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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st 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 7th 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 29th 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 planned 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 15th day of September, 2004.

MAYOR  

CLERK  

ZAH-04-36
Schedule "A"

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

to Amend By-Law No. 90-145-Z

Subject Property
52 Highway 5 East

Block 1
Change in zoning from Prestige Industrial "M1-11-1[H]" and "M1-11-1Z[4]" to Industrial "M1-11-2/H" Holding Zone

Block 2
Land to remain Prestige Industrial "M1-11" Zone

Passed the ______ day of ______ 2004

Clerk

Mayor

Nort

Scale

Not to Scale

Hamilton

Development

June 21, 2004

Planners

LM