

**Authority:** Item 15, Planning & Economic  
Development Report 04-015  
(PD04230)  
CM: September 15, 2004

**Bill No. 215**

## **CITY OF HAMILTON**

### **BY-LAW NO. 04-215**

#### **To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 52 Highway No. 5 East (Flamborough)**

**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 Flamborough" 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 90-145-Z (Flamborough) was enacted on the 5<sup>th</sup> day of November 1990, and approved by the Ontario Municipal Board on the 21<sup>st</sup> day of December, 1992;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Section 15 of Report 04-015 of the Planning and Economic Development Committee at its meeting held on the 7<sup>th</sup> day of September, 2004, recommended that Zoning By-law No. 90-145-Z (Flamborough), 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 Flamborough) in accordance with the provisions of the Planning Act;

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

1. Schedule "A-29", of Zoning By-law No. 90-145-Z (Flamborough), as amended by By-law No. 03-332, is hereby further amended by changing Block 1 from the Prestige Industrial "M1-11-1(H)" Holding Zone and Prestige Industrial "M1-11-2(H)" Holding Zone to Prestige Industrial "M1-11-1" Zone and Prestige Industrial "M1-11-2(H)" Holding Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
2. The 'H' (Holding) symbol affixed to By-law 03-332 (Flamborough), passed on the 29<sup>th</sup> of October, 2003, to the Prestige Industrial "M1-11-1(H)" Holding Zone, respecting the lands the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 03-332 (Flamborough) and forming part thereof, is hereby removed, and the development of lands may proceed in accordance with the Prestige Industrial "M1-11-1" Zone subject to the special requirements referred to in By-law No. 03-332 (Flamborough).
3. All other regulations of the Prestige Industrial "M1-11" Zone, as amended and the General Provisions of Zoning By-law No. 90-145-Z (Flamborough) shall continue to apply.
4. The City 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 15<sup>th</sup> day of September, 2004.

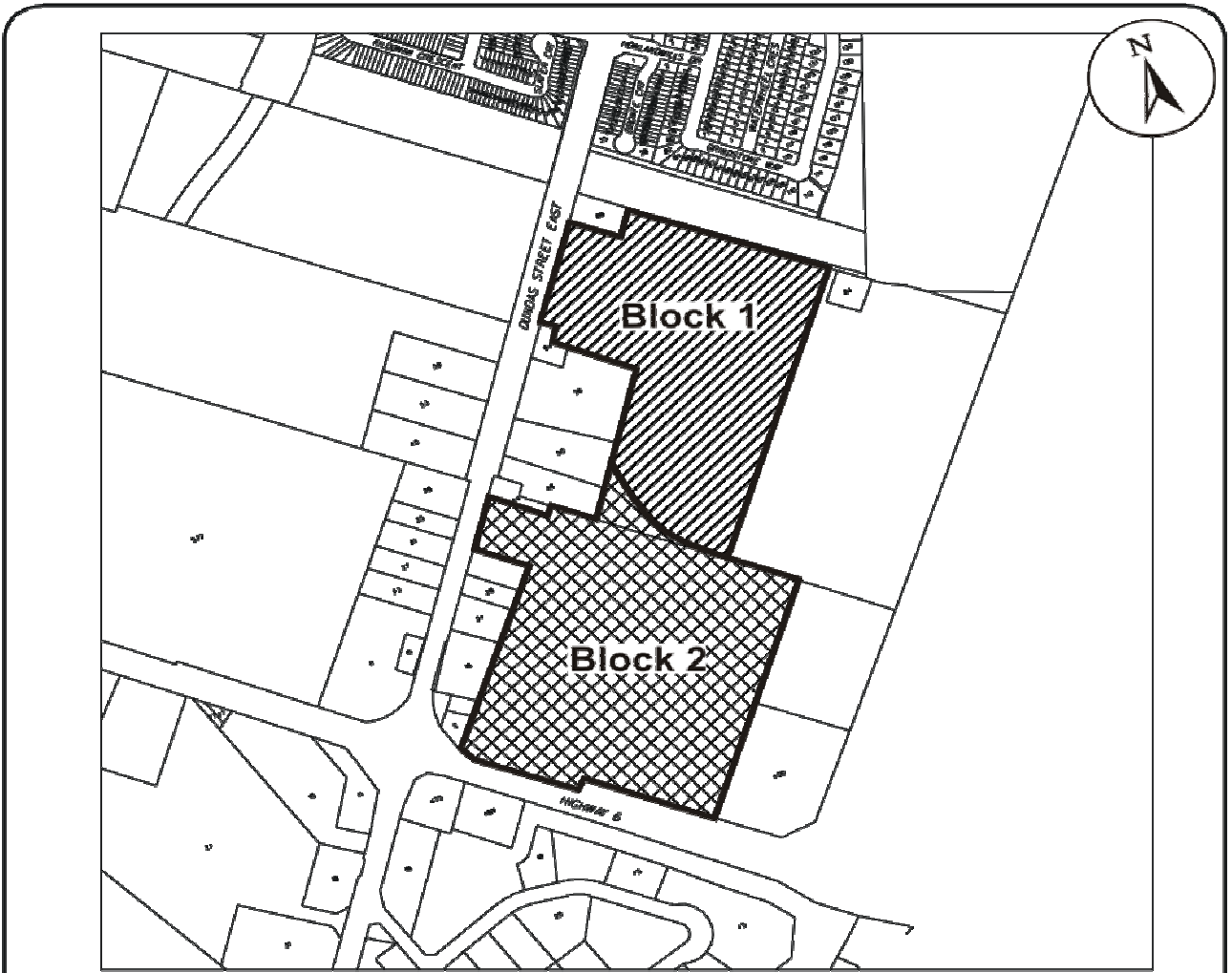
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MAYOR

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CLERK

ZAH-04-36



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

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Clerk

Passed the \_\_\_\_\_ day of \_\_\_\_\_, 2004

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Mayor

## Schedule "A"

Map Forming Part of  
By-Law No. 04-\_\_\_\_  
to Amend By-Law No. 90-145-Z



Planning and Development Department

### Subject Property 52 Highway 5 East

**Block 1**



Change in zoning from Prestige Industrial "M1-11-1(H)" and M1-11-2(H)" Holding Zones to Prestige Industrial "M1-11-1" Zone and Prestige Industrial "M1-11-2(H)" Holding Zone

**Block 2**



Lands to remain Prestige Industrial Holding "M1-11" (H) Zone

North



Scale

**NOT TO SCALE**

Date

**June 21, 2004**

Reference File No

**ZAH-04-36**

Drawn By

**LM**