



## City of Hamilton

### CITY COUNCIL ADDENDUM

21-024

Wednesday, December 15, 2021, 9:30 A.M.

Due to the COVID-19 and the Closure of City Hall (CC)

All electronic meetings can be viewed at:

City's Website: <https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel: <https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

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#### 4. COMMUNICATIONS

- \*4.17. Correspondence from Aldo Castelli respecting 1290 South Service Rd and 5 & 23 Vince Mazza Way (File Number UHOPA-21-004)

Recommendation: Be received.

- \*4.18. Correspondence from the Township of Mulmur respecting Truth and Reconciliation Calls to Action

Recommendation: Be received.

#### 7. NOTICES OF MOTIONS

- \*7.1. Registered Plan of Subdivision 62M-1278 - Joint Service Agreement

- \*7.2. Amendment to City of Hamilton Policy respecting the Appointment of Citizens to the City's Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees

**9. COUNCIL COMMUNICATION UPDATES**

\*9.2. December 14, 2021

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

\*11.24. 249

To Amend Zoning By-law No 6593, Respecting Lands Located at 311 and 313 Stone Church Road East

ZAC-21-009

UHOPA-21-005

Ward: 7

\*11.25. 250

Being a By-law to amend By-law No. 06-026, The Sewer and Drain By-law

Ward: City Wide

From:

Sent: Monday, December 13, 2021 1:33 PM

To: clerk@hamilton.ca

Subject: 1290 south service road and 5 & 23 Vince Mazza way (file no. Uhop-21-004)

Let me first just say what a scammer this developer is , that 28 storey tower was nothing more than a distraction from the fact that he wanted to build residential housing in an area where it should never be allowed. He was never going to build that tower but that's where he wanted the conversation to go and to no one's surprise city council bought it hook line and sinker. But don't let me forget our rubber stamp brigade the economic development department which seems to have forgotten that Planning is part of their job description. It seems these days that the only planning going on is how many units they can squeeze onto a piece of land with not a blade of grass in sight. Let me ask a question , what happened to the climate emergency that you proclaimed 2 to 3 years ago? You have done nothing as far as I can see except to exacerbate the situation by adding to the north side of the highway by my rough estimate of 40 to 50,000 cars, 40 to 50,000 refrigerators 40 to 50,000 washers and dryers, 40 to 50,000 dishwashers etc., you get the message, all of which contribute to greenhouse gases and climate change ,so wake up, developers aren't the only people on the planet, the north side of the highway has absolutely no green space set aside for the residents, not even a place to sit and enjoy the lake, just a lot of nondescript surveys that have no place for rainwater to go except into the sewer system. Speaking of green space where are our parks in Winona ? And I am not talking about sticking in some plastic playground equipment and calling it a park , I am talking about a Churchill park , a Valley park or a Gage park these are open areas for the public to enjoy that are worthy of having the word park behind their names and what Winona should and deserves to have. On the subject of green space I read a quote in the STONEY CREEK NEWS from our completely out of touch and pro development at any cost councilor Ms. Pearson, that she was surprised at how little green space there was. Really? But I digress. let's talk about the property in question, the shopping mall that is currently there has become a magnet for shoppers not only from the area but from the east and Central parts of Hamilton from Grimsby and areas further east. This has created nothing but headaches as far as traffic is concerned because this was an idiotic place to put a shopping mall. The way to get in and out of this mall is Winona rd., or Fifty rd., which for all intense and purpose are 2 lane roads that have to handle thousands of cars every day and you are now considering putting another 1000 cars in an already ridiculously busy area. Not to mention the Liuna development and 2 others on Baseline. Let me ask you another question, if Winona is expected to add another 16 to 20,000 people between Barton and # 8 Highway where the hell do you think they are going to shop!! There are currently 4 developements that are within a mile of each other which will also include an additional 4 to 5,000 cars on the same 2 roads mentioned above. What happened to the EMLOYMENT LANDS that were to be part of the shopping mall ? I guess it went the way of the permeable parking lot for the mall. This developement should not proceed, leave it commercial or change it to employment so at the very least we won't have traffic coming and going at all hours of the day and night. For once in your political career do the right thing for the people you purport to represent. And if there is an appeal to the

LPT you should fight it for the residents of Winona we deserve it. One last thing that makes me scratch my head is why no push back from the city and other municipalities on the infringement of what should be a city responsibility from the provincially appointed LPT. My personal view, is it so that city council has someone else to blame, it wasn't us it was the LOCAL PLANNING TRIBUNAL , and thus complete absolution. We'll done!!!

ALDO CASTELLI  
WINONA



758070 2<sup>nd</sup> Line E  
Mulmur, Ontario  
L9V 0G8

Local **(705) 466-3341**  
Toll Free from 519 only **(866) 472-0417**  
Fax **(705) 466-2922**

December 13, 2021

## **RE: Truth and Reconciliation Calls to Action**

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At the meeting held on December 8, 2021, Council of the Township of Mulmur passed the following resolution regarding the Truth and Reconciliation Commission's Calls to Action.

### **Moved by Boxem and Seconded by Cufaro**

WHEREAS the Truth and Reconciliation Commission released 94 Calls to Action to redress the legacy of residential school and advance the process of reconciliation;

AND WHEREAS the Council of the Corporation of the Township of Mulmur has reviewed the Calls to Action directed at municipal government;

NOW THEREFORE BE IT RESOLVED THAT Council of the Corporation of the Township of Mulmur take the following actions to address the Truth and Reconciliation Commission's Calls to Action directed at municipal government;

- THAT Council supports the implementation of Jordan's Principal;
- THAT Council permanently waives administrative fees related to name changes and revision of official documents for residential school survivors;
- THAT Council requests an update from the Central West Local Health Integration Network and Headwaters Health Care Centre to provide an update on the steps taken to address the Truth and Reconciliation Commission's Call to Action #23 and encourage cultural competency training for all healthcare professionals in Dufferin County be completed by the end of 2022;
- THAT Council further calls for the Ontario Government to take action on addressing the Truth and Reconciliation Commission's Call to Action #23;
- THAT Council requests an update from the Caledon Dufferin Victim Services on the steps taken to address the Truth and Reconciliation Commission's Call to

Action #40 to create adequately funded and accessible Aboriginal-specific victim programs and services in Dufferin County;

- THAT Council further calls for the Ontario Government to take action on addressing the Truth and Reconciliation Commission's Call to Action #40, specifically making these programs and services available within Aboriginal communities;
- THAT Council calls upon the Ontario Government to take action on the Truth and Reconciliation Commission's Call to Action #43 and move forward with passing Bill 76, the United Nations Declaration on the Rights of Indigenous People Act;
- THAT Council commits to ensuring that Mulmur's policies and bylaws do not rely on the colonial concepts of terra nullius;
- THAT Council commits to providing the National Council for Reconciliation, annual reports and current data as requested;
- THAT Council commits to providing skill-based training and/or information sessions including but not limited to intercultural competency, conflict resolution, human rights and anti-racism for all elected officials, residents and staff of the Township of Mulmur;
- THAT Council requests an update from the Dufferin Peel Catholic School Board and Conseil Scolaire Catholique MonAvenir on the steps taken to address the Truth and Reconciliation Commission's Call to Action #64;
- THAT Council recognizes the recent funding and commitment made by the Ontario Government to address the Truth and Reconciliation Commission's Calls to Action #62 and #63 and urges the Ontario Government to also address the Truth and Reconciliation Commission's Call to Action #64 by including curriculum on comparative religious studies in denominational schools;
- THAT Council further their commitment to commemorating the legacy of residential schools and honouring residential school survivors by annually recognizing September 30<sup>th</sup> as the National Day for Truth and Reconciliation;
- THAT Council open the first Council meeting in September each year with a moment of silence to pay respect to the innocent lives lost within the Canadian Residential School system;
- THAT Council direct staff to work in collaboration with the Dufferin County Cultural Resource Circle to encourage Dufferin County residents to share their

stories with the National Centre for Truth and Reconciliation, Mulmur Township and local libraries;

- THAT Council direct staff to request educational materials from the Museum of Dufferin, Indigenous Sport & Wellness Ontario, and/or other applicable agencies for distribution to Mulmur residents telling the national story of Aboriginal athletes in history;
- THAT Council direct staff to amend the Community Grant Policy to include a section to support Aboriginal athletic development/growth and support for the North American Indigenous Games and encourage the Ontario Government to provide financial support;

THEREFORE IT FINALLY BE RESOLVED THAT this motion be forwarded to the Premier of Ontario, Ministry of Health and Long-Term Care, Ministry of the Attorney General, Ministry of Indigenous Affairs, Ministry of Education, Caledon Dufferin Victim Services, Central West Local Health Integration Network, Headwaters Health Care Centre, Local Libraries, Dufferin Peel Catholic School Board, Conseil Scolaire Catholique MonAvenir, Dufferin Caledon MPP Sylvia Jones, Dufferin County and all Ontario municipalities.

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	Y	
Councillor Cufaro	Y	
Deputy Mayor Hawkins	Y	
Mayor Horner	Y	

**CARRIED.**

Sincerely,

*Roseann Knechtel*

Roseann Knechtel, Deputy Clerk/Planner Coordinator  
Township of Mulmur

# CITY OF HAMILTON

## NOTICE OF MOTION

Council Date: December 15, 2021

**MOVED BY COUNCILLOR S. MERULLA.....**

**Registered Plan of Subdivision 62M-1278 - Joint Service Agreement**

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;

THEREFORE, IT BE RESOLVED:

That City of Hamilton By-law 06-026 be **amended** by adding sub-section 15 to Section 5 with the inclusion of Schedule “C” (attached hereto), as follows:

- (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.

Attachment: A By-law to Amend By-law 06-026, The Sewer and Drain By-law



# CITY OF HAMILTON NOTICE OF MOTION

Council: December 15, 2021

MOVED BY COUNCILLOR M. WILSON.....

## **Amendment to City of Hamilton Policy respecting the Appointment of Citizens to the City’s Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees**

WHEREAS, Section 23 (iv) of *City of Hamilton Policy respecting the Appointment of Citizens to the City’s Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees* states that if a “vacancy occurs within 12 months of the end of the Term of Council, the vacancy will not be filled, and the quorum of the Agency, Board, Commission, Advisory (Volunteer) Committee or Sub-Committee will be adjusted accordingly;” and

WHEREAS, Section 9 of *City of Hamilton Policy respecting the Appointment of Citizens to the City’s Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees* also states that “[a]pplications shall be kept on file by the City Clerk’s Office for the Term of Council. In the event of a vacancy, the Selection Committee or Interview Sub-Committee may consider interviewing applicants whose applications are on file for that term, and the appointment would be for the balance of that Term of Council only.”

THEREFORE, BE IT RESOLVED:

(a) That Section 23 (iv) of *City of Hamilton Policy respecting the Appointment of Citizens to the City’s Agencies, Boards, Commissions, Advisory (Volunteer) Committees and Sub-Committees* be amended to add the words “**and there are insufficient applicants on file to fill the vacancy,**” to read as follows:

(iv) If the vacancy occurs within 12 months of the end of the Term of Council, **and there are insufficient applicants on file to fill the vacancy,** the vacancy will not be filled, and the quorum of the Agency, Board, Commission, Advisory (Volunteer) Committee or Sub-Committee will be adjusted accordingly.

# COUNCIL COMMUNICATION UPDATES

**December 14, 2021**

Council received the following Communication Updates during the time period listed above, the updates are also available to the public at the following link: <https://www.hamilton.ca/government-information/information-updates/information-updates-listing>, as per Section 5.18 of By-law 21-021 (A By-Law To Govern the Proceedings of Council and Committees of Council) a member of Council may refer any of the items listed below, to a Standing Committee by contacting the Clerk and it will be placed on the next available agenda of the respective Standing Committee.

Date	Department	Subject	Link
December 14, 2021	Healthy and Safe Communities	Air Quality Engagement Webinar - Air Quality Monitoring in Hamilton: Giving Community a Voice (City Wide)	<a href="https://www.hamilton.ca/sites/default/files/media/browser/2021-12-14/comm-update-air-quality-engagement-webinar-dec142021.pdf">https://www.hamilton.ca/sites/default/files/media/browser/2021-12-14/comm-update-air-quality-engagement-webinar-dec142021.pdf</a>

**Authority:** Item 7, Planning Committee  
Report 21-019 (PED21221)  
CM: December 15, 2021  
Ward: 7

**Bill No. 249**

## **CITY OF HAMILTON**

### **BY-LAW NO. 21-**

#### **To Amend Zoning By-law No. 6593, Respecting Lands Located at 311 and 313 Stone Church Road East**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule 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 municipality known as the “The Corporation of the City of Hamilton” 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 full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 7 of Report 21-019 of the Planning Committee at its meeting held on the 15<sup>th</sup> day of December, 2021, which recommended that Zoning By-law No. 6593, be amended as hereinafter provided;

**AND WHEREAS** this By-law will be in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No. 157;

**AND WHEREAS** this By-law shall not come into effect until the Ontario Land Tribunal issues its decision regarding the Urban Hamilton Official Plan appeal by DiCenzo Construction Company Ltd as it effects the lands at 311 and 313 Stone Church Road East.

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

1. That Sheet Nos. E18b and E18c of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), are amended:
  - a) by changing the zoning from the “AA” (Agricultural) District to the “C/S-1811” (Urban Protected Residential, Etc.) District, Modified; the lands comprised of Block 1;
  - b) by changing the zoning from the “AA” (Agricultural) District to the “RT-20/S-1811” (Townhouse - Maisonette) District, Modified; the lands comprised of Block 2;
  - c) by changing the zoning from the “AA” (Agricultural) District to the “RT-30/S-1811” (Street - Townhouse) District, Modified; the lands comprised of Block 3;
  - d) by changing the zoning from the “C” (Urban Protected Residential, Etc.) District to the “RT-30/S-1811” (Street - Townhouse) District, Modified; the lands comprised of Block 4;
  - e) by changing the zoning from the “AA” (Agricultural) District to the “C/S-1811” (Urban Protected Residential, Etc.) District, Modified; the lands comprised of Block 5; and,
  - f) by changing the zoning from the “C” (Urban Protected Residential, Etc.) District to the “C/S-1811” (Urban Protected Residential, Etc.) District, Modified; the lands comprised of Block 6;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. That the “C” (Urban Protected Residential, Etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to Block 1, be modified to include the following special requirements:
  - a) For the purpose of this By-law, a private road shall be deemed to be a street, and visitor parking areas, sidewalks, landscaping including architectural feature walls, columns and gates, and outdoor amenity spaces are permitted uses within the private roads;
  - b) In addition to Section 2 Interpretation and Definitions, the following definition shall apply:

“**Swale**” shall mean a graded or engineered landscape feature, appearing as a linear, shallow, open channel for the purpose of conveying surface stormwater drainage, and includes an emergency overland flow route, as

shown on the drainage plan for the lot approved by the Director, Growth Management Division;

- c) Notwithstanding any other provision of this By-law, no building or structure shall be located within a swale;
  - d) Notwithstanding Subsection 9 (2), no building shall exceed two and a half storeys, and no structure shall exceed 11.5 metres in height;
  - e) Notwithstanding Subsection 9 (3) (i), a front yard depth to a garage of at least 6.0 metres and to a dwelling of at least 4.5 metres;
  - f) Notwithstanding Subsection 9 (3) (ii), a side yard depth along each lot line of a width of at least 1.2 metres, except the side yard depth along the northern boundary of Block 1, which shall be of a width of at least 2.4 metres;
  - g) Notwithstanding subsections (e) and (f) above, and in addition to Subsection 9(3)(iii), where a swale is located within a yard provided for in Subsections (e) and (f) above, the setback shall be deemed to be the distance which is the greater of:
    - i) Such setback as provided in Subsections (e) and (f) above; or,
    - ii) The measurement calculated by adding 0.6 metres to the width of the swale within such setback;
  - h) Notwithstanding Subsections 18A. (1) (a) & (b), the minimum parking ratio required for a single detached dwelling shall be 2.0 spaces per unit and the minimum visitor parking shall be 0.4 spaces per unit.
3. That the "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to Block 2, be modified to include the following special requirements:
- a) In addition to Section 2 Interpretation and Definitions, the following definition shall apply:

**"Swale"** shall mean a graded or engineered landscape feature, appearing as a linear, shallow, open channel for the purpose of conveying surface stormwater drainage, and includes an emergency overland flow route, as shown on the drainage plan for the lot approved by the Director, Growth Management Division;
  - b) Notwithstanding any other provision of this By-law, no building or structure shall be located within a swale;

- c) Notwithstanding Subsection 10E (3), no building shall exceed three storeys, and no structure shall exceed 13.5 metres in height;
  - d) Notwithstanding Subsection 10E (4):
    - i) A yard of a depth of not less than 3.0 metres from the north property line;
    - ii) A yard of a depth of not less than 3.0 metres from the south property line;
    - iii) A yard of a depth of not less than 7.0 metres from the east property line;
    - iv) A yard of a depth of not less than 7.0 metres from the southeast property line; and,
    - v) A yard of a depth of not less than 7.0 metres from the west property line;
  - e) Notwithstanding Subsection 10E (5), the distance between two end walls shall not be less than 3.0 metres;
  - f) Subsections 10E (8) and (9) shall not apply to a Maisonette Dwelling;
  - g) Notwithstanding Subsection 10E (10), there shall be provided and maintained on the same lot an amount not less than 28% of the area of the lot on which buildings or structures are situated, as landscaped area;
  - h) Notwithstanding subsection d) above, and in addition to Subsection 9(3)(iii), where a swale is located within a yard provided for in subsection d) above, the setback shall be deemed to be the distance which is the greater of:
    - i) Such setback as provided in subsection d) above; or,
    - ii) The measurement calculated by adding 0.6 metres to the width of the swale within such setback;
  - i) Notwithstanding Subsections 18A. (1) (a) & (b), the parking ratio required for townhouse dwelling with garage parking space enclosed or attached to each dwelling unit or Townhouse Dwelling and Maisonette Dwelling shall be at least 1.25 spaces per unit and the minimum visitor parking shall be at least 0.25 spaces per unit; and,
  - j) Notwithstanding Subsections 18A. (7), every required parking space, other than a parallel parking space, shall have dimensions not less than 2.7 metres wide and 5.8 metres long;
4. That the "RT-30" (Street - Townhouse) District provisions, as contained in Section 10F of Zoning By-law No. 6593, applicable to Blocks 3 and 4, be modified to include the following special requirements:

- a) Notwithstanding Subsection 10F (3), no building shall exceed two and a half storeys, and no structure shall exceed 11.5 metres in height;
  - b) Notwithstanding Subsection 10F (4) (a), a front yard depth to a garage of at least 6.0 metres and to a dwelling of at least 4.5 metres;
  - c) Notwithstanding Subsections 10F (4) (c) (i), (ii) and (iii) and (d), the side yard depth and setback from a daylighting triangle shall be at least 1.2 metres, except for a side yard abutting Stone Church Road East the depth shall be at least 6.0 metres;
  - d) Subsection 10F (5) shall not apply; and,
  - e) Notwithstanding Subsection 10F (6), there shall be provided a lot area of not less than 165.0 square metres;
5. That the “C” (Urban Protected Residential, Etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to Blocks 5 and 6, be modified to include the following special requirements:
- a) Notwithstanding Subsection 9 (2), no building shall exceed two and a half storeys, and no structure shall exceed 11.5 metres in height;
  - b) Notwithstanding Subsection 9 (3) (i), a front yard depth to a garage of at least 6.0 metres and to a dwelling of at least 4.5 metres; and,
  - c) Subsections 18A. (1) (f), (9) and (10) shall not apply;
6. 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 “C” (Urban Protected Residential, Etc.) District, the “RT-20” (Townhouse - Maisonette) District, or the “RT-30” (Street - Townhouse) District provisions, as applicable, subject to the special requirements referred to in Sections 2 through 5 of this By-law;
7. That By-law No. 6593 is amended by adding this By-law to Section 19B as Schedules S-1811;
8. That Sheet Nos. E18b and E 18c of the District Maps are amended by marking the lands referred to in Section 1 of this By-law as S-1811; and,
9. 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 15<sup>th</sup> day of December, 2021.

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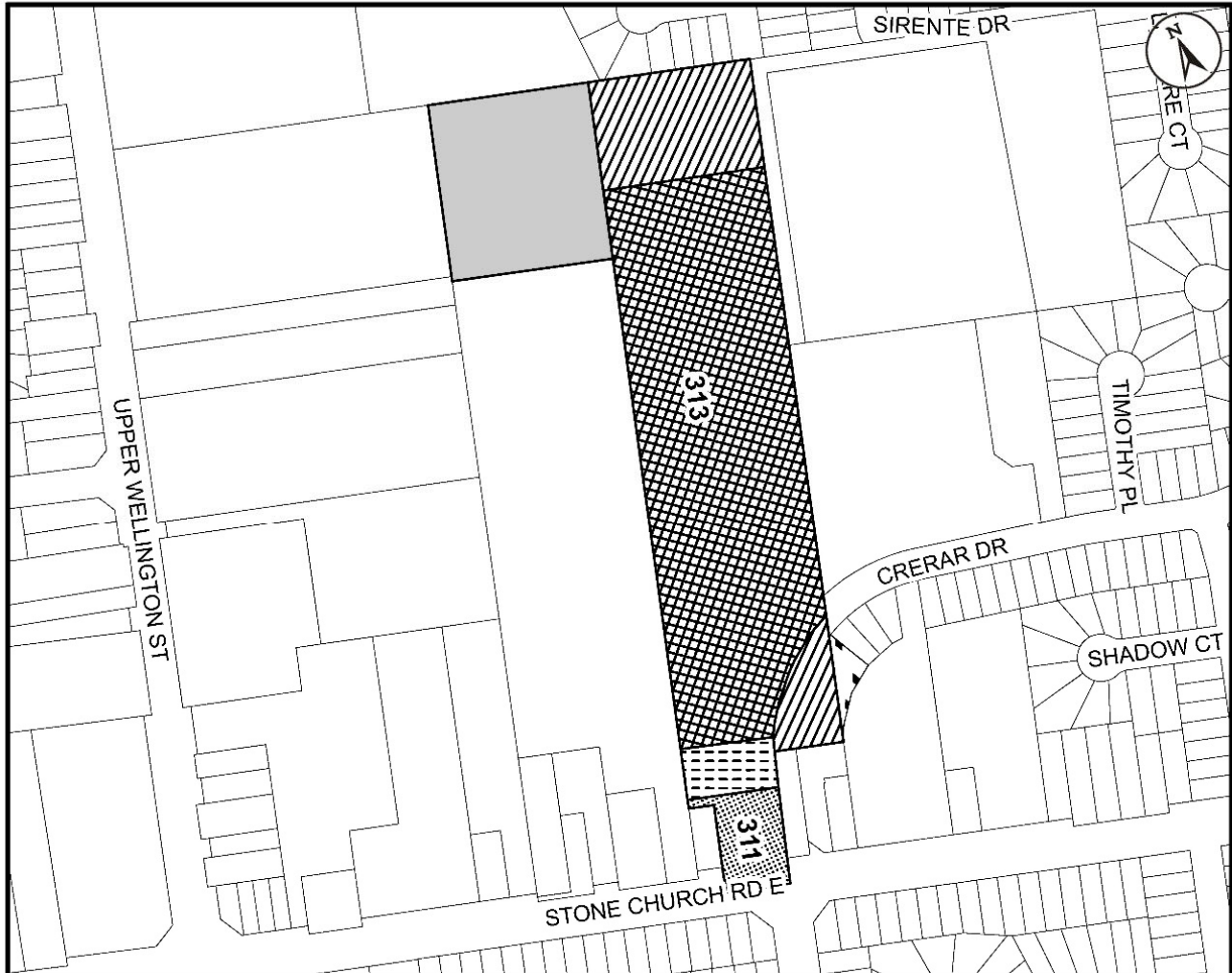
F. Eisenberger  
Mayor

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A. Holland  
City Clerk

ZAC-21-009  
UHOPA-21-005













This is Schedule "A" to By-law No. 21-  
Passed the ..... day of ....., 2021

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Mayor  
-----  
Clerk

**Schedule "A"**  
**Map forming Part of**  
**By-law No. 21-\_\_\_\_\_**  
**to Amend By-law No. 6593**

- Subject Property**  
311 and 313 Stone Church Road East
-  Block 1 – Change in zoning from the "AA" (Agricultural) District to the "C/S-1811" (Urban Protected Residential, Etc.) District, Modified
  -  Block 2 – Change in zoning from the "AA" (Agricultural) District to the "RT-20/S-1811" (Townhouse - Maisonette) District, Modified
  -  Block 3 – Change in zoning from the "AA" (Agricultural) District to the "RT-30/S-1811" (Street - Townhouse) District, Modified
  -  Block 4 – Change in zoning from the "C" (Urban Protected Residential, Etc.) District to the "RT-30/S-1811" (Street - Townhouse) District, Modified
  -  Block 5 – Change in zoning from the "AA" (Agricultural) District to the "C/S-1811" (Urban Protected Residential, Etc.) District, Modified
  -  Block 6 – Change in zoning from the "C" (Urban Protected Residential, Etc.) District to the "C/S-1811" (Urban Protected Residential, Etc.) District, Modified
  -  Refer to By-law No. 05-200

Scale: N.T.S	File Name/Number: ZAC-21-009, 25T-202104, 25CDM-2021005, 25CDM-2021006 & UHOPA-21-005	 Hamilton
Date: December 2, 2021	Planner/Technician: TV/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

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

**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)