



City Hall, 71 Main Street West
Hamilton, Ontario,
Canada L8P 4Y5
www.hamilton.ca

City Clerk's Office
Phone: 905.546-2424 ext 4605 Fax: 905.546-2095
Email: Lisa.Kelsey@hamilton.ca

Hamilton

September 19, 2023

Zeina Homes
1376412 Ontario Ltd.
1395 Sandhill Drive
Hamilton, ON L9G 5V5

Matt Johnston
UrbanSolutions Planning and Land Development Consultants
3 Studebaker Place. Unit 1
Hamilton ON L8L 0C8

**Re: Passage of Urban Hamilton Official Plan Amendment No. 189 (By-law 23-155) and Zoning By-law 23-156
382 Southcote Road, Ancaster**

Please find enclosed a copy of the Statutory Declaration and By-laws for the above-mentioned property. The By-laws are now final and binding.

Yours truly,

A handwritten signature in black ink, appearing to read 'Lisa Kelsey'.

Lisa Kelsey
Legislative Coordinator
Planning Committee

Attachments

Copies to:
Steve Robichaud
Heather Travis
Nada Belair
Christine Newbold
David Janaszek
MPAC
Aminu Bello

**UHOPA-23-003
ZAR-23-003**

DOMINION OF CANADA)
)
)
Province of Ontario)
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**IN THE MATTER OF Urban Hamilton Official
Plan Amendment No. 189 (By-law 23-155)
and Zoning By-law No. 23-156
AND IN THE MATTER OF Sections 17(28)
and 34(22) of the *Planning Act*, R.S.O.
1990, c. P.13.
382 Southcote Road, Ancaster**

TO WIT:)

I, Lisa Kelsey, Legislative Coordinator, City Clerk's Office, of the City of Hamilton, **DO SOLEMNLY DECLARE:**

1. That Notice of a Public Meeting for the purpose of informing the public in respect of the proposed Official Plan Amendment and Zoning By-law Amendment was given on the 26th day of May, 2023 as prescribed by law.
2. That Official Plan Amendment No. 189 (By-law 23-155) and Zoning By-law 23-156 were approved by the City of Hamilton on the 18th day of August, 2023.
3. That written Notice of Passing of the said Official Plan Amendment was given in accordance with Section 17(23) of the *Planning Act* on the 25th day of August, 2023.
4. That no Notice of Appeal was filed under Section 17(24) of the *Planning Act* on or before the 14th day of September, 2023, being twenty days from the day of the notice given of the approval of the said Official Plan Amendment.
5. That, in accordance with Section 17(27) of the *Planning Act*, I verily believe that the Official Plan Amendment is deemed to come into force on the 15th day of September, 2023, being the day following the last day for filing a notice of appeal.
6. That Notice of Passing of the Zoning By-law 23-156 was given in accordance with Section 34(18) of the *Planning Act* on the 25th day of August, 2023.
7. That no Notice of Appeal was filed under Section 34(19) of the *Planning Act* on or before the 14th day of September, 2023, being twenty days from the day of the notice given of the passing of the said By-law.
8. That, in accordance with Section 34(21) of the *Planning Act*, I verily believe that the By-law is deemed to come into force on the same day as the Official Plan Amendment.

AND I MAKE THIS solemn Declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Evidence Act*.

DECLARED before me at the
City of Hamilton

this 19th day of September, 2023

)
) 



A Commissioner, etc.

**UHOPA-23-003
ZAR-23-003**

*Tamara Kathleen Bates,
a Commissioner, etc.,
Province of Ontario, for the City of Hamilton.
Expires August 8, 2025*

Authority: Item 8, Planning Committee
Report: 23-012 (PED23119)
CM: August 18, 2023
Ward: 12
Written approval of this by-law was given
by Mayoral Decision MDE-2023-01 dated
August 18, 2023
Bill No. 155

CITY OF HAMILTON

BY-LAW NO. 23-155

**To Adopt Official Plan Amendment No. 189 to the
Urban Hamilton Official Plan**

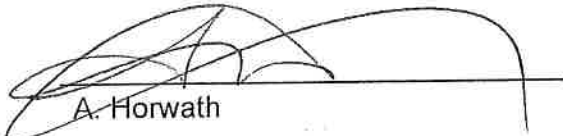
Respecting:

**382 Southcote Road
(former Town of Ancaster)**

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

1. Amendment No. 189 to the Urban Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 18th day of August, 2023.


A. Horwath
Mayor


A. Holland
City Clerk

Urban Hamilton Official Plan Amendment No. 189

The following text, together with Appendix "A", Volume 2, Map B.2.3-1 – Garner Neighbourhood Secondary Plan – Land Use Plan, attached hereto, constitutes Official Plan Amendment No. 189 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to establish a Site Specific Policy Area within the Garner Neighbourhood Secondary Plan to permit a minimum 12 metre lot frontage and maximum density of 24 units per gross/net residential hectare within the "Low Density Residential 1a" designation.

2.0 Location:

The lands affected by this Amendment are known municipally as 382 Southcote Road, in the former Town of Ancaster.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed development implements the Residential Intensification policies of the Urban Hamilton Official Plan;
- The proposed development represents a compatible built form that integrates with the surrounding area in terms of use, scale and character; and,
- The proposed Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

4.0 Actual Changes:

4.1 Volume 2 – Secondary Plans

Text

4.1.1 Chapter B.2.0 – Ancaster Secondary Plans – Section B.2.3 – Garner Neighbourhood Secondary Plan

- a. That Volume 2: Chapter B.2.0 – Ancaster Secondary Plans, Section B.2.3 – Garner Neighbourhood Secondary Plan be amended by adding a new Site Specific Policy Area, as follows:

"Site Specific Policy – Area D

B.2.3.6.4 For the lands located at 382 Southcote Road, designated Low Density Residential 1a and identified as Site Specific Policy -Area D on Map B.2.3-1 – Garner Neighbourhood Secondary Plan – Land Use Plan, the following policies shall apply:

- a) Notwithstanding Policy B.2.3.1.2 b) and Policy B.2.3.1.3 b) ii) of Volume 2, single detached dwellings shall be located on lots with a minimum frontage of 12 metres; and,
- b) Notwithstanding Policy B.2.3.1.3 b) iii) of Volume 2, the density shall not exceed 24 dwelling units per gross/net residential hectare."

Maps and Appendices

4.2.2 Map

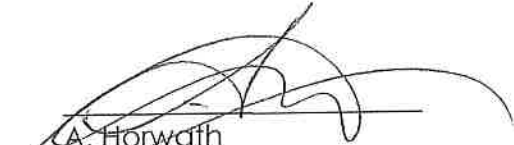
- a. That Volume 2: Map B.2.3-1 – Garner Neighbourhood Secondary Plan – Land Use Plan be amended by identifying the subject lands as Site Specific Policy – Area D, as shown on Appendix "A", attached to this Amendment.

5.0 Implementation:

An implementing Zoning By-Law Amendment and Consent will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule "1" to By-law No. 23-155 passed on the 18th day of August, 2023.

**The
City of Hamilton**



A. Horwath
Mayor

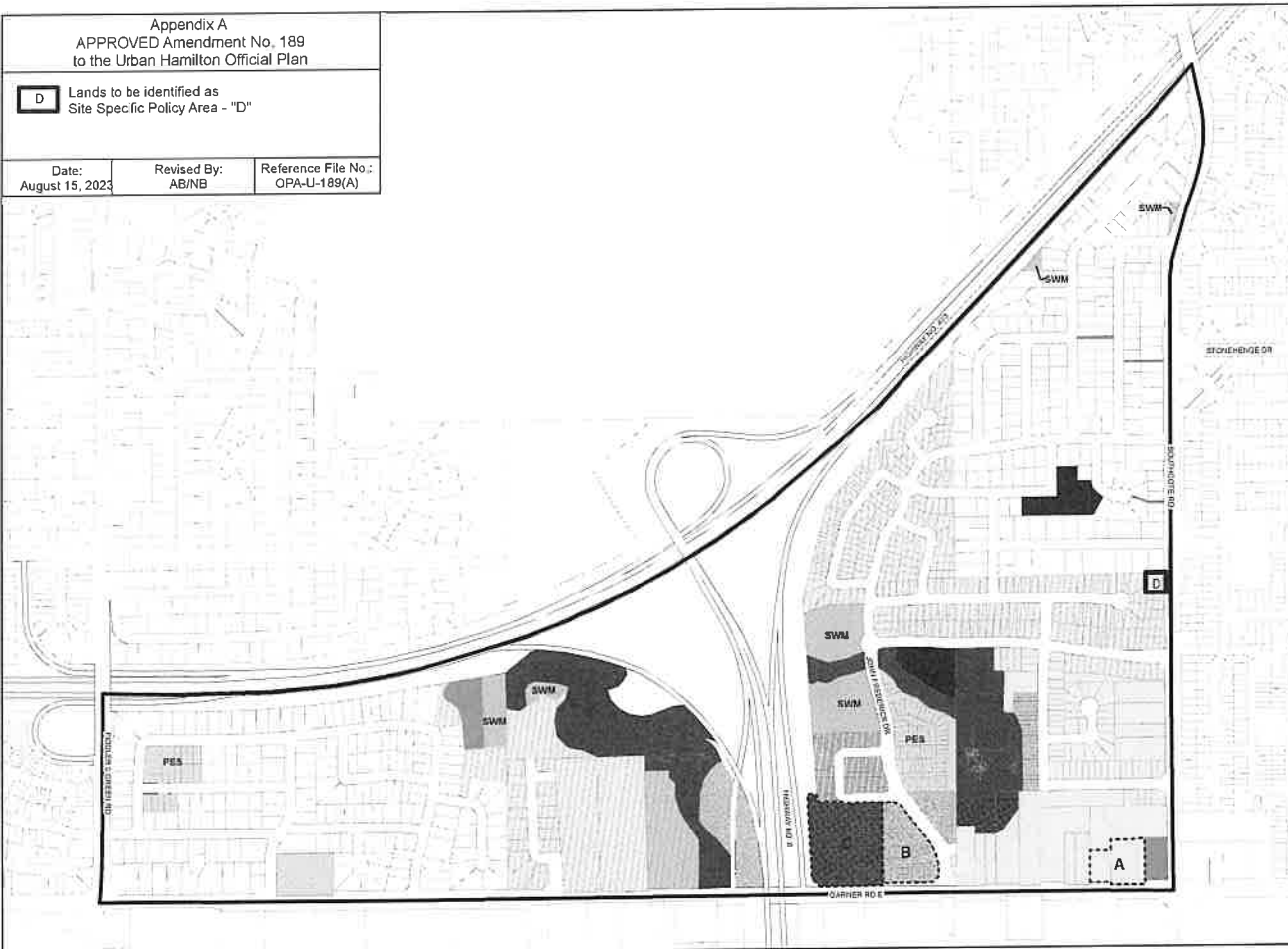


A. Holland
City Clerk

Appendix A
 APPROVED Amendment No. 189
 to the Urban Hamilton Official Plan

D Lands to be identified as
 Site Specific Policy Area - "D"

Date: August 15, 2023
 Revised By: AB/NB
 Reference File No.: OPA-U-189(A)



- Legend**
- Residential Designations**
- Low Density Residential (Infill/Existing)
 - Low Density Residential 1
 - Low Density Residential 1a
 - Low Density Residential 2a
 - Low Density Residential 2c
 - Low Density Residential 3a
 - Medium Density Residential 2b
- Parks and Open Space Designations**
- Neighbourhood Park
 - General Open Space
 - Natural Open Space
- Other Designations**
- Institutional
 - Local Commercial
 - PES Public Elementary School
 - Utility
 - SWM Storm Water Management
- Other Features**
- Area of Site Specific Policy
 - Unopened Road Allowance
 - Secondary Plan Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

Urban Hamilton Official Plan
Gamer Neighbourhood
Secondary Plan
 Land Use Plan
 Map B.2.3-1



PLANNING AND DESIGN SERVICES LTD. PROJECT APPROVED FOR RELEASE
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 THIS IS NOT A PLAN OF SURVEY.

Authority: Item 8, Planning Committee
Report 23-012 (PED23119)
CM: August 18, 2023
Ward: 12
Written approval for this by-law was given
by Mayoral Decision MDE-2023-01 dated
August 18, 2023

Bill No.156

CITY OF HAMILTON

BY-LAW NO. 23-156

To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 382 Southcote Road, Ancaster

WHEREAS Council approved Item 8 of Report 23-012 of the Planning Committee, at its meeting held on August 18th, 2023;

AND WHEREAS this By-law conforms with the Urban Hamilton Official Plan upon adoption of Urban Hamilton Official Plan Amendment No. 189;

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Map No. 1336 of Schedule "A" – Zoning Maps is amended by adding the Low Density Residential (R1, 848) Zone to the lands attached as Schedule "A" to this By-law.
2. That Schedule "C" - Special Exceptions is amended by adding the following new Special Exception:

"848. Within the lands zoned Low Density Residential (R1) Zone, identified on Map 1336 of Schedule "A" – Zoning Maps and described as 382 Southcote Road, the following special provisions shall apply:

- a) Notwithstanding Subsection 15.1.1, the following uses shall be prohibited:

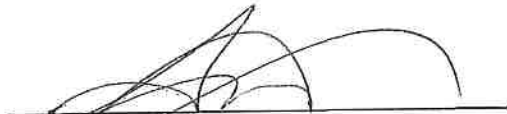
Duplex Dwelling
Semi-Detached Dwelling
Street Townhouse Dwelling"

- b) Notwithstanding Subsection 15.1.2.1 d), the following provision shall apply:

- i) Minimum Side Yard Setback
- a) 1.2 metres;
- b) Notwithstanding b) i) a) above, 4.5 metres shall be provided from the side lot line abutting 540 Gray Court Drive.

3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.
4. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the provisions of the Low Density Residential (R1, 848) Zone, subject to the special requirements referred to in Section No. 2 of this By-law.

PASSED this 18th day of August, 2023

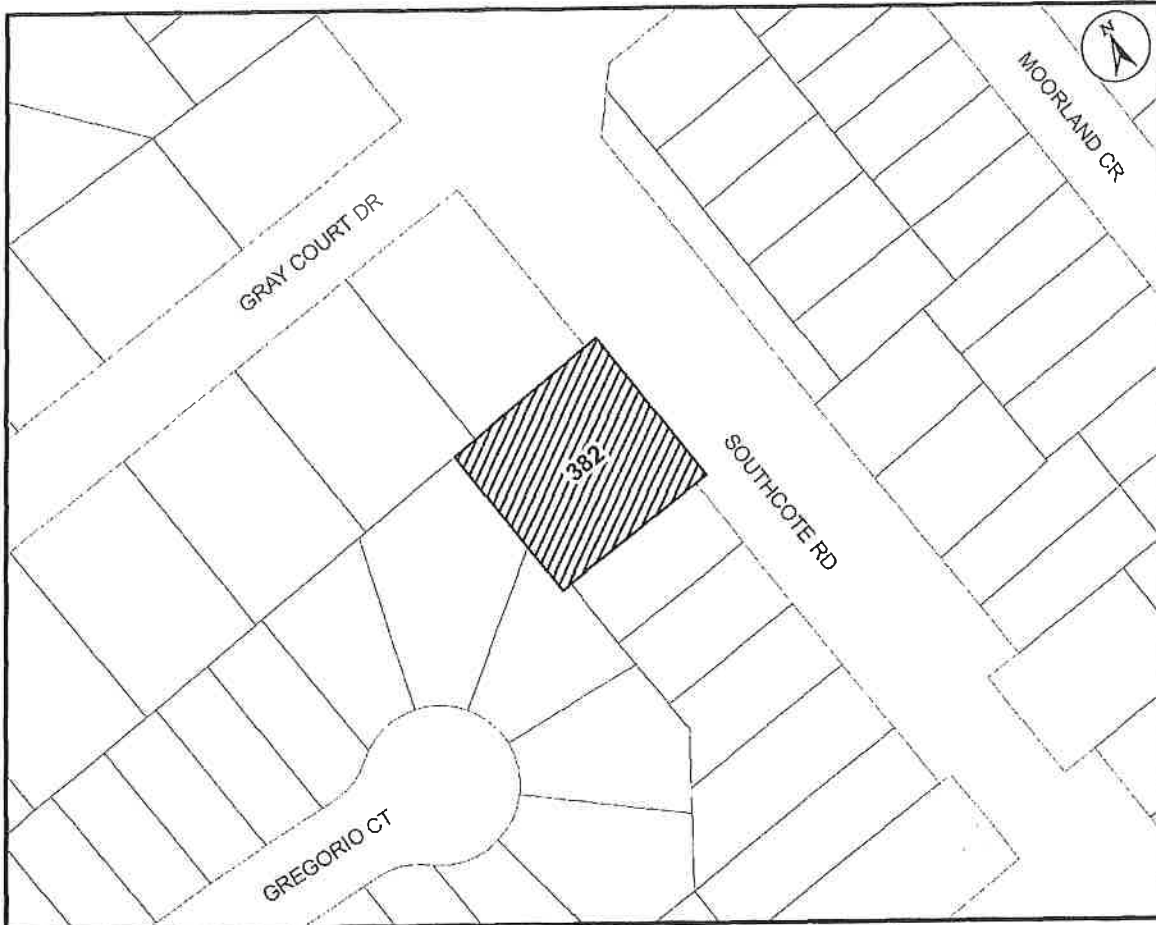


A. Horwath
Mayor



A. Holland
City Clerk

ZAR-23-003
UHOPA-23-003



This is Schedule "A" to By-law No. 23-156
Passed the 18 day of August, 2023


[Signature]
Mayor
[Signature]
Clerk


Schedule "A"

**Map forming Part of
By-law No. 23- 156**

to Amend By-law No. 87-57

Subject Property
382 Southcote Road

 Lands to be added to Zoning By-law No. 05-200 as
Low Density Residential (R1, 848) Zone

Scale: N.T.S	File Name/Number: ZAR-23-003 & UHOPA-23-003	 Hamilton
Date: May 4, 2023	Planner/Technician: AB/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		