SUBJECT: City Initiative for a Change in Zoning for Lands Located as Part of Lot 5, Concession 3, Township of Glanford (Glanbrook) (PED08177) (Ward 11)

RECOMMENDATION:

That approval be given to City Initiative CI-08-F, City of Hamilton, Owner, with modifications recommended by staff, for a change in Zoning from the Airport “AT” Zone to the Airport - Related General Industrial “M4” Zone and the Conservation/Hazard Land (P5) Zone, in order to permit the westerly portion (Block 2) of the lands to be used for Industrial purposes in conjunction with the lands to the north; and for the easterly portion (Block 1) to continue to be used for stormwater management purposes on the lands located on Upper James Street, known as Part of Lot 5, Concession 3, Township of Glanford (Glanbrook), as shown on Appendix “A” to Report PED08177, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED08177, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That the amending By-law be added to Schedule “A” of Zoning By-law No. 464.

(c) That the draft By-law, attached as Appendix “C” to Report PED08177, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(d) That the amending By-law be added to Schedule “A”, Map No. 1629, of Zoning By-law No. 05-200.
(e) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and the Official Plan for the Township of Glanbrook.

Tim McCabe
General Manager
Planning and Economic Development Department

EXECUTIVE SUMMARY:

The purpose of this initiative is to change the zoning of the subject lands in order to permit the westerly portion (Block 2) of the lands to be used for future industrial purposes in conjunction with the lands to the north and for the easterly portion (Block 1) to continue to be used for stormwater management purposes (see Appendix “A”).

The proposed changes in Zoning have merit and can be supported since it is consistent with the Provincial Policy Statement, and conforms to the Hamilton-Wentworth Official Plan and the Township of Glanbrook Official Plan. The proposal is compatible with existing and proposed land uses in the surrounding area.

BACKGROUND:

Proposal

The change of zoning of the subject lands has been initiated by City staff in order to merge a portion of these lands with the lands to the north, and to recognize the existing stormwater management facility and zone it accordingly. The purpose of this proposal is to change the zoning on the subject lands from the Airport “AT” Zone, which only permits an Airport and uses, buildings and structures accessory and/or related thereto, including commercial, industrial and office uses; to the Airport - Related General Industrial “M4” Zone (see Block 2 on Schedule “A”) and to the Conservation/Hazard Land (P5) Zone (see Block 1 on Schedule “A”). The intent of this City initiated rezoning is in order to facilitate a land transfer for Block 2 to be conveyed to the lands to the north and be developed in conjunction with the Orlick Business Park for a variety of airport related industrial uses, whereas Block 1 will remain in City ownership for the purposes of stormwater management.

Details of Submitted Application

Location: Part of Lot 5, Concession 3, Township of Glanford (Glanbrook) - (see Appendix “A”)

Owner/Applicant: City of Hamilton
Agent: City of Hamilton

Property Description:

- Total Lot Area - Part 1: +/- 2.46 ha
- Total Lot Area - Part 2: +/- 2.62 ha
- Total Lot Frontage: +/- 256 metres
- Total Lot Depth: Irregular

EXISTING LAND USE AND ZONING:

<table>
<thead>
<tr>
<th>Subject Land:</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Vacant Industrial Subdivision</td>
<td>Airport-Related Prestige Industrial “M3” Zone, Airport-Related Industrial “M4” Zone</td>
</tr>
<tr>
<td>West</td>
<td>Airport; Vacant Industrial Subdivision</td>
<td>Airport-Related Industrial “M4” Zone, Airport “AT” Zone</td>
</tr>
<tr>
<td>South</td>
<td>Single Detached Dwellings; Airport</td>
<td>Deferred Development “DD” Zone, Airport “AT” Zone</td>
</tr>
<tr>
<td>East</td>
<td>Single Detached Dwellings; Agricultural and Recreational</td>
<td>General Agricultural “A1” Zone, Private Open Space “OS1-007” Zone</td>
</tr>
</tbody>
</table>

ANALYSIS/RATIONALE:

1. The proposed Zoning By-law Amendment has merit and can be supported for the following reasons:

   - It is consistent with the Provincial Policy Statement.
   - It conforms with, and implements the "Urban Area - Business Park” policies of the Hamilton-Wentworth Official Plan.
   - It conforms with and implements the “Airport-Industrial Business Park” designation of the Township of Glanbrook Official Plan.
   - The proposed development is compatible with the existing land uses in the surrounding area.
2. The proposal is consistent with the Employment Area policies identified under Section 1.3 of the Provincial Policy Statement. This proposal also corresponds with the new initiatives and policies relating to Employment Lands under Section 2.2.6 of the Provincial Growth Plan for the Greater Golden Horseshoe (2006).

The subject lands have been identified and designated for employment and industrial development for many years. The proposed application also conforms to the policies outlined in the Hamilton-Wentworth Official Plan, the Township of Glanbrook Official Plan, and the Council approved Airport Industrial-Business Park Secondary Plan. Currently, the subject lands are in the ownership of the City of Hamilton and under the authority of the Hamilton International Airport, and permit a variety of airport related uses such as commercial, industrial and offices, in conjunction with the airport. Block 2, as per this application, will be incorporated into the lands to the north and will be used in conjunction with the Orlick Business Park, thereby continuing to permit a variety of airport-related general industrial uses, which will remain in keeping with the entire area and policy framework. This Business Park has previously been identified as an inherent economic catalyst to attracting industrial and commercial development to the John C. Munro Hamilton International Airport and the surrounding area. Block 1 will remain in the City’s ownership and will continue to be used for stormwater management purposes for this area.

3. The general intent of the Glanbrook Zoning By-law is to apply the Airport “AT” Zone to those lands designated “Airport” in the Glanbrook Official Plan, and that lands designated Airport Industrial - Business Park be Zoned Airport - Related General Industrial “M4” Zone. The existing zoning of the subject lands is the Airport “AT” Zone, which only permits an Airport and uses, buildings and structures accessory and/or related thereto, including commercial, industrial and office uses. Therefore, if a portion of these lands are to be merged with lands to the north, they will no longer be part of the airport or be able to contain uses that are accessory to the airport use. This City initiated zoning of these lands to the Airport - Related General Industrial “M4” Zone (see Block 2 on Schedule “A”), and to the Conservation/Hazard Land (P5) Zone (see Block 1 on Schedule ‘A’), will then permit these lands to be used in conjunction with the lands to the north for airport-related industrial uses, showrooms or retail outlets for products manufactured or assembled on the premises, high technology industrial uses, commercial storage facilities, convention and exposition centres, professional and business offices, and accessory uses, building and structures, within Block 2; as well as Block 1 remaining in City ownership for the purposes of stormwater management.

4. The subject lands will be developed in conjunction with the lands to the north, and more specifically, all engineering concerns, such as stormwater management, are currently being reviewed and incorporated into the revised Orlick Subdivision Application (File # 25T-200525R), and all associated conditions and concerns will be addressed through this process.
5. The subject property meets 3 of the 12 criteria used by the City of Hamilton and Ministry of Culture for determining archaeological potential:

(1) Within 300 metres of water or prehistoric water, or 200 metres of a secondary watercourse;

(2) Documentary evidence, local knowledge or oral history associates the property with historic activities, events or occupations; and,

(3) Within 100 metres of a historic transportation corridor.

These criteria define the property as having archaeological potential. Accordingly, Section 2(d) of the Planning Act and Section 2.6.2 of the Provincial Policy Statement apply to the subject application.

Therefore, if this zoning amendment is approved, a condition to the property sale or transfer shall be attached as follows:

That prior to any further approvals under the Planning Act or any construction requiring a building permit issued by the City of Hamilton, the property owner shall carry out an archaeological assessment of the entire development property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, construction activities, landscaping, staging, stockpiling or other soil disturbances shall take place on the subject property prior to the approval of the Director of Planning and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and conservation requirements. All archaeological reports shall be submitted to the City of Hamilton concurrent with their submission to the Ministry of Culture.

Should deeply buried archaeological remains be found on the property during any of the above development activities, the Ontario Ministry of Culture (MCL) should be notified immediately (416.314.7143). In the event that human remains are encountered during construction, the applicant/landowner should immediately contact both MCL and the Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of Government Services (416.326.8392).

6. All development within the subject lands will be subject to the formal Site Plan process. This development approval process will permit City staff and the appropriate agencies, such as Hamilton International Airport, Transport Canada and NAV Canada, to review the development proposal in detail, and provide input with respect to setbacks, height restrictions and noise implications, as per specific requirements, such as the Airport Zoning Regulations (AZR) enacted pursuant to the Aeronautics Act, which among other regulations, controls building heights in proximity to flight paths.
7. The current stormwater management facility located within Block 1 of this subject property was developed by the Region of Hamilton-Wentworth to accommodate a portion of the proposed business park to the west and north, and as such, will be rezoned accordingly to acknowledge this use and remain in City ownership.

8. In response to the Public Consultation Process, a total of two responses from one neighbouring land owner were received (see Appendix “F”). The concerns raised included: the impact on their well water, the disruption of natural drainage patterns to the north, excessive noise levels and maintenance and appearance of current fencing adjacent to the subject site. An analysis of the issues is provided below:

Impact on Well Water

This rezoning proposal currently only involves the change of zoning from an airport related zone that permits industrial uses to another appropriate airport related industrial zone, as well as a conservation/hazard zone for the stormwater management facility. It should also be noted that these lands are currently being reviewed as part of the Orlick Business Park and will be reviewed to ensure that there will no impacts to adjacent land owners. Furthermore, Block 2 of the subject lands will be developed in conjunction with the lands to the north, which shall be connected to municipal services as well as being subject to the following condition which should alleviate any concerns. The subdivision condition that is in force is as follows: “That the owner shall prepare a Groundwater Study, which shall assess the impact that the proposed development would have on the water supply and the sewage disposal systems on the adjacent properties. Pending the outcome of the Study, the owner shall propose appropriate mitigative measures to address the concerns, to the satisfaction of the Manager of Development Engineering. “

Disruption of Natural Drainage Patterns

The subject lands, both Block 1 and Block 2, are currently being reviewed through the adjacent Subdivision Agreement, and will acknowledge any existing drainage patterns to ensure that all post-development overland stormwater flows match the pre-development flows, and that the grading will not adversely affect adjacent land owners. It should also be noted that Block 1 will remain as a City owned stormwater management facility that will accommodate stormwater flows from the adjoining area.

Excessive Noise Levels from Industrial Activity

The majority of the lands bordering the concerned resident, i.e. Block 1, will remain in City ownership and will be zoned Conservation/Hazard Management (P5) Zone and, therefore, will not create any additional noise. However, a portion of the proposed Airport - Related General Industrial “M4” Zone will be in proximity to the neighbouring property, but will not significantly change the permitted uses. The existing zoning currently permits industrial uses affiliated with the airport, and the proposed zoning will also permit airport-related industrial uses. It should also be noted that any development within Block 2 of these lands will be subject to Airport
Zoning Regulations (AZR) enacted pursuant to the Aeronautics Act and may prohibit any building to be placed on this site due to height restrictions with respect to flight paths. Furthermore, any development on this site will also be subject to Site Plan control, and the future uses will be evaluated with respect to existing land uses and the appropriate zoning provisions required adjacent to residential uses.

**Maintenance and Appearance of Adjacent Fencing**

The fencing adjoining the subject lands to the west was put in place via previous resolutions between the previous owners of the subject lands and adjoining lands, as stated by the neighbours. Therefore, at this time, the rezoning of these lands does not require fencing, but as per the adjacent Subdivision Agreement, fencing requirements shall be addressed. Also, with respect to Block 2, these lands will be subject to a Site Plan Agreement, and shall adhere to all zoning regulations which will require fencing and adequate buffering from the adjacent residential lands.

**ALTERNATIVES FOR CONSIDERATION:**

In the event Council does not support the application, the lands would then be subject to the existing Airport “AT” Zone provisions and shall remain in the City’s ownership and controlled by the Hamilton International Airport.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

- Financial - N/A.
- Staffing - N/A.
- Legal - As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider an application for a Zoning By-law Amendment.

**POLICIES AFFECTING PROPOSAL:**

**Provincial Policy Statement**

The application has been reviewed with respect to the Provincial Policy Statement (PPS). Staff recognizes that the application is consistent with the policies that promote economic development and competitiveness in Employment Areas, Policy 1.3.

The proposal for a change in zoning to an industrial zone is consistent with the Airport policies of the Provincial Policy Statement, Policy 1.6.7.

However, Policy 2.6.2 outlines that development and site alteration may be permitted on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved by removal and documentation, or preservation on site. Where significant archaeological resources
must be preserved on site, only development and site alteration which maintain the
heritage integrity of the site may be permitted. Therefore, the following condition shall
be included in the purchase and sale agreement:

“That prior to any further approvals under the Planning Act or any construction requiring
a building permit issued by the City of Hamilton, the property owner shall carry out an
archaeological assessment of the entire development property and mitigate, through
preservation or resource removal and documentation, adverse impacts to any
significant archaeological resources found. No demolition, grading, construction
activities, landscaping, staging, stockpiling or other soil disturbances shall take place on
the subject property prior to the approval of the Director of Planning and the Ministry of
Culture confirming that all archaeological resource concerns have met licensing and
conservation requirements. All archaeological reports shall be submitted to the City of
Hamilton concurrent with their submission to the Ministry of Culture.

Should deeply buried archaeological remains be found on the property during any of the
above development activities, the Ontario Ministry of Culture (MCL) should be notified
immediately (416.314.7143). In the event that human remains are encountered during
construction, the applicant/landowner should immediately contact both MCL and the
Registrar or Deputy Registrar of the Cemeteries Regulation Unit of the Ministry of
Government Services (416.326.8392).”

Growth Plan for the Greater Golden Horseshoe (Places to Grow)

The application is consistent with the growth management policies of the Growth Plan
for the Greater Golden Horseshoe 2006. Section 2.2.6 indicates that an adequate
supply of lands providing locations for a variety of appropriate employment uses will be
maintained to accommodate the growth forecasts, and that municipalities will promote
economic development and competitiveness by:

(a) Providing for an appropriate mix of employment uses including industrial,
commercial and institutional uses, to meet long-term needs.

(b) Providing opportunities for a diversified economic base, including maintaining a
range and choice of suitable sites for employment uses which support a wide
range of economic activities and ancillary uses, and take into account the needs
of existing and future businesses.

(c) Planning for, protecting and preserving employment areas for current and future
uses.

(d) Ensuring the necessary infrastructure is provided to support current and
forecasted employment needs.
This application is consistent with the Growth Plan for the Greater Golden Horseshoe 2006 since it proposes to maintain appropriate employment uses within the Urban Area.

**Hamilton-Wentworth Official Plan**

The subject property is designated as “Urban Area - Business Park” in the Hamilton-Wentworth Official Plan. As the nature of the application is for a change in zoning for industrial and stormwater purposes, the proposal is consistent with Policy C-3.1.3.

Additionally, Policy B-9.2 states that the City shall consider the protection and preservation of regionally significant historical and cultural resources, including recognized archaeological sites, in the review of proposals for development and redevelopment. Where possible, these attributes will be incorporated into the overall design in a manner which minimizes adverse impacts and encourages maintenance and protection. Therefore, the above noted condition shall be included in the property sale or transfer document associated to the subject lands.

Lastly, Policy C-4.3.5.3. (b) states that all new development permitted within areas exposed to noise disturbance levels of 28 NEF or greater will be required to be insulated for noise, in accordance with the standards of the Provincial Ministry of Municipal Affairs and Housing. However, as documented with the recent updates to the Provincial Policy Statement, staff is of the opinion that the policies addressing noise are geared towards sensitive land uses, and not an industrial use as is proposed through the subject application. Therefore, staff is of the opinion that the proposal is consistent with the above noted policy.

**Township of Glanbrook Official Plan**

The subject property is designated as “Airport Industrial - Business Park” on Schedule “A” - General Land Use Plan, in the Glanbrook Official Plan, and as “Airport-Related General Industrial” on Schedule “A” - Land Use Plan, in the Council adopted Airport Industrial-Business Park Secondary Plan.

The following policies, among others, are applicable to the proposed development:

“B.2.6 Airport Industrial-Business Park

B.2.6.1 The permitted uses on the lands designated Airport Industrial-Business Park on Schedule “A” - Land Use Plan shall be limited to the following:

(a) Airport-related industrial uses, including but not limited to, airport transportation and cargo services, light manufacturing or assembly, wholesale and distribution warehouses, storage of non-hazardous material in enclosed buildings, and communication and utility activities benefiting from proximity to airport services;
B.2.6.5 Development in the Airport Industrial-Business Park shall proceed in an orderly manner and shall conform to the comprehensive policies of a Secondary Plans(s) to be prepared and approved for the Airport Industrial-Business Park pursuant to Section G.4 of this Plan. The Secondary Plan(s) for the Airport Industrial-Business Park shall:

(a) Delineate an internal road system for the Park including limited access to Highway No. 6 in accordance with the requirements of the Ministry of Transportation and Communications;

(b) Establish detailed land use patterns within the Park;

(c) Include provisions prohibiting noxious, polluting, noisy or hazardous uses;

(d) Provide measures to protect existing residential and institutional uses in or abutting the Park, whether or not these uses are expected to be redeveloped;

(e) Specify landscaping and other amenities to ensure that the Park will be of a high quality;

(f) Include provisions for dealing with increased storm water runoff; and,

(g) Recognize Transport Canada’s airport zoning.

B.2.6.6 The Airport Industrial-Business Park shall be developed in a coordinated and comprehensive manner. Wherever possible, regard shall be given to reducing the number of access points to the major boundary and major internal roadways, and to providing efficient internal traffic circulation, adequate off-street parking and loading facilities, adequate restrictions and screening of outside storage, and adequate landscaping, and buffering requirements.

B.2.6.13 All development in the Airport Industrial-Business Park shall be adequately regulated by suitable provisions in the implementing Zoning By-law, which may establish various industrial and commercial zones with appropriate regulations regarding lot size and dimensions, setbacks, building size and character, off-street parking and loading facilities, landscaping and buffering, and signage.

B.2.6.14 All new development and redevelopment in the Airport Industrial-Business Park shall be subject to site plan control pursuant to Section 40 of the Planning Act, 1983, and Section G.8 of this Plan."
This proposal conforms to both the Township of Glanbrook Official Plan and to the policies of the Council approved Airport Industrial-Business Park Secondary Plan.

**RELEVANT CONSULTATION:**

The following Departments and Agencies had no comments or objections:

- Hamilton International Airport.
- Recreation Section, Community Service Department.
- Open Space and Park Planning, Capital Planning and Implementation Division, Public Works Department.
- Infrastructure and Source Water Planning, Water and Wastewater Division, Public Works Department.
- Traffic Engineering, Operations and Maintenance Division, Public Works Department.
- Environmental Planning, Capital Planning and Implementation Division, Public Works Department.
- Forestry and Horticulture Section, Operations and Maintenance, Public Works Department.

The following Departments and Agencies submitted comments:

**NAV Canada**

“We have evaluated the captioned proposal and NAV CANADA can only offer general comments for the following reasons:

- The subject lands are adjacent to an airport where NC has facilities, procedures and operations.
- Any development of the lands may have an adverse impact either by construction of a structure which would pose a hazard to aviation operation or interfere with NC facilities.
- When specific proposals are submitted for the area, we require 30 business days to review and determine if there will be an adverse impact. Where there is, we will identify what the proponent must do to mitigate the impact.”
Niagara Peninsula Conservation Authority

The Niagara Peninsula Conservation Authority has no issue with the proposed zoning amendment and will be dealing with servicing issues through the draft plan approval process.

Strategic Planning, Capital Planning and Implementation, Public Works Department

“Recommendations of the City Wide Stormwater Master Plan for control and conveyance control should be incorporated in the servicing plans. The proponent should be aware of the capacity of the existing Stormwater Pond and proceed with development concepts that are respective of the existing pond limitations. Development Engineering should provide detailed stormwater management comments.”

Transport Canada

“Please be advised that Transport Canada no longer determines whether a property is subject to, or complies with Airport Zoning Regulations (AZR) enacted pursuant to the Aeronautics Act. Airport Zoning Regulations are prepared by qualified land surveyors of Public Works and Government Services Canada and are registered in the local Registry or Land Titles Offices.

The proposed Zoning By-law Amendment can have an impact on the current and/or future operations of the Hamilton Airport. We, therefore, recommend that you contact the Hamilton Airport Manager regarding the potential impact of the proposed plan.

Should it be decided to proceed with the plan, please note the following:

(a) The proposed development is in close proximity to the Hamilton Airport and appears to be und the Outer Surface of the Hamilton Airport Zoning Regulations. It is strongly recommended that an Ontario Land Surveyor determine whether the proposed development meets the height restrictions of the AZR. It is incumbent on the owner(s) or other persons in possession or control of the property, to ensure compliance with these regulations, if applicable.

(b) The Hamilton AZR include a clause restricting the disposal of waste edible by or attractive to birds. Any waste from a new use of this land must be properly covered and managed such that it does not attract birds.

(c) Any temporary crane erections associated with or necessary for the construction of this development may require an exemption to the Hamilton Airport Manager Zoning Regulations. Crane erections should be coordinated with the Hamilton Airport Manager and with Transport Canada. In advance of construction, an Aeronautical Obstruction Clearance Form must be submitted to this office for assessment.”
PUBLIC CONSULTATION

In accordance with the Planning Act and Council’s Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to all property owners (a total of 100) within 120 metres of the subject lands on April 23, 2008. In addition, a Public Notice sign was placed on the subject lands on May 13, 2008. To date, staff has received 2 responses from one neighbouring property owner (see Appendix “D”), which have been addressed in the Analysis/Rationale Section of this Report. Notice of the Public Meeting was provided in accordance with the Planning Act.

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
Shelter, care and satisfying employment are accessible to all Hamiltonians.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Ecological function and the natural heritage system are protected.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Investment in Hamilton is enhanced and supported.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐ Yes ☑ No

TH
Attachs. (4)
Subject Property

Part of Lot 5, Concession 3 in the Geographic Township of Glanford now in the City of Hamilton

- Block 1: Change in Zoning from the Airport "AT" Zone to the Conservation/Hazard Land (P5) Zone in By-law No. 05-200
- Block 2: Change in Zoning from the Airport "AT" Zone to the Airport - Related General Industrial "M4" Zone
CITY OF HAMILTON

BY-LAW NO. __________

To Amend Zoning By-law No. 464 (Glanbrook)
Respecting Lands located at Part of Lot 5, Concession 3,
Township of Glanford (Glanbrook)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. 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 Township of Glanbrook” 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 of the former area municipalities 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. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS the Council of the City of Hamilton, in adopting Section __________ of Report 08- __________ of the Planning and Economic Development Committee at its meeting held on the 16th day of March, 2008, recommended that Zoning By-law No. 464 (Glanbrook), 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 Township of Glanbrook);

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

1. That Schedule “A”, appended to and forming part of By-law No. 464 (Glanbrook) is amended,
a) by changing the zoning on Block 2 from the Airport “AT” Zone to the Airport-Related General Industrial “M4” Zone;

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

2. 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 Airport-Related General Industrial “M4” Zone.

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 and ENACTED this _______ day of _______, 2008.

_________________________________________       _________________________________
Fred Eisenberger                      Kevin C. Christenson
Mayor                                  City Clerk
CI-08-F
Appendix "B" to Report PED08177
Page 3 of 3

Schedule "A"

Map Forming Part of By-Law No. 08-

to Amend By-law No. 464

Subject Property

Part of Lot 5, Concession 3 in the Geographic Township of Glanford now in the City of Hamilton

Block 1: Refer to By-law No. 05-200

Block 2: Change in Zoning from the Airport "AT" Zone to the Airport - Related General Industrial "M4" Zone
CITY OF HAMILTON

BY-LAW No.

To Amend Zoning By-law No. 05-200,

Part of Lot 5, Concession 3, Township of Glanford (Glanbrook)

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 of Report 08-000 of the Economic Development and Planning Committee at its meeting held on the day of 2008, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

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

1. That Map No. 1629 of Schedule “A” to Zoning By-law No. 05-200, is amended by incorporating additional Conservation/Hazard Land (P5) Zone boundaries for the applicable lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”;
2. 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 and ENACTED this day of , 2008.

__________________________________________  __________________________________________
Fred Eisenberger                                      Kevin C. Christenson
Mayor                                               City Clerk

CI-08-F
Appendix “C” to Report PED08177
Page 3 of 3

Schedule "A"

Map Forming Part of By-Law No. 08-____
to Amend By-law No. 05-200
(Map 1629)

This is Schedule "A" to By-Law No. 08-
Passed the ........... day of ...................., 2008

Clerk

Mayor

Subject Property
Part of Lot 5, Concession 3 in the Geographic
Township of Glanford now in the City of Hamilton

Change in Zoning from the Airport "AT" Zone to the
Conservation/Hazard Land (P5) Zone in By-law
No. 05-200

Scale:
N.T.S. CI-08-F
Date:
July 2, 2008
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

TH/BR
Horzelenberg, Trevor

From: [Redacted]
Sent: Monday, May 12, 2008 7:19 PM
To: Horzelenberg, Trevor
Subject: File No: CI-08-F
Follow Up Flag: Follow up
Flag Status: Flagged

Concerning Zoning By-law Amendment Part of Lot 5, Concession 3, Geographic Township of Glanford, City of Hamilton
File No: CI-08-F
May 12, 2008

Dear Sir:
The small site map is incorrect - you have the lands at the end of the wrong sideroad.
We acknowledge that we are affected by these changes therefore, our concerns are as follows:
1. We assume there will be no disruption to our well water.
2. We assume there will be no disruption to our natural drainage patterns to the north, specifically.
3. We are concerned about the possibility of excessive noise levels as a result of industrial activity bordering our property.
4. We assume there will be proper fencing along both the north and west sides, fencing that will not detract from the appearance of our property. Please note that the present fencing was erected and maintained by court orders against the previous owner (the Mount Hope Golf Course). This fence has subsequently been maintained by the federal government when the golf course was first sold. This is a contentious issue as it has not been maintained recently under Hamilton's operation.

Please keep us informed. Thank you
Fletcher and Janine Hunt

6/2/2008
Dear (Recipient),

Yes, we would like to be notified of the adoption of the proposed Zoning By-law Amendment (or refusal) as instructed in your correspondence of April 28/08.

Re: 'Notice of Complete City Initiative on the Town of Glanford City of Hamilton' 

Sincerely yours,

[Signature]

Hunt Fletcher Gordon
Hunt Janine Lenore
PO Box 117
Mount Hope, Ont. L0R1W0

OFFICE OF THE CITY CLERK
MAY 07 2008

[Space for additional notes or actions, if any]