

Authority: Item 26, Planning and Economic
Development Committee
Report 06 -005(PED06089)
CM: April 12, 2006

Bill No. 110

CITY OF HAMILTON

BY-LAW NO. 06-110

To Amend Zoning By-law No. 87-57 (Ancaster), as amended, Respecting Lands Located at 58 Carluke Road West (Ancaster)

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 26 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April, 2006, 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, as amended by Official Plan Amendment No.109 to the Official Plan of the former Town of Ancaster, proposed by the Council of the City of Hamilton, but not yet approved in accordance with the provisions of the Planning Act.

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

1. Schedule "A" of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by:
 - (a) changing from the Agricultural "A-324" Zone to the Agricultural "A-547" Zone the lands composed of Block "1"; and
 - (b) changing from the Agricultural "A" Zone to the Agricultural "A-547" Zone the lands composed of Block "2";

the extent and boundaries of which are more particularly shown on Schedule "A" annexed hereto and forming part of this by-law.

2. Section 34: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsection:

"A-547" Notwithstanding the provisions of Subsections 8.1, Permitted Uses, and 8.2, Regulations of Section 8: Agricultural "A" Zone of Zoning By-law No. 87-57, only the following provisions shall apply:

Permitted Uses

Bakery

Regulations

- | | |
|-------------------------------|--|
| (a) Maximum Gross Floor Area | 36,510m ² |
| (b) Maximum Lot Coverage | 40% |
| (c) Minimum Building Setbacks | i) 50.0 metres from Fiddler's Green Road, except a 35.0 metre setback may be provided as it relates to the buildings as existing at the date of the passing of this By-law, being _____, 2006. |

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- ii) 13.0 metres from the southerly boundary.
 - iii) 13.0 metres from the northerly boundary.
 - iv) 3.0 metres from the westerly boundary for the temporary storage building existing at the date of the passing of this By-law being April 26, 2006, and in all other cases a minimum of 7.6 metres from the westerly boundary.
- (d) Parking
 - i) A minimum of 123 parking spaces, plus 1 additional space for every 140.m² of gross floor area in excess of 18,720.0m², shall be provided and maintained.
 - ii) The lands zoned Agricultural "A-547" shall be exempt from Subsections 7.14(a)(xiii) and 7.14(a)(xiv).
- (e) Landscaping
 - A minimum 3.0 metre wide planting strip shall be provided and maintained along the boundary line adjacent to Fiddler's Green Road, except for the driveway area.
- (f) Open Storage
 - The regulations of Subsection 7.17 – Open Storage shall apply.

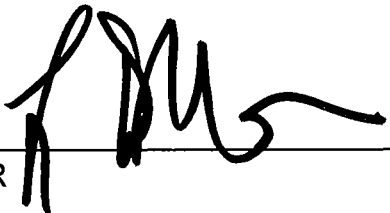
(g) Definition of Bakery

Notwithstanding the provisions of Section 3, Definitions of Zoning By-law No. 87-57, the following additional definition shall apply:


“Bakery” means and includes the milling of grain grown on the subject lands and on lands in the surrounding agricultural community, production of bread and other related products, and shall include ancillary uses of storage, warehouse and office facilities in connection with this operation.

3. That Zoning By-laws 88-124 and 98-104 be repealed in their entirety.
4. That the amending By-law be added to Schedule “A” of Ancaster Zoning By-law No. 87-57.
5. 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.

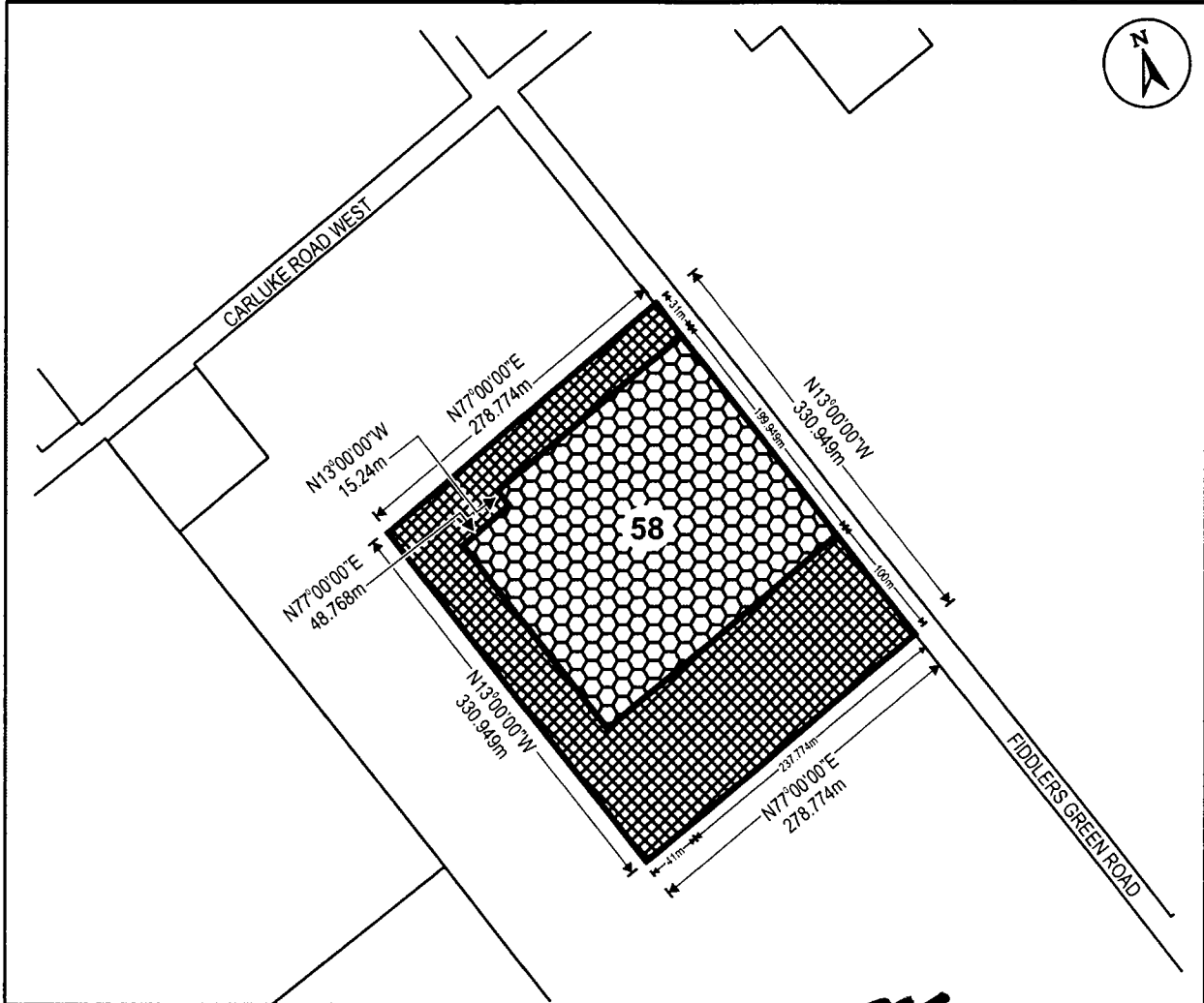
PASSED and ENACTED this 26th day of April, 2006.



MAYOR



CLERK



This is Schedule "A" to By-Law No. 06-110

Passed the 26th day of April, 2006

[Signature]
 Clerk
[Signature]
 Mayor

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Schedule "A"

Map Forming Part of
 By-law No. 06-110

to Amend By-law No. 87-57

Subject Property 58 Carluke Road West



Block "1" - Change in Zoning from Agricultural "A-324" Zone to Agricultural "A-547" Zone



Block "2" - Change in Zoning from Agricultural "A" Zone to Agricultural "A-547" Zone

Scale: Not to Scale	File Name/Number: ZAC-05-114	
Date: March 14, 2006	Planner/Technician: PM/MF	