TO: Chair and Members  
Economic Development and Planning Committee  
WARD(S) AFFECTED: WARD 11  
COMMITTEE DATE: September 7, 2010  
SUBJECT/REPORT NO:  
Application for an Amendment to the Township of Glanbrook Zoning By-law No. 464 and City of Hamilton Zoning By-law No. 05-200 for the Lands Located at 31 Trinity Church Road and 1824 Rymal Road (Glanbrook) (PED10190) (Ward 11)  
SUBMITTED BY:  
Tim McCabe  
General Manager  
Planning and Economic Development Department  
PREPARED BY:  
Alvin Chan  
(905) 546-2424, Ext. 1334  
SIGNATURE:  
RECOMMENDATION:  
That approval be given to **Zoning Application ZAR-10-022, by Multi-Area Developments (Applicant)**, for changes in zoning to the Township of Glanbrook Zoning By-law No. 464 from the General Agricultural “A1” Zone to the Holding - General Commercial “H-C3-249” Zone, with a Special Exception (Block 1); the zoning of lands to be added to Township of Glanbrook Zoning By-law No. 464 as General Commercial “C3-249” Zone, with a Special Exception (Block 2); and for changes in zoning for lands to be added to the City of Hamilton Zoning By-law No. 05-200 by zoning Block 3 as Holding - Major Institutional (I3, H38) Zone, and Block 4 as Major Institutional (I3) Zone, in order to permit land assembly and the subsequent reconfiguration of the proposed “Institutional” and “Commercial” blocks, previously approved under City of Hamilton By-law Nos. 10-088 and 10-089, for the lands located at 31 Trinity Church Road and 1824 Rymal Road (Glanbrook), as shown on Appendix “A” to Report PED10190, on the following basis:  

**Vision:** To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.  
**Values:** Honesty, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
(a) That the draft By-laws, attached as Appendices “B” and “C” to Report PED10190, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

(b) That the amending By-law, attached as Appendix “B” to Report PED10190, be added to Schedule “J” of the former Township of Glanbrook Zoning By-law No. 464.

(c) That the amending By-law, attached as Appendix “C” to Report PED10190, be added to Map No. 1548 and Map No. 1593 of Schedule “A” of the City of Hamilton Comprehensive Zoning By-law No. 05-200.

(d) That the proposed changes in zoning conform to the Hamilton-Wentworth Official Plan and the Township of Glanbrook Official Plan.

EXECUTIVE SUMMARY

The purpose of the application is to permit the land assembly of 31 Trinity Church Road to form part of the Draft Plan of Subdivision, “Summit Park - Phase 5”, 25T-200716(R) and, accordingly, to permit the subsequent changes in zoning to accommodate the reconfiguration of the “Institutional” and “Commercial” blocks previously proposed.

The proposed Zoning By-law Amendment application has merit and can be supported as it is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), Hamilton-Wentworth Official Plan, and the Township of Glanbrook Official Plan.

Alternatives for Consideration - See Page 11.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial: None.

Staffing: None.

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.
HISTORICAL BACKGROUND

Official Plan Amendment and Zoning By-law Amendment Applications OPA-09-012 and ZAC-09-048:

These applications were approved and adopted by Hamilton City Council on April 28, 2010, through By-law Nos. 10-087 to 10-089. The lands were designated “Institutional” and “Low to Medium Density Residential” under Official Plan Amendment No. 79, and rezoned General Commercial “C3-249” Zone in the Township of Glanbrook Zoning By-law No. 464, and Major Institutional (I3) Zone in the City of Hamilton Zoning By-law No. 05-200.

The applicant, Multi-Area Developments Inc., has recently acquired the subject lands known as 31 Trinity Church Road. As such, the applicant has requested minor revisions to the “Summit Park - Phase 5” Plan of Subdivision, 25T-200716(R), and has accordingly submitted changes to the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton By-law No. 05-200 to facilitate the proposed re-configuration of the respective “Commercial” and “Institutional” development blocks.

Proposal

The applicant has applied to include 31 Trinity Church Road as part of the “Summit Park - Phase 5” Plan of Subdivision, 25T-200716(R). To ensure orderly and comprehensive development, a reconfiguration of the “Institutional” and “Commercial” blocks has been proposed and, accordingly, the required changes in zoning to the Township of Glanbrook Zoning By-law No. 464 and the City of Hamilton By-law No. 05-200 have been requested.

In particular, as shown on Appendix “A”, the applicant has requested a change in zoning to the former Township of Glanbrook Zoning By-law No. 464 from the General Agriculture “A1” Zone to a Holding - General Commercial “H-C3-249” Zone for lands shown as Block 1, and the General Commercial “C3-249” Zone for lands shown as Block 2.

In addition, lands are to be added and zoned under City of Hamilton Zoning By-law No. 05-200. In particular, as shown on Appendix “A”, Block 3 is to be zoned Major Institutional - Holding (I3, H38) Zone, and Block 4 is to be zoned Major Institutional (I3) Zone.
Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.

Values: Honest, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork

Details of Submitted Application

Location: 31 Trinity Church Road
(See Appendix “A”)

Owner(s): Lorne Charles and Maureen Ellis

Applicant: Multi-Area Developments Inc.
(c/o Steve Spicer)

Agent: A. J. Clarke and Associates Ltd.
(c/o Stephen Fraser)

Property Description:
(31 Trinity Church Road) Total Lot Area: 0.2096 hectares
Total Lot Frontage: 57.3 metres
Lot Depth: 36.58 metres
Servicing: Municipal Water and Sanitary Sewers

EXISTING LAND USE AND ZONING:

<table>
<thead>
<tr>
<th>Subject Lands</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
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<tbody>
<tr>
<td>Single Detached Residential</td>
<td>General Agricultural “A1” Zone (Block 1)</td>
<td></td>
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<tr>
<td>Vacant</td>
<td>General Agricultural “A1” Zone (Block 2)</td>
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<tr>
<td>Vacant Agricultural</td>
<td>Major Institutional (I3) Zone (Block 3)</td>
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<tr>
<td>Vacant Agricultural</td>
<td>General Commercial “C3-249” Zone (Block 4)</td>
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</table>
Surrounding Lands:

**North**
Commercial and Single Detached Residential
Service Commercial “CS” Zone and Single Residential “R1” Zone

**South**
Vacant Agricultural Lands - to be developed as Institutional and Residential under “Summit Park - Phase 5”
Major Institutional (I3) Zone and Residential Multiple “RM2-250” Zone

**East**
Vacant Agricultural Lands - to be developed as Commercial and Institutional under “Summit Park - Phase 5”
General Commercial “C3-249” Zone and Major Institutional (I3) Zone

**West**
Single Detached Residential and Trinity United Church and Cemetery
Agricultural “AA” Zone and Open Space (P4) Zone

**POLICY IMPLICATIONS**

**Places to Grow Plan:**

The proposed changes in zoning for commercial and institutional purposes is consistent with the Guiding Principles, Section 1.2.2 of the Places to Grow Plan, whereby the proposed development provides for a compact, vibrant, and complete community which protects, conserves, enhances, and wisely uses the valuable natural resources of land, air, and water for current and future generations; optimizes the use of existing and new infrastructure to support growth in a compact efficient form; and is a planned and managed form of growth that supports a strong and competitive economy.

As the subject lands were previously approved for “Commercial” and “Institutional” development through Official Plan Amendment No. 79 and the respective zoning amendments, the proposed incorporation and reconfiguration of the land uses under the Draft Plan of Subdivision known as “Summit Park - Phase 5”, 25T-200716(R), conforms to the principles and policies of the Places to Grow Plan.

**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 focus growth in Settlement Areas 1.1.3.1.
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 maintains the heritage integrity of the site, may be permitted.

As the subject lands have been determined to be of archaeological potential, staff requests that an ‘H’ Holding provision be included within the amending By-law, subject to the submission and clearance of an archaeological assessment from the City of Hamilton and the Ministry of Culture.

Lastly, Policy 2.6.1 states that significant built heritage resources and significant cultural heritage landscapes shall be conserved. The lands known as 31 Trinity Church Road are listed in the City’s Inventory of Buildings of Architectural and/or Historical Interest.

Accordingly, staff requests that an ‘H’ Holding provision be included within the amending By-law prohibiting the demolition until such time as a Built Heritage Assessment, in particular, a photo-documentation and summary report on the built heritage, is identified, to the satisfaction of the Director of Planning and the Ministry of Culture.

Based on the foregoing, as the proposal is for the inclusion of 31 Trinity Church Road to the “Summit Park - Phase 5” Draft Plan of Subdivision, 25T-200716(R), along with the subsequent zoning and reconfiguration of the respective “Commercial” and “Institutional” land use blocks, within a settlement area, the proposal is consistent with the policies of the Provincial Policy Statement.

**Hamilton-Wentworth Official Plan**

The subject property is designated as “Urban Area” in the Hamilton-Wentworth Official Plan. Policy C-3.1 outlines that a wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas. Urban Areas are intended to accommodate approximately 96% of new residential housing units in the Region to the year 2020.

However, 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. As stated above, staff has requested an ‘H’ Holding Provision, subject to the submission
and clearance from the City of Hamilton and the Ministry of Culture of an archaeological assessment and a Built Heritage Assessment.

Based on the foregoing, as the proposal is for a minor revision to the previously established land uses as a result of the recent acquisition of additional adjacent lands, and as full municipal services will be addressed through the “Summit Park - Phase 5” Plan of Subdivision, 25T-200716(R), the application conforms to the policies of the Hamilton-Wentworth Official Plan.

**Township of Glanbrook Official Plan:**

The subject lands are designated “Institutional” and “Low to Medium Density Residential” on Schedule “I” - Rymal Road Secondary Plan, in the Township of Glanbrook Official Plan, as amended by Official Plan Amendment No. 79.

The subject lands are of cultural and built heritage significance and, accordingly, Policy A.5.2 states that the City shall preserve and foster the cultural identity of the former Township. Accordingly, as requested above, an ‘H’ Holding provision shall be included in the implementing By-laws, subject to an archaeological and Built Heritage Assessment, to the satisfaction of the City of Hamilton and the Ministry of Culture.

With regards to the proposed land uses, the subject proposal is a reconfiguration of the established land uses, as approved by Council through Official Plan Amendment No. 79 on April 28, 2010, and as the proposed changes in zoning are in keeping with and implement the approved land use plan, as amended by Council, the proposal conforms to the Township of Glanbrook Official Plan.

**New Urban Official Plan**

The subject lands are designated as a “Secondary Corridor” and “Neighbourhoods” on Schedule “E” - Urban Structure and “Neighbourhoods” on Schedule E-1 - Urban Land Use Designations. The lands are also designated as “Local Commercial” and “Medium Density Residential 2c” in the Rymal Road Secondary Plan, Map B.5.2-1.

However, it is noted that the Rymal Road Secondary Plan was amended by Council through Official Plan Amendment No. 79 to the former Township of Glanbrook Official Plan and, accordingly, a housekeeping amendment to reflect the established land use designations will be required upon approval of the new Urban Hamilton Official Plan by the Ministry of Municipal Affairs and Housing.
The following Departments and Agencies had no comments or objections:

- Taxation Division, Corporate Services Department.
- Recreation Division, Community Services Department.
- Environmental Services Section, Public Works Department.
- Hydro One Networks Inc.

**Strategic Planning and Rapid Transit Section, Public Works Department**, has advised that the recommendations in the City of Hamilton’s New Urban Hamilton Official Plan referring to Schedule C-2 - Future Road Widening and Rymal Road EA should be consulted.

**Environmental Planning Section, Public Works Department**, has advised that the subject lands are located within the Hannon Creek North Glanbrook Industrial Park and Hannon Creek Sub-watershed study areas.

**Landscape Architectural Services Section, Public Works Department**, has advised that in order to restrict vehicular access, as a result of construction of the proposed residential development, that a chain link fence shall be erected around the Park Block, Block 140 of "Summit Park - Phase 5", 25T-200716(R).

It is noted that the chain link fencing of the Park Block, Block 140, has been addressed as a condition of approval in the Draft Plan of Subdivision, in particular, Condition 19 to the “Summit Park - Phase 5” Draft Plan of Subdivision, 25T-200716(R).

**Support Services Section, Public Works Department**, has advised that the level of service for municipal waste collection will be dependent on the building development and use. This will be addressed through the future Site Plan Control application. Operations support staff, therefore, have no comments concerning the proposed Zoning By-law Amendment.

**Traffic Engineering Section, Public Works Department**, has advised that Rymal Road East is a controlled access roadway, and full movement access to the local Commercial Block will not be permitted to Rymal Road East given the existing two lane cross-section or ultimate build-out of Rymal Road East. Additional details will be provided at the Site Plan Control stage. However, the owner/applicant is advised that access points to this site, from both Rymal Road East and Trinity Church Road, must provide a minimum of 70m separation to the intersection.
Public Consultation

In accordance with the new provisions of the Planning Act and Council’s Public Participation Policy, 39 Notices of Complete Application and Preliminary Circulation were sent to property owners within 120 metres of the subject property on June 10, 2010, requesting comments on the application.

Furthermore, a Public Notice Sign was posted on the property on June 17, 2010, and Notice of the Public Meeting was given in accordance with the requirements of the Planning Act. To date, no letters or responses have been received from members of the public.

ANALYSIS / RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:

   (i) It is consistent with the policies of the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe, Places to Grow Plan, subject to the requested ‘H’ Holding provision with respect to built and cultural heritage resources.

   (ii) It conforms to the “Urban Area” policies of the Hamilton-Wentworth Official Plan and the designations as established by Official Plan Amendment No. 79 to the former Township of Glanbrook Official Plan, subject to the requested ‘H’ Holding provision with regard to built and cultural heritage resources.

   (iii) As noted in the Policy Implications section above, a housekeeping amendment, to reflect the land uses established through Official Plan Amendment No. 79 to the former Township of Glanbrook Official Plan, will be required upon adoption of the New Urban Hamilton Official Plan by the Ministry of Municipal Affairs and Housing.

      Upon amendment to the Rymal Road Secondary Plan through the required housekeeping amendment, the proposed development will conform to the policies of the New Urban Hamilton Official Plan and the respective Rymal Road Secondary Plan.
2. The Growth Plan for the Greater Golden Horseshoe prescribes development that provides for a compact, vibrant, and complete community which protects, conserves, enhances, and wisely uses the valuable natural resources of land, air, and water for current and future generations; optimizes the use of existing and new infrastructure to support growth in a compact efficient form; and is a planned and managed form of growth that supports a strong and competitive economy.

As the proposed development will provide for commercial uses on a major arterial (Rymal Road East), and will also provide for institutional uses, being a high school, the proposed reconfiguration maintains the mix of land uses originally envisioned and approved for this area and will, therefore, provide for a complete community.

3. The Provincial Policy Statement directs growth to the Settlement Area. As the proposal is for a reconfiguration of the previously approved land uses in the “Urban Area”, the proposal is consistent with the policies of the Provincial Policy Statement subject to the requested ‘H’ Holding provisions with respect to built and cultural heritage resources.

4. The Hamilton-Wentworth Official Plan prescribes that a wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the “Urban Areas”.

As the proposal will provide for Commercial and Institutional services within the neighbourhood, and will be on full municipal services through the Draft Plan of Subdivision, “Summit Park - Phase 5”, 25T-200716(R), the proposal conforms with the policies of the Hamilton-Wentworth Official Plan, subject to the ‘H’ Holding provisions with regard to built and cultural heritage resources.

5. The proposed development is a minor re-configuration of the “Commercial” and “Institutional” lands. As the proposed changes implement and maintain the land use(s) and intent and purpose as established by Official Plan Amendment No. 79 to the former Township of Glanbrook Official Plan, the proposal conforms with the policies of the former Township of Glanbrook Official Plan.

6. As noted above, the proposal will be in conformity upon adoption of the new Urban Hamilton Official Plan by the Ministry of Municipal Affairs and Housing, and upon approval of a future housekeeping amendment to recognize the designations established by Official Plan Amendment No. 79 to the former Township of Glanbrook Official Plan, as approved by Hamilton Council on April 28, 2010.

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ALTERNATIVES FOR CONSIDERATION:

If the application is not approved, the subject lands will remain as General Agricultural “A1” Zone and may, therefore, be developed for agricultural uses; single-detached residential; commercial greenhouse operations for horticultural purposes; kennels; farm help house; seasonal farm produce stand; home occupations and home professionals; home industries; bed and breakfast establishments; outside parking and storage of large vehicles; and fish, wildlife, and/or forest management purposes.

With regard to the lands currently within the “Summit Park - Phase 5”, Plan of Subdivision 25T-200716(R), if the application is not supported, the owner may develop the lands in accordance with the Plan of Subdivision, “Summit Park - Phase 5”, 25T-200716(R), subject to the established respective zones being the General Commercial “C3-249” Zone and the Major Institutional (I3) Zone.

CORPORATE STRATEGIC PLAN (Linkage to Desired End Results)


Environmental Stewardship

• Natural resources are protected and enhanced.
• No new development is associated with these applications.

APPENDICES / SCHEDULES

• Appendix “A”: Location Map
• Appendix “B”: Draft Zoning By-law Amendment to Glenbrook Zoning By-law No. 464
• Appendix “C”: Draft Zoning By-law Amendment to Hamilton Zoning By-law No. 05-200
• Appendix “D”: Copy of Proposed Revisions to “Summit Park - Phase 5”, 25T-200716(R)

:AC
Attachs. (4)
Location Map

File Name/Number: ZAR-10-022
Date: July 20, 2010

Appendix "A"

Scale: N.T.S.
Planner/Technician: AC/AL

Subject Property

Block 1 - For a change in zoning from the General Agricultural "A1" zone to the Holding-General Commercial "H-C3-249" Zone (Zoning By-law No. 464)

Block 2 - Lands to be zoned General Commercial "C3-249" Zone (Zoning By-law No. 464)

Block 3 - Lands to be zoned Major Institutional-Holding (I3, H38) Zone (Zoning By-law No. 05-200)

Block 4 - Lands to be zoned Major Institutional (I3) Zone (Zoning By-law No. 05-200)

Ward 11 Key Map N.T.S.

Site of the Application
CITY OF HAMILTON

BY-LAW NO. [Blank]

To Amend Zoning By-law No. 464 (Glanbrook)
Respecting Lands Located at 31 Trinity Church Road and 1824 Rymal Road

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 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 Item [Blank] of Report 10-[Blank] of the Economic Development and Planning Committee, at its meeting held on the [Blank] day of [Blank], 2010, 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 “J”, appended to and forming part of By-law No. 464 (Glanbrook), is amended by changing the zoning from General Agriculture “A1” Zone to the Holding - General Commercial “H-C3-249”, on the lands, the extent and boundaries of which are shown as Block 1, on a plan hereto annexed as Schedule “A”.

2. That Schedule “J”, appended to and forming part of By-law No. 464 (Glanbrook), is amended by adding lands, to be zoned General Commercial “C3-249”, on the lands the extent and boundaries of which are shown as Block 2, on a plan hereto annexed as Schedule “A”.

3. That Section 44, “Exceptions to the Provisions of the By-law”, of Zoning By-law No. 464, be amended by adding a new Special Provision, “H-C3-249”, as follows:

   “H-C3-249” 31 Trinity Church Road

   The ‘H’ symbol may be removed at such time as the following have been satisfied:

   a. The owner/applicant submits and receives clearance of an archaeological assessment, to the satisfaction of the Director of Planning and the Ministry of Culture.

   b. The owner/applicant has submitted and received clearance of a Built Heritage Assessment, in particular, a photo-documentation and summary report on the built heritage identified, to the satisfaction of the Director of Planning.

   City Council may remove the ‘H’ symbol, and thereby give effect to the General Commercial “C3-249” Zone, by enactment of an amending By-law once the above conditions have been satisfied.

4. 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 _ , 2010.

_________________________________  _________________________
Fred Eisenberger  Rose Caterini
Mayor  Clerk

ZAR-10-022
Appendix "B" to Report PED10190 (Page 3 of 3)

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

Schedule "A"
Map Forming Part of By-Law No. 10-_____ to Amend By-law No. 464

Subject Property

- Block 1 - Change in zoning from General Agriculture "A1" Zone to the Holding-General Commercial "H-C3-249" Zone
- Block 2 - To be zoned General Commercial "C3-249" Zone
- Refer to By-law No. 05-200
CITY OF HAMILTON

BY-LAW NO. ________

To Remove a Portion of the Lands from and to Amend Zoning By-law No. 05-200 Respecting Lands Located at 31 Trinity Church Road and 1824 Rymal Road (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, Statutes of Ontario, 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 it is desirable to enact a new Zoning By-law to comprehensively deal with zoning throughout the City;

AND WHEREAS the first stage of the Zoning By-law, being By-law No. 05-200, came into force on May 25, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Item _______ of Report 10-______ of the Economic Development and Planning Committee, at its meeting held on the ______ day of ______, 2010, 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 (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” of By-law No. 05-200 is amended by adding lands to Map No. 1548 and Map No. 1593, the extent and boundaries of which are shown as “Blocks 1 and 2” on a plan hereto annexed as Schedule “A”, with Block 2 to be zoned Major Institutional - Holding (I3, H38) Zone, and Block 1 to be zoned Major Institutional (I3) Zone.
2. That Schedule "D": Holding Provisions of By-law No. 05-200 is amended by adding an additional Holding Provision as follows:

"38. That notwithstanding Section 8.3 of this By-law, on those lands zoned Major Institutional - Holding (I3, H38) Zone, on Maps 1548 and 1593 of Schedule "A, no development shall occur until such time as:

(i) The owner/applicant has submitted and received clearance of an archaeological assessment, to the satisfaction of the Director of Planning and the Ministry of Culture."

3. That Schedule “A” of By-law No. 05-200 is amended by deleting lands, the extent and boundaries of which are shown as “Block 3” on a plan hereto annexed as Schedule “A”, from Map No. 1593.

4. 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.

5. That this By-law No. shall come into force and be deemed to have come into force in accordance with Subsection 34(21) of the Planning Act, either upon the date of passage of this By-law or as provided by the said Subsection.

PASSED and ENACTED this day of , 2010.

__________________________  __________________________
Fred Eisenberger            Rose Caterini
Mayor                      Clerk

ZAR-10-022
Appendix “C” to Report PED10142 (Page 3 of 3)

This is Schedule "A" to By-Law No. 10-_____
Passed the .......... day of .................., 2010

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Schedule "A"

Map Forming Part of By-Law No. 10-_____
to Amend By-law No. 05-200 (Maps 1593 & 1548)

- **Block 1** - Lands to be zoned Major Institutional (I3) Zone
- **Block 2** - Lands to be zoned Major Institutional-Holding (I3, H38) Zone
- **Block 3** - Lands to be deleted from By-law No. 05-200

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Subject Property

Refer to By-law No. 464

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Scale: N.T.S.  
File Name/Number: ZAR-10-022  
Date: July 20, 2010  
Planner/Technician: AC/AL  
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT