

The Board has ordered that the appeal against Zoning By-law 05-200 be amended in the manner set out in Attachment "2" to this order, in all other respects, the Board Orders that the appeal is dismissed.

Re: lands located at 1187, 1199 and 1211 Barton Street, Stoney Creek

OMB File No.: PL070212 – O0070056

Issue Date: ~~January 28, 2011~~ March 14, 2011

By-law No.	OMB File No.	
11-095	PL070212	To Amend By-law No 05-200, respecting lands located at 1187, 1199 and 1211 Barton Street, Stoney Creek – Attachment 2

ISSUE DATE:

March 14, 2011



Ontario Municipal Board

PL070212

By-law No. 11-095

Commission des affaires municipales de l'Ontario

Losani Homes has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal to enact a proposed amendment to the Regional Official Plan (ROPA-05-06) for the City of Hamilton for a redesignation of employment lands to residential to permit a subdivision proposal, which includes 144 lots, 5 blocks for single-detached dwellings and 10 blocks for townhouses, at a location municipality know as 1187 Barton Street, et al.

OMB File No. PL070212-O070056

OMB Case No. PL070212-O070056

Losani Homes has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal to enact a proposed amendment to the Official Plan (OPA-5-25) for the City of Hamilton for a redesignation of employment lands to residential to permit a subdivision proposal, which includes 144 lots, 5 blocks for single-detached dwellings and 10 blocks for townhouses, at a location municipality know as 1187 Barton Street, et al.

OMB File No. PL070212-O070063

OMB Case No. PL070212-O070056

Losani Homes has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal to enact a proposed amendment to Zoning By-law ZAC-05-128 of the City of Hamilton to rezone lands respecting 1187 Barton Street, et al. to redesignate employment lands to residential to permit a subdivision proposal, which includes 144 lots, 5 blocks for single-detached dwellings and 10 blocks for townhouses.

OMB File No. PL070212-Z070002

OMB Case No. PL100547-O070056

IN THE MATTER OF subsection 51(34) of the Planning Act, R.S.O. 1990, c. P.13, as amended

Appellant:	Losani Homes
Subject:	Draft Plan of Subdivision No. 25T-2005-26
Property Address/Description	1187 Barton Street, et al.
Municipality:	City of Hamilton
OMB Case No.:	PL070212-S070034
OMB File No.:	PL070212-O070056

BEFORE:

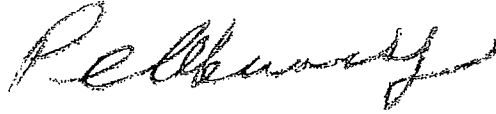
M. C. DENHEZ
Member

Monday, the 14th day
of March, 2011

Losani C
Commission des affaires municipales de l'Ontario

THE BOARD ORDERS that the Jan. 31, 2011 Decision/Order is hereby amended by replacing the original Attachment "2" with the attached Attachment "2" and by the addition of the attached Attachment "6" (conditions of draft approval).

In all other respects the Jan. 31, 2011 Decision/Order remains the same.

A handwritten signature in cursive script, appearing to read "P. Kelly", is written in black ink.

SECRETARY

Attachment "2"

CITY OF HAMILTON

BY-LAW No.

**To Amend Zoning By-law No. 05-200,
Respecting the Property Located at 1187, 1199 and 1211 Barton Street,
Stoney Creek**

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;

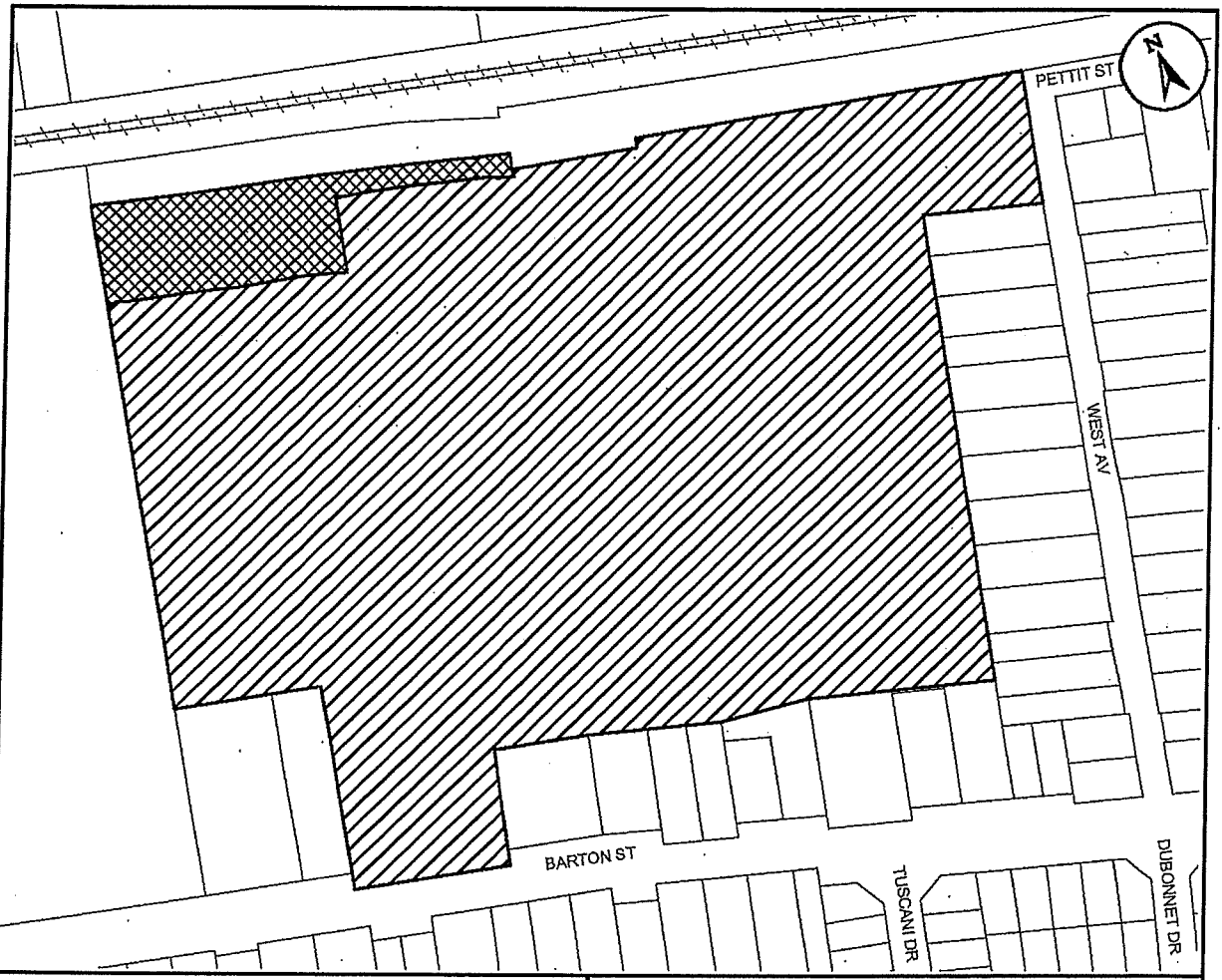
AND WHEREAS the Council of the City of Hamilton, in adopting Item 12.2 of Report 10-014 of the Economic Development and Planning Committee at its meeting held on the 15th day of June, 2010, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS the Ontario Municipal Board has issued an Order that Zoning By-law 05-200, be amended as hereafter provided;

AND WHEREAS this by-law will be 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, upon approval of Official Plan Amendment No. 162;

NOW THEREFORE the Ontario Municipal Board Orders as follows:

1. That Map No. 1258 and 1311 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. 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.





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

 Clerk

 Mayor

Schedule "A"
 Map Forming Part of
 By-Law No. 10-_____
 to Amend By-law No. 05-200
 (Map 1258 and 1311)

Subject Property
 Block 1 - Lands subject to By-law No. 3692-92
 Block 2 - General Industrial (Holding) "MG(H)" to Conservation Hazard Land (P5)

Scale: N.T.S.	File Name/Number: ZAC-05-128
Date: May 25, 2010	Planner/Technician: DYIAL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

