

Authority: Item 16, Economic Development
and Planning Committee
Report 10-018 (PED10186)
CM: September 29, 2010

Bill No. 286

CITY OF HAMILTON

BY-LAW NO. 10-286

**To Amend Zoning By-law No. 05-200
435 Garner Road East (Ancaster)**

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 16 of Report 10-018 of the Economic Development and Planning Committee, at its meeting held on the 29th day of September, 2010, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS the By-law will be in conformity with the Official Plan of the City of Hamilton (formerly the Official Plan of the Town of Ancaster) upon the approval of OPA No. 134 in accordance with the provisions of the Planning Act;

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

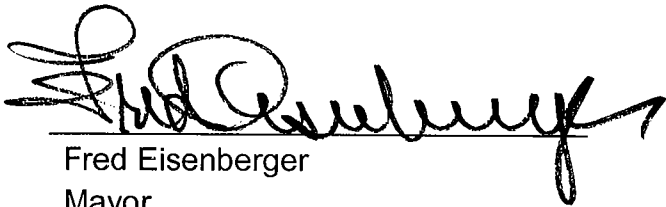
1. That Map Nos. 1283, 1335, 1336, and 1388 of Schedule "A" to Zoning By-law No. 05-200 is amended by incorporating additional Conservation/Hazard Land (P5) Zone, Neighbourhood Park (P1) Zone, and Neighbourhood Institutional (I1, H42) Holding Zone boundaries for the applicable lands, the extent and boundaries 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 provisions as follows:
 - "42. Notwithstanding Section 8.3, within the lands zoned Neighbourhood Institutional (I1) Zone, identified on Maps 12, 1283, 1335, 1336, and 1388 of Schedule "A" - Zoning Maps, and

By-law respecting 435 Garner Road East (Ancaster) (Page 2 of 3)

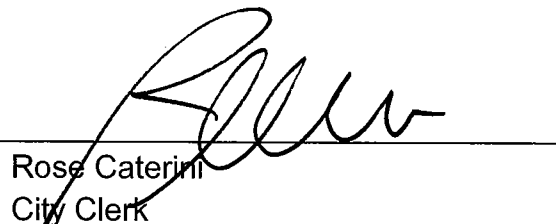
described as 435 Garner Road East (Ancaster), no development shall proceed until the following has been completed, to the satisfaction of the Director of Development Engineering:

- i) Stage 2 upgrades to Sanitary Sewer Pumping Station HC061 have been implemented;
 - ii) The downstream gravity system north of Gray Court Drive has been upgraded, as per the recommendation of the Southcote Woodlands Pumping Station Design Brief, dated September, 2007;
 - iii) A sanitary sewer outlet is identified, designed/constructed to service the subject lands;
 - iv) A road connection through Block 186 to the east, from John Frederick Drive has been determined and deeded to the City of Hamilton; and,
 - v) The downstream creek restoration works have been completed in accordance with the Garner Neighbourhood Master Drainage Plan and supplementary investigation.”
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. 10-286 shall come into force, and be deemed to come into force, in accordance with Subsection 34(21) of the Planning Act, either upon the date of passage of this By-law or as otherwise provided by the said subsection.

PASSED this 13th day of October, 2010.



Fred Eisenberger
Mayor



Rose Caterini
City Clerk

ZAC-07-105/OPA-07-031/25T-200725



This is Schedule "A" to By-Law No. 10-286
 Passed the13... day of ...October....., 2010





[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 10-286

to Amend By-law No. 05-200
 Map # 1283, 1336, & 1388

Subject Property
 435 Garner Road East

-  **Block 1** - Lands to be zoned Neighbourhood Park (P1) Zone
-  **Block 2** - Lands to be zoned Conservation / Hazard Land (P5) Zone
-  **Block 3** - Lands to be zoned Neighbourhood Institutional (I1, H39) Holding Zone
-  Refer to By-law 87-57

Scale: N.T.S.	File Name/Number: ZAC-07-105/OPA-07-031/25T-200725
Date: Sep. 23, 2010	Planner/Technician: JMNB
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

