



Hamilton

Office of the City Clerk
71 Main Street West, Hamilton, ON L8P 4Y5
Phone: 905-546-2424 Fax: 905-546-2095
www.hamilton.ca

**NOTICE OF THE ADOPTION AND APPROVAL OF
AN OFFICIAL PLAN AMENDMENT BY THE CITY OF HAMILTON**

TAKE NOTICE THAT the City of Hamilton Council has passed By-law No. **23-145** adopting and approving Official Plan Amendment No. 187 to the Urban Hamilton Official Plan on the 18th day of August, 2023, under Section 17(22) of the Planning Act, R.S.O. 1990, c. P.13. The municipal address of the subject property is 1093 Fennell Avenue East, Hamilton.

AND TAKE NOTICE THAT the oral and written submissions regarding this matter were received and considered by the Committee.

AND TAKE NOTICE THAT any person or agency who objects to Official Plan Amendment No. 187 may appeal the decision of Council to the Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal), by filing with the Clerk of the City of Hamilton, not later than the **14th day of September, 2023** a certified cheque or money order in the amount of \$1,100.00. If an Appellant is a private citizen, registered charity or a non-profit ratepayers' association, they may request the lower filing fee of \$400, if a request for the lower fee is made at the time of filing the appeal. Please use the OLT's Request for Lower Fee Form at <https://olt.gov.on.ca/appeals-process/fee-chart/>, payable to the Minister of Finance, Province of Ontario. A completed Notice of Appeal form setting out the reasons for the appeal of the amendments is required to be accompanied with the Ontario Land Tribunal fee. Appeal forms are available on the OLT website <http://olt.gov.on.ca/>.

PLEASE NOTE: IF YOU HAVE NO OBJECTION TO THE BY-LAW, YOU DO NOT NEED TO TAKE ANY ACTION, AND YOU DO NOT NEED TO SEND ANY CHEQUE.

The proposed Official Plan Amendment is exempt from approval by the Minister of Municipal Affairs and Housing. The decision by Council for the City of Hamilton on the proposed Official Plan Amendment is final if a notice of appeal is not received before or on the last day for filing a notice of appeal.

Only individuals, Corporations and Public Bodies may appeal an Official Plan Amendment to the Ontario Land Tribunal. A Notice of Appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

An explanation of the purpose and effect of the Official Plan Amendment, describing the lands to which the Official Plan Amendment applies, and a key map showing the location of the affected lands are attached. The complete documents are available for inspection during regular office hours. If you have any questions, please call Lisa Kelsey at 905-546- 2424 extension 4605.

DATED at the City of Hamilton
this 25th day of August, 2023

Andrea Holland, City Clerk
City Hall, Hamilton, Ontario



Hamilton

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71 Main Street West, Hamilton, ON L8P 4Y5
Phone: 905-546-2424 Fax: 905-546-2095

NOTICE OF THE PASSING OF A ZONING BY-LAW BY THE CITY OF HAMILTON

TAKE NOTICE THAT the City of Hamilton Council passed **Zoning By-law No. 23-146** on the 18th day of August, 2023, under Section 34 of the Planning Act, R.S.O. 1990, c. P.13. The municipal address of the subject property is 1093 Fennell Avenue East, Hamilton.

AND TAKE NOTICE THAT the oral and written submissions regarding this matter were received and considered by the Committee.

AND TAKE NOTICE THAT any person or agency who objects to Zoning By-law No. 23-146 may appeal the decision of Council to the Ontario Land Tribunal (formerly the Local Planning Appeal Tribunal), by filing with the City Clerk, not later than the **14th day of September, 2023**, a certified cheque or money order in the amount of \$1,100.00. If an Appellant is a private citizen, registered charity or a non-profit ratepayers' association, they may request the lower filing fee of \$400, if a request for the lower fee is made at the time of filing the appeal. Please use the OLT's Request for Lower Fee Form at <https://olt.gov.on.ca/appeals-process/fee-chart/>, payable to the Minister of Finance, Province of Ontario. A completed Notice of Appeal form setting out the reasons for the appeal of the Zoning By-law is required to be accompanied with the Ontario Land Tribunal fee. Appeal forms are available on the OLT website <http://olt.gov.on.ca/>.

PLEASE NOTE: IF YOU HAVE NO OBJECTION TO THE BY-LAW, YOU DO NOT NEED TO TAKE ANY ACTION, AND YOU DO NOT NEED TO SEND ANY CHEQUE.

AND TAKE NOTICE THAT the decision by Council on the Zoning By-law is final if a notice of appeal is not received before or on the last day for filing a notice of appeal.

Only Individuals, Corporations and Public Bodies may appeal a Zoning By-Law to the Ontario Land Tribunal. A Notice of Appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

An explanation of the purpose and effect of the Zoning By-law, describing the lands to which the Zoning By-law applies, and a key map of the affected lands, are attached. The complete by-law is available for inspection during regular office hours. If you have any questions, please call Lisa Kelsey at 905 546 2424 extension 4605. Appeals should be submitted to: City Clerk, City of Hamilton, 71 Main Street West, 1st floor, Hamilton, Ontario, L8P 4Y5.

DATED

at the City of Hamilton
this 25th day of August, 2023

Andrea Holland, City Clerk
City Hall, Hamilton, Ontario

EXPLANATION OF THE PURPOSE AND EFFECT OF
BY-LAW NO. 23-145 and 146

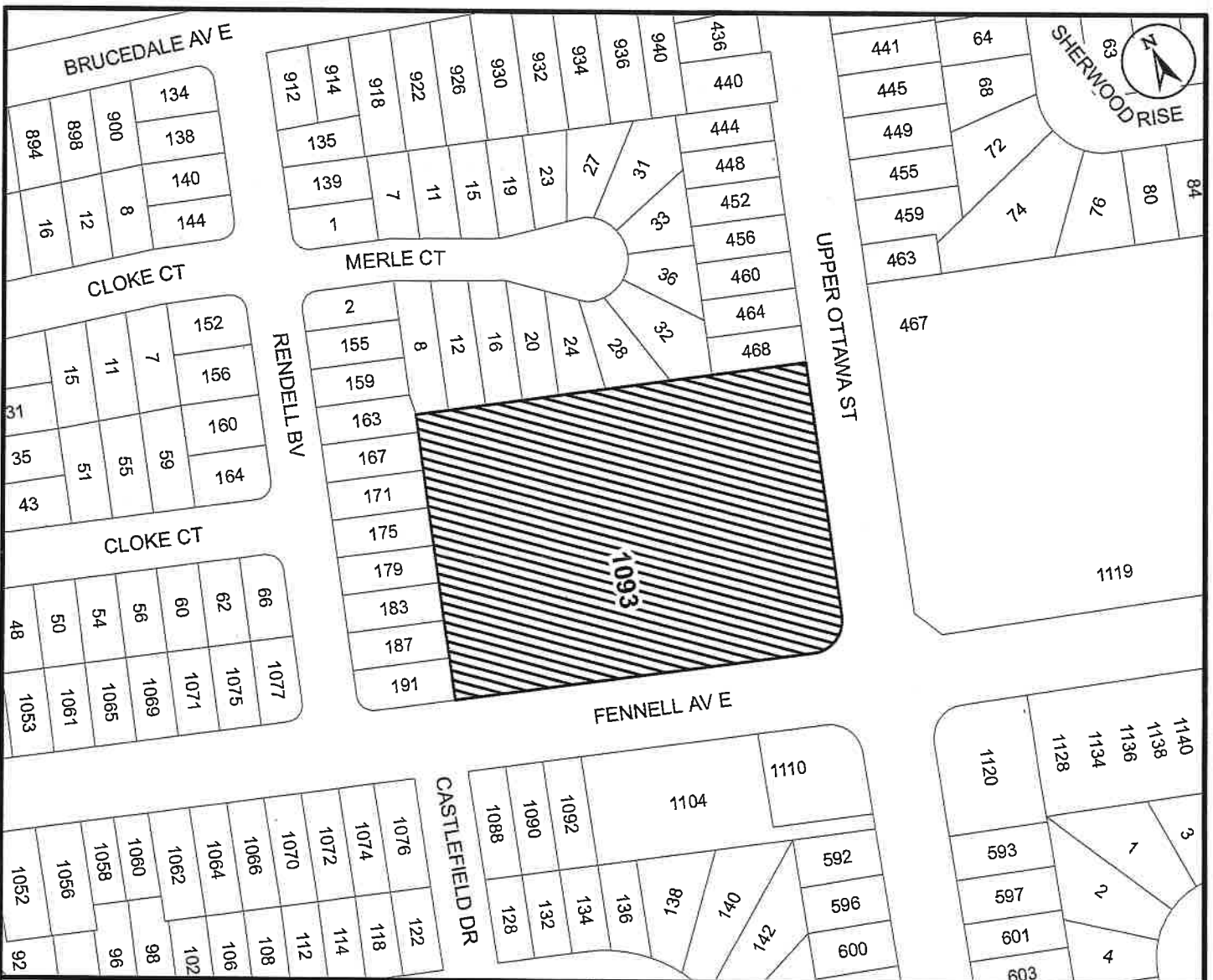
1. The purpose of By-law No. 23-145 is to to redesignate the subject lands from the “District Commercial” designation to the “Mixed Use – Medium Density” designation to permit a 394 unit mixed use building with a maximum height of 12 storeys and 34 townhouse units.
2. The purpose of By-law No. 23-123 is to change the zoning from the District Commercial (C6) Zone to the Mixed Use Medium Density (C5, 849, H147) Zone.

The effect of this by-law is to permit a 12 storey, 394 unit mixed use building and 34, two storey townhouse dwellings, for lands located at 1093 Fennell Avenue East, Hamilton.

3. Only the property referred to above and shown on the attached map is affected by the By-law. However, all owners of property within 120 metres (400 feet) of the properties affected by the By-law are required to be notified.

City Clerk
City Hall, Hamilton, Ontario

UHOPA-22-019 & ZAC-22-045




Key Map

to By-law No. 23-_____

Subject Property

1093 Fennell Avenue East, Hamilton

 Change in Zoning from the District Commercial (C6) Zone to the Mixed Use Medium Density (C5, 849, H147) Zone

Scale: N.T.S	File Name/Number: ZAC-22-045
Date: April 17, 2023	Planner/Technician: MM/NB
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

