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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 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 14th day of April, 2004.

[Signatures]

MAYOR

CLERK

ZAR-04-10
This is Schedule "A" to By-Law No. 04-080

Passed the 14th day of April, 2004

Schedule "A"

Map Forming Part of
By-Law No. 04-080

To Amend By-Law No. 87-57

Legend

Subject Property
Change in Zoning from General Commercial
"C3" Zone to site-specific General Commercial "C3-50" Zone to permit
a Church on lands located at
1151 Garner Road West, (Ancaster)

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Date
March 02, 2004

Drawn By
NB