

**Authority:** Item 12, Planning Committee  
Report: 12-018 (PED12208)  
CM: November 28, 2012

**Bill No. 266**

## **CITY OF HAMILTON**

### **BY-LAW NO. 12-**

#### **To Amend Zoning By-law No. 87-57 Respecting Lands Located at 446 Springbrook Avenue, in the former Town of Ancaster, now in the City of Hamilton**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. 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 area municipality known as the “The Corporation of the Town of Ancaster” 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 87-57 (Ancaster) was enacted on the 22<sup>nd</sup> day of June 1987, and approved by the Ontario Municipal Board on the 23<sup>rd</sup> day of January, 1989;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 12 of Report 12-018 of the Planning Committee, at its meeting held on the 28th day of November, 2012, recommended that Zoning By-law No. 87-57, 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).

**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) By changing the zoning from the Agricultural “A” Zone to the Agricultural “H-A-654” Holding Zone on the lands comprised of Block 1; and,
  - (b) By changing the zoning from the Agricultural “A” Zone to the Residential “R4-555” Zone, Modified, on the lands comprised of Block 2;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 Sub-sections:

**“H-A-654”**

The 'H' Holding prefix shall be lifted from the “**H-A-654**” Zone once the following conditions have been completed:

- (i) A draft plan of subdivision has been approved for the development of the subject lands, which includes a municipal road and full municipal services, and is consistent with the approved Ancaster Meadowlands Neighbourhood IV Secondary Plan, to the satisfaction of the Manager of Development Planning;
- (ii) Springbrook Avenue has been fully urbanized, including, but not limited to, municipal storm and sanitary sewers, and the owner has paid the City of Hamilton their fair share of the as-constructed costs of the works, less over-sizing, for the full frontage of both the subject lands and the lands at 446 Springbrook Avenue, to the satisfaction of the Manager of Engineering Design; and,
- (iii) The owner of the subject lands has provided a sanitary sewer service to 446 Springbrook Avenue, and ensured that the existing home has been connected, and the existing septic system/water wells have been satisfactorily decommissioned; all to the satisfaction of the Manager of Engineering Design.

City Council may remove the (H) symbol, and thereby give effect to the “A-654” Zone, by enactment of an amending By-law once the above conditions have been fulfilled.

To Amend Zoning By-law No. 87-57 Respecting Lands Located at 446 Springbrook Avenue, in the former Town of Ancaster, now in the City of Hamilton

Page 3 of 4

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.

**PASSED** this 28<sup>th</sup> day of November, 2012.

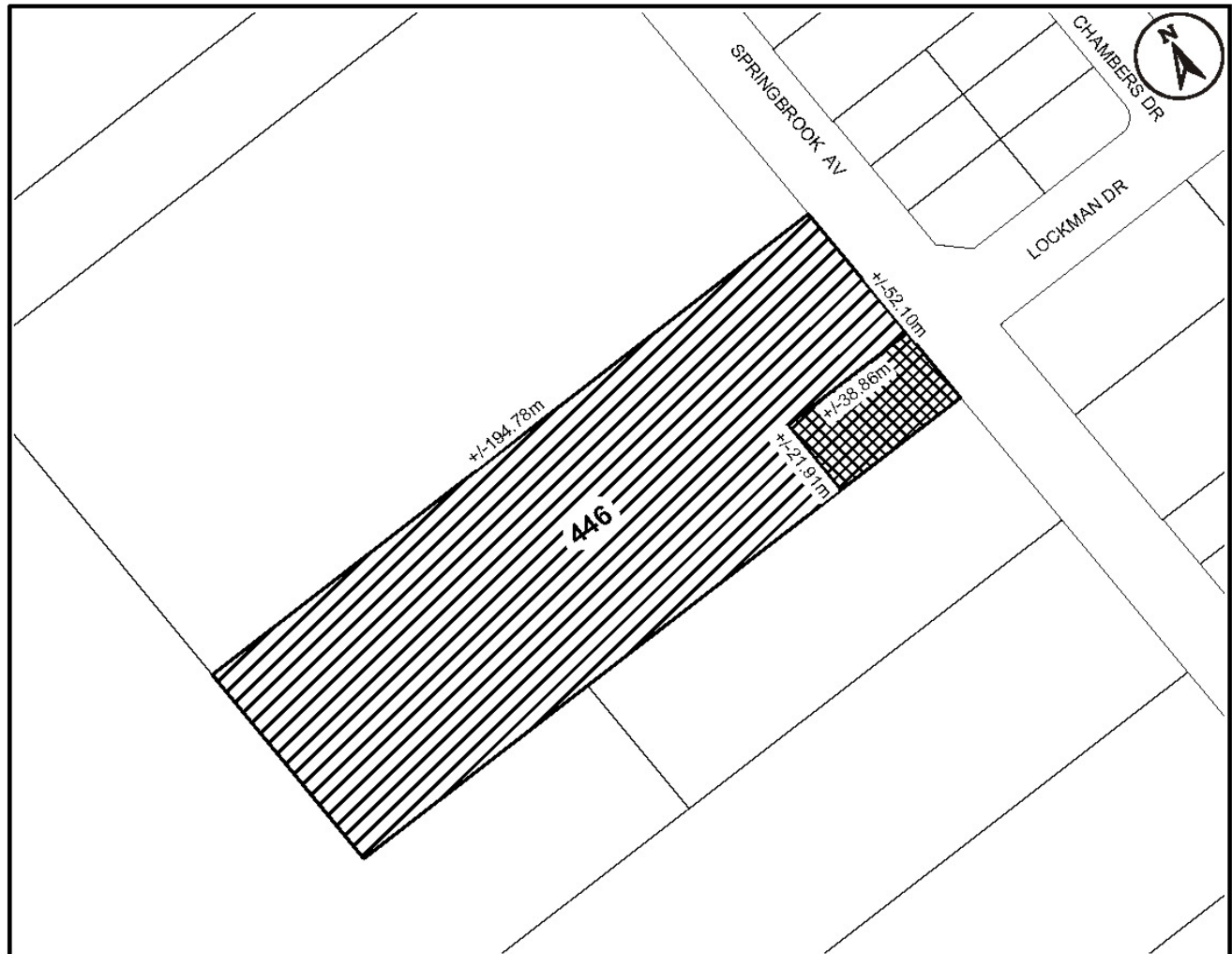
---

R. Bratina  
Mayor

---

R. Caterini  
City Clerk

ZAR-12-018



<p>This is Schedule "A" to By-Law No. 12-</p> <p>Passed the ..... day of ....., 2012</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
--	---

<h2>Schedule "A"</h2> <p>Map Forming Part of By-Law No. 12-_____</p> <p>to Amend By-law No. 87-57</p>	<p><b>Subject Property</b> 446 Springbrook Avenue</p> <p> <b>Block 1</b> - Change in Zoning from the Agricultural "A" Zone to the Agricultural "H-A-654" Holding Zone.</p> <p> <b>Block 2</b> - Change in Zoning from the Agricultural "A" Zone to the Residential "R4-555" Zone, Modified.</p>
---	---