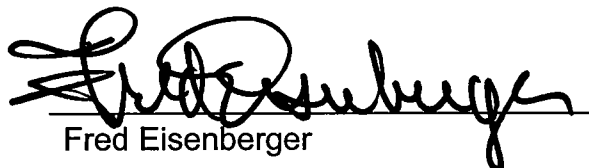
That notwithstanding the provisions of paragraphs (a), (c), (d), and (e)(ii) of Subsections 12.2 "Regulations" of Section 12: Residential "R4" Zone, the provisions of the Residential "R4-548" Zone, Modified, shall apply.

- 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 Director of Development Engineering.

City Council may remove the 'H' symbol, and thereby give effect to the Residential "R-548" Zone, by enactment of an amending By-law once the above conditions have been satisfied

- 5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law, in accordance with the Planning Act.

PASSED this 12th day of August, 2010.



Fred Eisenberger
Mayor



Rose Caterini
City Clerk



This is Schedule "A" to By-Law No. 10-199
 Passed the 12th.... day of ..August....., 2010

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 10-199
 to Amend By-law No. 87-57

Subject Property

215, 221, 285, 305, & 311 Springbrook Avenue



Block 1 - Change in Zoning from the Residential "R4-549" Zone, Modified to Residential "H-R4-619" Holding Zone, Modified.



Block 2 - Change in Zoning from the Residential "R4-557" Zone, Modified to Residential "H-R4-619" Holding Zone, Modified.

Scale: N.T.S.	File Name/Number: ZAC-10-018	
Date: June 27, 2010	Planner/Technician: TL/NS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		Hamilton