

Authority: Item 6, Planning and
Economic Development
Committee Report; 05-010
(PD05112)
CM: May 11,2005

Bill No. 118

CITY OF HAMILTON

BY-LAW NO. 05-118

**To Amend Zoning By-law No. 87-57 (Ancaster), as amended,
Respecting Lands Located at 21 and 35 Stone Church Road**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 6 of Report 05-010 of the Planning and Economic Development Committee at its meeting held on the 11th day of May, 2005, 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) in accordance with the provisions of the Planning Act.

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

1. Section 34: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by modifying Section "C4-453", applicable to the lands, the extent and boundaries of which are shown on a plan annexed as Schedule "A", by adding the following:

By-law respecting 21 and 35 Stone Church Road (Page 2 of 3)

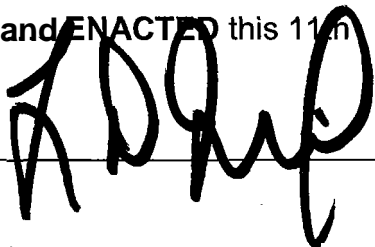
- C4-453 (i) Notwithstanding any provisions of Sub-section 22.1 – Permitted Uses of Section 22: Urban Commercial “C4” Zone of Zoning By-law No. 87-57 (Ancaster), the following additional uses shall be permitted:
- a) Retail Stores
 - b) Printing and Publishing Establishment
 - c) Sub-Post Office
 - d) Instructional Services
- (ii) That notwithstanding any provisions to the contrary of Section 7.0 and Section 22 and all other sections of Zoning By-law No. 87-57 (Ancaster), the following provisions shall be provided and maintained:
- a) The combined floor area for all Retail Stores on this lot shall not exceed 100m².
 - b) The combined floor area for all Restaurant uses on this lot shall not exceed 450m².
 - c) 1 parking space shall be provided and maintained on the lot for each 20m² of floor area.
- (iii) All other provisions of the Urban Commercial “C4-453” Zone shall continue to apply.

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.

PASSED and ENACTED this 11th

day of May, 2005.

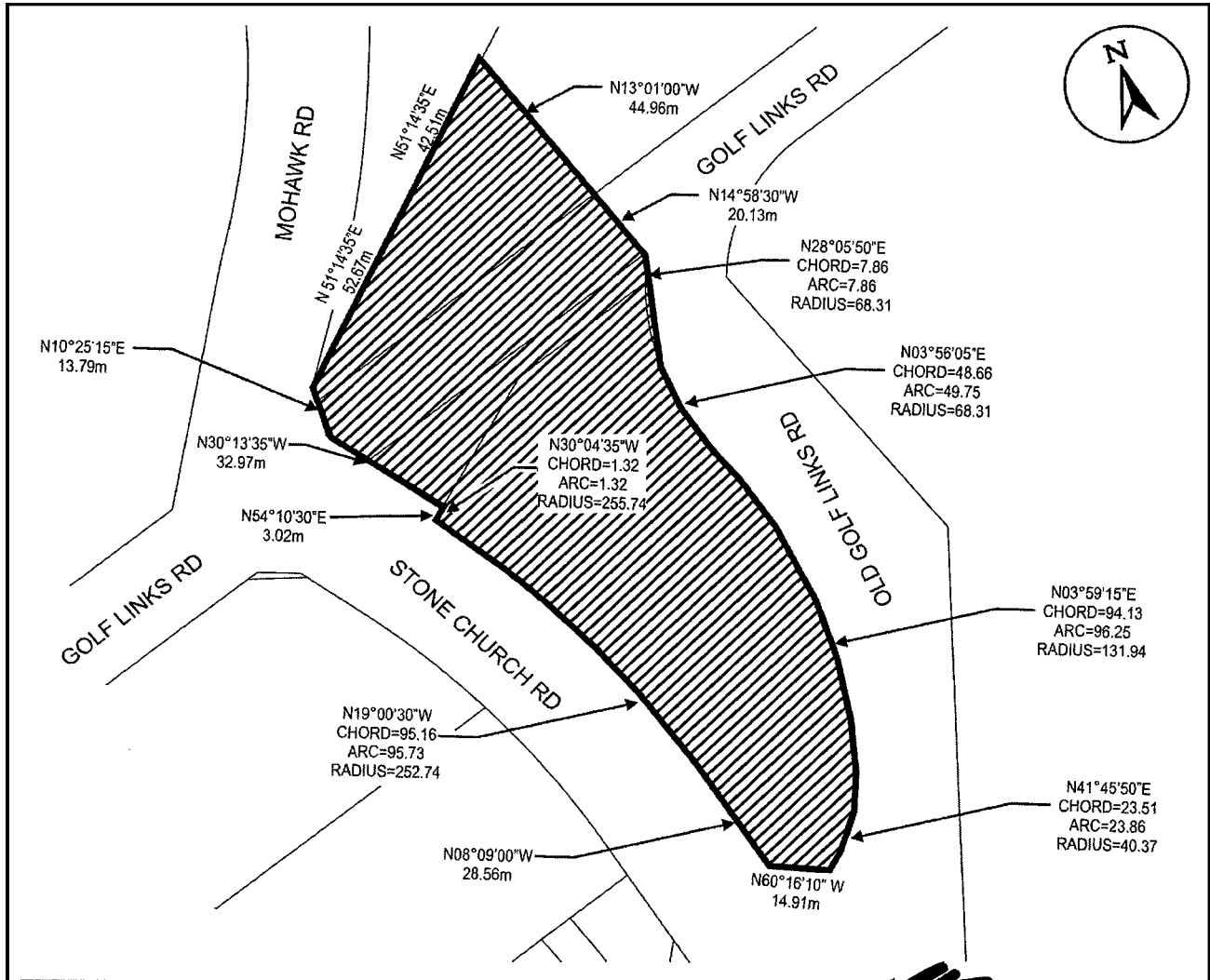
MAYOR



CLERK



ZAC-05-04



This is Schedule "A" to By-Law No. 05-118

Passed the 11th day of May, 2005

[Handwritten Signature]
Clerk

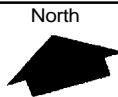
Schedule "A"

Map Forming Part of
By-Law No. 05-118
to Amend By-Law No 87-57



Subject Property

21 and 35 Stone Church Road, Ancaster
Further Modification to the Urban
Commercial "C4-453" Zone



Scale:
Not to Scale

Date:
April 2005

File Name/Number:
ZAC-05-04

Planner/Technician:
HT/LM

&C File Name: