

**Authority:** Item 7, Planning and Economic  
Development Committee  
Report:04-007 (PD04092)  
CM: April 14, 2004

**Bill No. 080**

## **CITY OF HAMILTON**

### **BY-LAW NO. 04-080**

#### **To Amend Zoning By-law No. 87-57 (Ancaster), as amended Respecting 1151 Garner Road West**

**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 Town of Ancaster" 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 87-57 (Ancaster) was enacted on the 22<sup>nd</sup> day of June 1987, and approved by the Ontario Municipal Board on the 23<sup>rd</sup> day of January, 1989;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Section 7 of Report 04-007 of the Planning and Economic Development Committee at its meeting held on the 6th day of April, 2004, recommended that Zoning By-law No. 87-57 (Ancaster), 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 Town of Ancaster).

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

1. Map 5 to Schedule "A" attached to and forming part of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing the zoning of the lands located at 1151 Garner Road West from General Commercial "C3" Zone to Site Specific General Commercial "C3-507" Zone, for those lands being Part

of Lots 35, Concession 3, former geographic township of Ancaster and more particularly shown on Schedule "A" attached hereto and forming part of this By-law.

2. Section 34: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsection:

C3-507 Notwithstanding the provisions of Sub-section 22.1 – Permitted Uses of Section 22: General Commercial "C3" Zone of Zoning By-law No. 87-57 (Ancaster), the following additional use shall be permitted as it affects the lands zoned General Commercial "C3-507" by this by-law, described as Part of Lot 35, Concession 3, geographic township of Ancaster and municipally known as 1151 Garner Road West, subject to the following:

a) Permitted Uses:

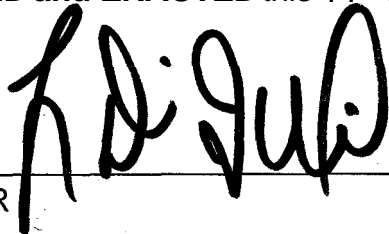
Church

- b) All other provisions of Zoning By-law No. 87-57 as applicable to the General Commercial "C3" Zone shall apply.

3. That the amending By-law be added to Map 5, Schedule "A" of Zoning By-law No. 87-57 (Ancaster).
4. 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 14<sup>th</sup> day of April, 2004 .

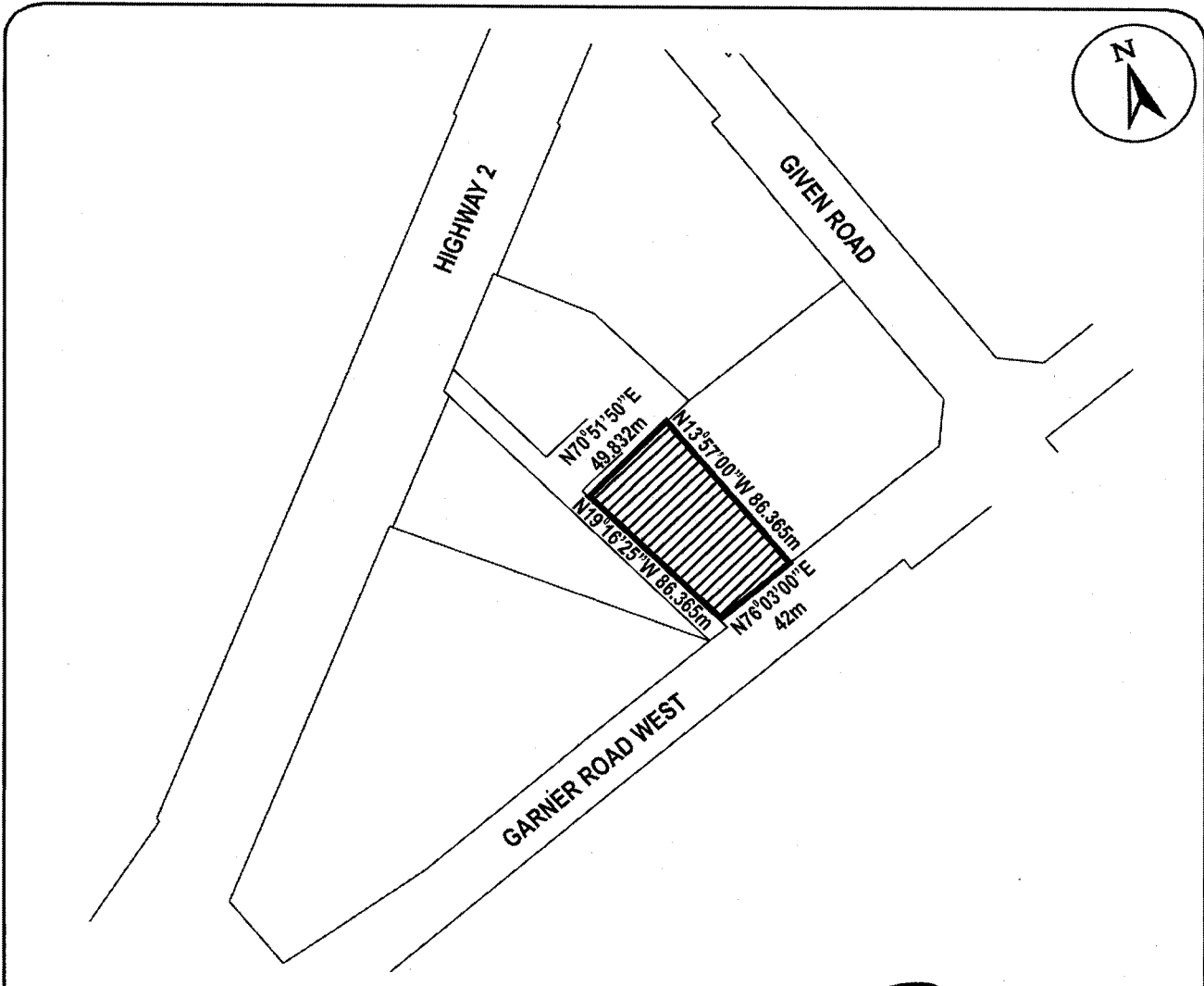
\_\_\_\_\_  
MAYOR



\_\_\_\_\_  
CLERK



ZAR-04-10



This is Schedule "A" to By-Law No. 04-080

Passed the 14th day of April, 2004

*[Handwritten Signature]*  
 Clerk  
 Mayor


# Schedule "A"

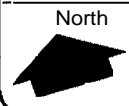
Map Forming Part of  
 By-Law No. 04-080  
 to Amend By-Law No. 87-57



Planning and Development Department

## Legend

 Subject Property  
 Change in Zoning from General Commercial  
 "C3" Zone to site-specific General  
 Commercial "C3-507" Zone to permit  
 a Church on lands located at  
 1151 Garner Road West. (Ancaster)



Scale  
**NOT TO SCALE**  
 Date  
**March 02, 2004**

Reference File No  
**ZAR-04-70**  
 Drawn By  
**NB**