



## City of Hamilton

### CITY COUNCIL ADDENDUM

19-006

Wednesday, March 27, 2019, 5:00 P.M.

Council Chambers, Hamilton City Hall

71 Main Street West

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#### 5. COMMUNICATIONS

- \*5.19 Correspondence from Aird Berlis respecting Local Planning Appeal Tribunal Appeal No. PL170981, 3033, 3047, 3055, 3063 Binbrook Road (PED19031/LS19003) (Glanbrook) (Ward 11)

Recommendation: Be received and referred to Item 12 of the Planning Committee Report 19-004

- \*5.20 Correspondence from the Beasley Neighbourhood Association respecting the Official Plan and Zoning By-law Amendment to Add a Production Studio Use Within the Barton and Tiffany Lands (PED18210(a)).

Recommendation: Be received and referred to Item 9 of the Planning Committee Report 19-004.

- \*5.21 Correspondence from Hamilton-Halton Home Builders' Association respecting Modifications to C5 Zoning brought about through PED19029.

Recommendation: Be received and referred to the consideration of Item 10 of the Planning Committee Report 19-004.

- \*5.22 Correspondence from Ben Gould, Milli Ltd., providing Council with observations from the point of view of a Hamilton based entrepreneurial business.

Recommendation: Be received and referred to the consideration of Item 1 of the General Issues Committee Report 19-006.

## 11. BY-LAWS AND CONFIRMING BY-LAW

- \*11.20 063

To Amend Zoning By-law No. 05-200, as amended by By-law No. 18-263, respecting lands located at 256 Parkdale Avenue North and 205 Melvin Avenue, Hamilton

ZAH-19-022

Ward: 4

## AIRD BERLIS

Steven A. Zakem  
Direct: 416.865.3440  
E-mail:szakem@airdberlis.com

March 25, 2019

Our File No.: 137843

**BY EMAIL**

Mayor Fred Eisenberger and Members of Council

and

Janet Pilon  
Acting Clerk, City of Hamilton

Hamilton City Hall  
71 Main Street West  
Hamilton, ON L8P 4Y5

Dear Mayor Eisenberger, Ms. Pilon and Members of Council:

**Re: Local Planning Appeal Tribunal Appeal No. PL170981  
3033, 3047, 3055, 3063 Binbrook Road (PED19031/LS19003) (Glanbrook)  
(Ward 11)**

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Aird & Berlis LLP represents Binbrook Heritage Developments (the “Applicant”), registered owner of the property municipally known as 3033, 3047, 3055 and 3063 Binbrook Road, in the former Township of Glanbrook (City of Hamilton) (the “Subject Lands”).

**Planning Committee - Report and Recommendations**

On March 19, 2019, I was granted the opportunity to speak to the Planning Committee (the “Committee”) regarding our client’s appeals. I submitted a letter to the Committee in support of my delegation (attached), and I refer you to that correspondence for the relevant background and context of this matter.

I indicated to the Committee my surprise and disappointment in discovering that this matter had been added to its agenda as an *in camera* item, without the courtesy of any notice to me or my client, without any comment on the invited submission we had made to staff, and without any indication of the status of our proposal.

As the Committee discussed this matter *in camera*, and as staff have provided no insight into the resubmission, I have no idea what the current report before this Council says or what recommendations you are being asked to adopt today. If, as would be our preference, the recommendation to Council is to support our client’s proposal and direct staff to enter into Minutes of Settlement to resolve the appeals, then I encourage Council to do so.

If, as I suspect, Council is being asked to not support my client’s proposal, then I respectfully request that Council direct staff to meet and negotiate with my client in an effort to resolve the outstanding appeals in advance of this summer’s hearing. At the very least, such negotiations would likely serve to narrow or scope the City’s issues with the proposal to simplify and shorten

the hearing process. It is doubtless in everyone's interest to avoid the exorbitant costs and the countless hours of staff time and resources needed to prepare for an LPAT hearing if a mutually beneficial alternative remains on the table.

### **Planning Committee - Disputed Facts and Misconceptions**

Following my five-minute delegation to the Committee, the City's in-house and outside legal counsel were given an opportunity to address my comments and offer a rebuttal to my submissions. In the nearly twenty minutes of rebuttal, the City's counsel vociferously denied any impropriety or irregularity in dealing with me and my client and suggested my submissions were inappropriate. Unfortunately, lost in the raised voices and adamant denials of the morning was the key message that we brought to the Committee: that the proponent is eager to continue its dialogue with the City to work towards a positive proposal that will benefit the Binbrook community.

I was not given an opportunity to reply to the City's legal counsel, but would like to offer the following clarifications to ensure that Council is aware of the efforts and intentions of my client to maintain a dialogue with the City:

- In his comments, Mr. Kovacevic stated that my client's revised proposal had been discussed on a without prejudice basis with Planning staff, and that staff had advised that the proposal was not acceptable to them. This is untrue. The revised proposal was only developed and provided to staff as part of the January 18, 2019 with prejudice resubmission. Neither myself nor my client has ever received a comment from City staff on this proposal;
- On January 18, 2019 my associate provided the City's outside legal counsel, Mr. Biggart, with the requested resubmission, including an updated Concept Plan, detailed Floor Plans; and a 3D rendering of the proposed development. In this email, we thanked him for his cooperation and stated that we look forward to hearing back from him once staff has had an opportunity to review. We received no response to this email, not even an acknowledgment of receipt;
- On January 23, 2019 I emailed Mr. Biggart to ask if he had everything he needed to consider the revised proposal. Again, no response was received.
- On February 26, 2019 my associate again emailed Mr. Biggart and asked for a phone call to discuss the resubmission and whether there were any preliminary comments that could be provided. No response was given.
- On March 2, 2019 my client emailed the Director of Planning for the City, Mr. Robichaud, asking if he could provide any comments on the resubmission. Mr. Robichaud advised that he had asked Mr. Biggart to reply. No response was provided by Mr. Biggart.
- On March 12, 2019, my client again email Mr. Robichaud asking for comments. Again, Mr. Robichaud followed up with the City's legal counsel and requested that they respond. Again, no response was provided.

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- Finally, on March 16, 2019, my associate again emailed Mr. Biggart after discovering that this matter had been placed on the Committee's agenda, asking for an update and noting that we had not received any comments or updates on this matter since filing the resubmission. No response was provided.

Both Mr. Biggart and Mr. Kovacevic stated to the Committee that they are under no obligation to provide any comments or responses to me or my client. This is most certainly not the typical procedure and should not be the bar that the City of Hamilton aspires to. It is certainly inconsistent with the dialogue that had taken place between the parties prior to the January resubmission.

While this experience has been frustrating for myself and my clients, who are well known and respected developers in the City of Hamilton, we remain optimistic that the parties can find a resolution to this matter that does not involve expensive and expansive litigation. We are, as before, committed to working with the City to ultimately develop the Subject Lands in a manner that represents good planning in the public interest.

Should you have any questions, please feel free to contact the undersigned or David Neligan (416-697-8923; [dneligan@airdberlis.com](mailto:dneligan@airdberlis.com)).

Yours truly,

AIRD & BERLIS LLP



Steven A. Zakem

SAZ/DPN

Encl.

- c. Nicole Auty, City Solicitor, City of Hamilton  
Steve Robichaud, MCIP RPP, Director of Planning and Chief Planner, City of Hamilton  
Anita Fabac, Manager of Development Planning, Heritage and Design, City of Hamilton  
Andrew Biggart, Ritchie Ketcheson Hart & Biggart LLP  
Brenda Khes, MCIP RPP, GSP Group  
Sergio Manchia and David Horwood, Binbrook Heritage Developments

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AIRD BERLIS

March 18, 2019

Our File No.: 137843

**BY EMAIL**

Councillor Maria Pearson  
Chair, Planning Committee

and

Ms. Lisa Chamberlain  
Legislative Coordinator, Planning Committee

City of Hamilton  
71 Main Street West  
Hamilton, ON L8P 4Y5

Dear Madam Chair and Members of the Planning Committee:

**Re: Local Planning Appeal Tribunal Appeal No. PL170981  
3033, 3047, 3055, 3063 Binbrook Road (PED19031/LS19003) (Glanbrook)  
(Ward 11)**

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Aird & Berlis LLP represents Binbrook Heritage Developments (the “Applicant”), registered owner of the property municipally known as 3033, 3047, 3055 and 3063 Binbrook Road, in the former Township of Glanbrook (City of Hamilton) (the “Subject Lands”).

We were surprised to see that our client’s appeal of its Official Plan Amendment application and Zoning By-law Amendment application (the “Applications”) are scheduled to be discussed by the Planning Committee (“Committee”) in closed session on March 19, 2019. Having recently provided City staff and its outside counsel with a resubmission of the Applications in an effort to resolve this matter without the need for a contested hearing, we were hopeful that our dialogue would continue before the Committee and Council were asked to take a position and provide instructions with respect to the LPAT hearing, currently scheduled for August, 2019. Accordingly, we write to provide the Committee with important background to inform its discussion, and to make submissions in favour of the continued negotiation of a mutually beneficial resolution that would avoid the need for a costly hearing.

**Background**

More than two and a half years ago, on July 29, 2016, our client submitted an application for an Urban Hamilton Official Plan Amendment (“UHOPA”) and Zoning By-law amendment (“ZBA”) to permit the construction of a 10-storey mixed use building on the Subject Lands.

In support of its application, our client provided technical reports and a planning justification highlighting that this carefully designed mixed-use project would: (i) provide the opportunity for residential intensification and the provision of rental housing alternatives within the Binbrook community; (ii) increase the supply of both professional and service commercial jobs in the

community; (iii) promote the efficient use of land and infrastructure, and support active transportation; and (iv) retain and repurpose identifiable heritage sites important to the area.

Importantly, the proposed development provides an opportunity for an aging in place facility for seniors who wish to remain in the Binbrook-Glanbrook area, as well as providing rental housing opportunities for all ages in the community.

More than a year later, in August of 2017, we appealed the Applications to the Ontario Municipal Board (now the Local Planning Appeal Tribunal (“LPAT”)) on behalf of our client for Council’s failure to make a decision. Since that time, two pre-hearing conferences have been held, and a hearing before LPAT has been scheduled for the second week of August, 2019.

In the time since the appeal was filed, our client and City staff have been actively engaged in discussions with respect to the Applications. This has included numerous meetings between our client and planning staff, and discussions between legal counsel, both in-house and with the City’s outside counsel. During these conversations, staff identified concerns with the proposed development, in particular the planned density and 10-storey height. These concerns have also been vocalized by the local community, many of whom have attended the pre-hearing conferences at LPAT.

In response to this feedback from the City and the local residents of Binbrook, our client made significant changes to the proposed development. On January 18, 2019, we provided the City’s outside legal counsel with a *with prejudice* resubmission of the plans for the proposed development that, among other things, reduced the proposed height to 6 residential floors atop a first floor commercial base.

Our client has been awaiting comments from City staff and its legal counsel since its resubmission two months ago. It was our understanding that, following review of the revised plans, the City would be seeking instructions from this Committee and Council in April, 2019 on a potential settlement of the appeals or, at the very least, seeking a scoped issues list to address those concerns that remain unresolved at the upcoming LPAT hearing. Further, it was our hope that, in advance of seeking instructions from this Committee, the City would provide our client with comments on the revised plans, and to provide an opportunity to continue dialogue between the parties in order to facilitate a resolution. From our review of the Committee’s agenda for March 19, 2019, it appears that this is not the case.

### **The LPAT Hearing**

LPAT has scheduled a hearing for 5 days beginning on August 12, 2019. Although the City has yet to provide its issues list for the hearing, it is anticipated that multiple expert witnesses, including experts in land use planning, urban design, and transportation, will be required to provide testimony. Such a contested hearing will undoubtedly cost both parties tens of thousands of dollars, and will require countless hours of staff time and resources to prepare. It is in nobody’s interest to litigate this matter if the option of settlement remains a possibility. If a negotiated settlement were reached, the five-day hearing could easily be converted to a one day settlement hearing requiring testimony only from the Applicant’s witnesses.

This Committee is likely aware of two recent LPAT decisions in Hamilton approving mid-rise development applications representing significant intensification. The first decision, *Lawson v. Hamilton (City)* was issued in January, 2019 approving a nine-storey apartment building in Dundas. A more recent decision, *Sonoma Homes v. Hamilton (City)*, issued in February, 2019, approved a nine-storey condominium in Ancaster. In that decision, the LPAT member stated:

*“... I find that the City has not fully come to grips with the policies contained in this policy document [Growth Plan] and how these policies affect the application of the policy contained in the UHOP and the Secondary Plan.” (emphasis added)*

These decisions seem to signal increasing support from LPAT for mid-rise intensification in the boroughs of Hamilton, and reflect a recognition that the in-force secondary-plan policies in the communities surrounding the City centre are no longer consistent with the provincial objectives of growth and intensification mandated by the Provincial Policy Statement, 2014 and the Growth Plan for the Greater Golden Horseshoe, 2017. Both of these decisions are appended to this letter for the Committee’s review.

Our client is confident that its proposed development in Binbrook (either as originally proposed, or as revised in its recent resubmission) would similarly be found by LPAT to represent good planning in the public interest. However, and as previously stated, it has no interest in proceeding to a contested hearing if a resolution remains available through a negotiated settlement.

### **Recommendation**

In light of the above, and in recognition of the ongoing efforts by both our client and City staff to reach a resolution, we recommend that this Committee direct the City’s outside legal counsel to provide us with City staff comments on the recent resubmission and to convene a meeting between the parties to facilitate a settlement. Should it be apparent following these discussions that a negotiated resolution supported by staff is not possible, then the City’s outside counsel should return to the next meeting of this Committee on April 2, 2019 to seek instructions on the hearing scheduled for August.

We thank you for your time and consideration of our submissions on this issue. Despite our surprise and disappointment that this matter has come before this Committee without any notice to us or our client, we remain optimistic that the parties can still find a mutually beneficial solution without the need for a contested hearing later this summer.



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Should you have any questions, please contact the undersigned or David Neligan (416-697-8923; [dneligan@airdberlis.com](mailto:dneligan@airdberlis.com)).

Yours truly,

AIRD & BERLIS LLP



Steven A. Zakem  
SAZ/DPN  
Encl.

- c. Mayor Fred Eisenberger and Members of the Planning Committee  
Steve Robichaud, MCIP RPP, Director of Planning and Chief Planner, City of Hamilton  
Anita Fabac, Manager of Development Planning, Heritage and Design, City of Hamilton  
Andrew Biggart, Ritchie Ketcheson Hart & Biggart LLP  
Brenda Khes, MCIP RPP, GSP Group  
Sergio Manchia and David Horwood, Binbrook Heritage Developments

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March 21, 2019

**RE: Barton-Tiffany Film Studios**

To Hamilton City Council:

The Beasley Neighbourhood Association was founded in 2007, and our vision is “To improve the quality of life for people who work, live and play in the Beasley neighbourhood.” We are a forward-looking and well-organized Association that independently consulted residents to create two Neighbourhood Plans in 2011 & 2017 in an effort to identify and address problems, and pursue opportunities that can help make a Beasley better place for everyone.

Over many years, members have been involved in public engagement with the City on Setting Sail, the Barton-Tiffany Urban Design Study, provincial transit consultations that led to the West Harbour GO. Though we usually refrain from commenting on developments occurring in surrounding neighbourhoods, we are greatly concerned by the thoughtful and detailed letter from the Board of the Central Neighbourhood Association that alerted the BNA of the proposed film studios on the City-owned Barton-Tiffany Lands.

We understand the less than ideal land-use options imposed on these City-owned lands to satisfy CN during the Setting Sail OMB appeal process, however the secondary plan’s vision and core principles should remain paramount and not be abandoned: Barton-Tiffany can one day be a mixed-use neighbourhood, and the West Harbour GO Station adjacent to the site makes it a prime location for residential intensification on a longer scale, to capitalize on the significant taxpayer investment in the area bounded by Beasley, Central and the North End neighbourhoods.

There is considerable industrial land in East Hamilton well serviced by local highways, truck-routes, that is more accessible and welcoming to creative-industry workers from all over the GTA, who will surely be attracted by employment opportunities at a studio. Routing 24/7, regional employment through our revitalizing downtown to service industrial use, will not enhance the area, including our neighbourhood immediately east of the site.

Our members also include those in the creative industry who value job-creation, so we urge Council to further consider the likely impacts of a warehouse/studio operation near a growing residential area, and mitigate them before approving this rezoning effort. We also urge you to consider the longer-term value of this waterfront land, and ensure that a clear proposal from the proponent is shared and reviewed to avoid City-owned lands being transferred to an absentee speculator, like the many who have owned land in Barton-Tiffany’s recent history.

Industrial buildings like the ones that will surely be constructed for a studio complex are disposable. Many have been torn down in our neighbourhood over the past century, and now

have spent years as parking lots. This proposal looks to be a mix of warehousing and parking for its out-of-town employees, ensuring both past and present will become future at Barton-Tiffany. Meanwhile, dynamic commercial and residential development is occurring on James St. North, a stone's throw from Barton-Tiffany.

The 2014 Barton-Tiffany Urban Design study, to which our members contributed hours of their time, was so forward looking and presented a positive vision that connected a revitalized Central Park with beautiful recreation areas of the West Harbour. As in the case of the Hamilton Police Services forensics building on Catherine St. Beasley residents' concerns with industrial re-development are driven by the reality that warehouses, unless carefully designed, do not integrate well into the fabric of a live/work/play neighbourhood. Hamilton can do better.

Should the film studio not materialize after a deal to sell off the City land (assembled while implementing the former, failed stadium precinct plan), we are also concerned the location constitutes a prime waterfront speculation opportunity for an absentee landowner, like the ones that have left much of the Barton-Tiffany area fenced off and littered with toxic waste (see 249 Hess St. N, as a prime example).

Please do not let history repeat itself at Barton-Tiffany. We respectfully ask Council enact conditional zoning on this site, reverting it to the existing zoning should the proposed "cultural development" not come about within one year. In addition, let the public see the detailed film studio proposal, have the proponent address the CNA's concerns, and then re-zone and sell the lands afterwards, anchored on a better understanding of the proposal's merits, drawbacks, and how it can integrate into the longer-term vision for Barton-Tiffany.

Sincerely,



Alexandria Anderson  
Co-Chair



Karlie Rogerson  
Co-Chair



*Community Builders...Building Communities*

Members of Hamilton City Council  
c/o City Clerk  
71 Main Street West  
Hamilton, ON L7P 4Y5

March 13, 2019

**Re: City of Hamilton – modifications to C5 zoning brought about through PED-19029**

Dear Members of Council:

The Hamilton-Halton Home Builders' Association is the voice of the residential construction and development industry in Hamilton and Burlington. On behalf of our Association, I am contacting you today regarding something we believe needs to be discussed and rectified PRIOR TO implementation and approval by Council.

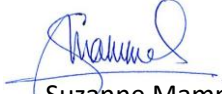
In February of this year, staff brought forward a housekeeping amendment, which amongst other things, proposed a change to the sideyard setbacks in a C5 zone. While we originally understood the housekeeping amendment was moving forward, we understood this to be grammatic corrections, etc. and were therefore not concerned. However, within the last couple of days, I have been contacted by a number of members concerned with this specific change in Section 10.5.3.c.iii, which would, in some cases (where a building height greater than 14m is proposed) require a 6.0m sideyard setback where currently the requirement is none. This is not an instance of site specific zoning, rather a City wide change that we do not believe has been properly vetted with the public or development industry. Further it has implications related to maximizing density in redevelopment areas, creating a consistent streetwall along corridors where appropriate, and having a pedestrian friendly street front.

We request that this aspect of the PED report be sent back to committee, and that staff be asked to consult specifically on this with the public and with industry. Further, it is imperative that significant changes such as this NOT be buried in a housekeeping by-law amendment in the future, so as to allow for proper consultation on the item.



We appreciate your consideration on this matter. I would make a delegation would one be allowed, however at this late date I am told delegations are not permissible.

Sincerely,



Suzanne Mammel, MBA CET  
CEO, Hamilton-Halton Home Builders' Association

Copy - Jason Thorne, City of Hamilton GM, PED



Mayor and Members of Council.

Dear Sirs and Madames:

We were asked to provide the committee with some observations from the point of view of a Hamilton based entrepreneurial business. We are happy to do so.

Despite the familiarity of the store and its facade on Main Street, there are many Hamiltonians who know little about our business. Milli has been in Hamilton since 1964, operating out of its current location on Main Street West at Pearl Street for all but its first year. We are an “old style” bricks and mortar enterprise offering a wide variety of womens' fashion products sourced from Canadian and international suppliers and we employ twelve women and one man; most of whom have career positions. We service a wide range of clients from Hamilton and the surrounding environs some of whose parents and grandparents have also shopped at Milli. Our family is proud of the philanthropic contributions we have made to the city of Hamilton over the years and it is the success of our business that has enabled us to do so.

Retail is the subject of hot debate in the media of late. Many have predicted the demise of our type of small local retail business as many people now shop in big box stores or national department stores that offer ubiquitous brand selection and discount pricing to attract customers. Others are moving to online shopping as they enjoy the anonymity of a computer screen and at home convenience. While these options gain popularity, consider the repercussions if this became the only option as small retail businesses get squeezed out by larger competitors and high rental rates. These theorists fail to recognize the enduring appeal of individually owned enterprises which provide individual and dedicated customer service while keeping shopping dollars in our local community. Very little of the money spent in the malls and big box stores stays in our city and focusing on big box stores and malls has a direct and negative effect on our cityscape.

Why is it paramount that Council participate further in promoting and assisting both well established industries and newer entrepreneurial enterprises in our city? First of all we are all aware that Hamilton has woken from a years-long slumber. We are shaking off the lure of heaven industry that held a grip on us for many years and provided much prosperity in the past; looking to the future requires population and business diversity and new employment opportunities. The creative set are often the first to discover the framework for future success. Beginning with artists who find beauty in decay and are

able to imagine what many of us in other pursuits cannot – until they reveal it and we begin to understand their vision. Add another layer of film and music and you can start to form a natural synergy and vibrancy for those who live nearby. These industries are incubators for future development. They lay the groundwork for a creative process that, if allowed to expand, can become contagious leading to a wide range of new businesses.

Hamilton needs a variety of skills and workers. As a high service provider, for example, we have challenges to find those skilled in sewing to do our intricate work and while our local programmes may not think that fashion is a business worth pursuing, we beg to differ. The creative process and business opportunities exist hand in hand. We can point to great current successes like Canada Goose a company that employs approximately 1000 people in Canada with distribution worldwide and Arc'teryx based in Vancouver that employs over 500.

As Hamiltonians we understand heavy industry. It's Hamilton's backbone. Our vision of our city's future development includes Council's support for softer industries too and we are grateful for the opportunity to engage in this dialogue with you. We invite you to drop by the store at some point to learn a little bit more about our business.

Sincerely,  
Ben Gould  
Milli Ltd.

**Authority:** Item 31, Economic Development and  
Planning Committee  
Report 06-005  
CM: April 12, 2006  
Ward: 4

**Bill No. 063**

## **CITY OF HAMILTON**

### **BY-LAW NO. 19-**

**To Amend Zoning By-law No. 05-200, as amended by By-law  
No.18-263, respecting lands located at 256 Parkdale Avenue  
North and 205 Melvin Avenue, Hamilton**

**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, Statutes of Ontario, 1999 Chap 14;

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

**WHEREAS** it is desirable to enact a new Zoning By-law to comprehensively deal with Zoning through the City;

**WHEREAS** the first stage of the new Zoning By-law, being By-law No. 05-200, came into force on the 25<sup>th</sup> day of May, 2005; and,

**WHEREAS** the Council of the City of Hamilton, in adopting Section 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12<sup>th</sup> day of April, 2006, recommended that the Director of Development and Real Estate be authorized to give notice and prepare by-laws for presentation to Council, to remove the "H" Holding provision from By-laws where the conditions have been met.

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

1. That Map 1046 appended to and forming part of By-law No. 05-200, as amended by By-law No. 18-263, is hereby further amended by changing the zoning from the Mixed Use – Medium Density (C5, 698, H71) Zone, to the Mixed Use – Medium Density (C5, 698) Zone, on the lands the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this by-law.
2. That Schedule "D" – Holding Provisions, of By-law No. 05-200, be amended by deleting Holding Provision 71.



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 no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Mixed Use – Medium Density (C5, 698) Zone provisions.
5. That this By-law No. 19-063 shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the *Planning Act*, upon the date of passage of this By-law.

**PASSED** this 27<sup>th</sup> day of March, 2019.

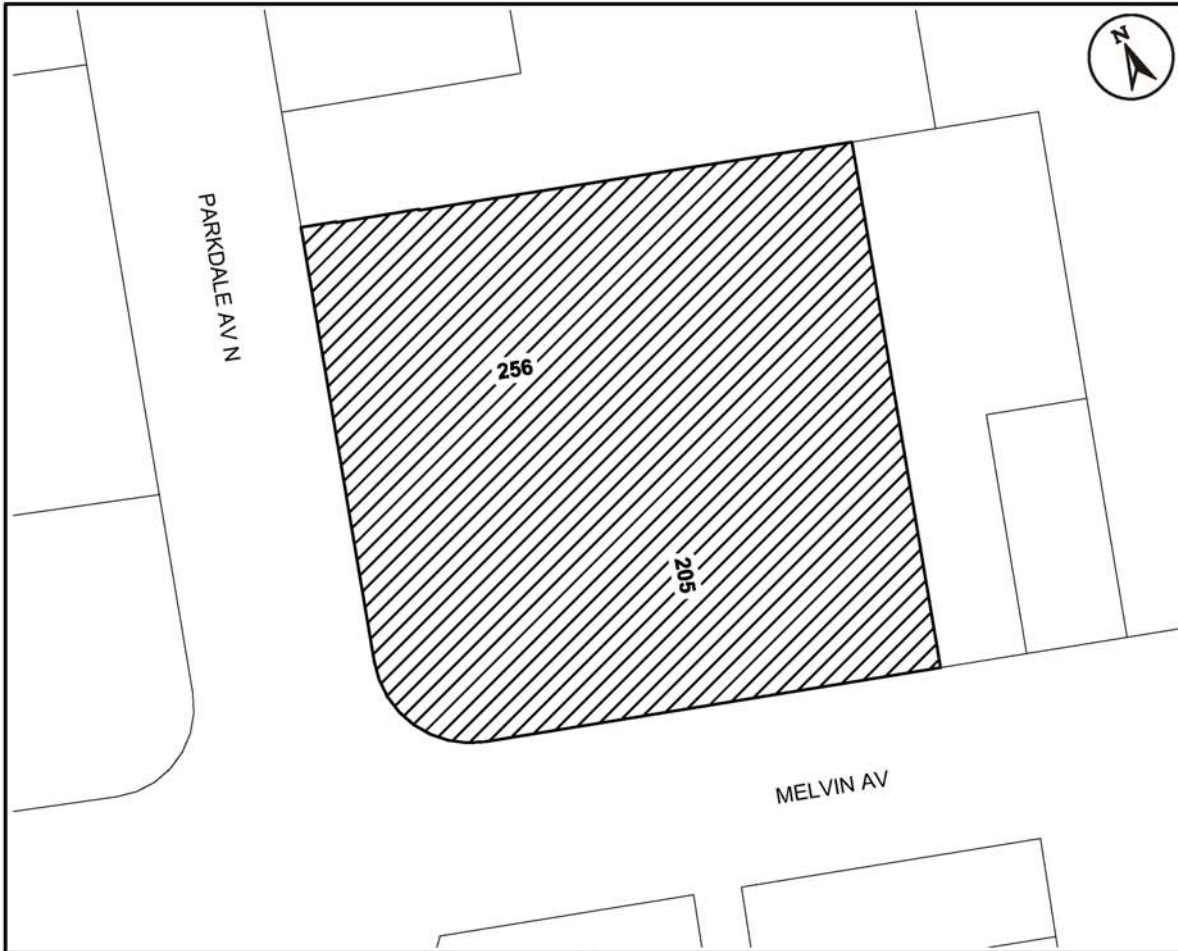
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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

ZAH-19-022



This is Schedule "A" to By-law No. 19-  Passed the ..... day of ....., 2019	----- Mayor  ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 19-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Map 1046</p>	<p><b>Subject Property</b> 256 Parkdale Avenue North &amp; 205 Melvin Avenue</p> <p> Change in Zoning from Mixed Use - Medium Density (C5, 698, H71) Zone to the Mixed Use - Medium Density (C5, 698) Zone</p>
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Scale: N.T.S.	File Name/Number: ZAH-19-022	
Date: March 25, 2019	Planner/Technician: KJ/VJS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		