

Authority: Item 9, Planning and Economic
Development Committee
Report; 05-005 (PD05048)
CM: February 23, 2005

Bill No. 039

CITY OF HAMILTON

BY-LAW NO. 05-039

To Amend Zoning By-law No. 87-57, Respecting Lands Located at Part Lot 34, Concession 3, 1309 Wilson Street West (Ancaster)

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Item 9 of Report 05-005 of the Planning and Economic Development Committee at its meeting held on the 23rd day of February, 2005, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Official Plan of the City of Hamilton, (the Official Plan of the former Regional Municipality of Hamilton-Wentworth and the Official Plan of the former Town of Ancaster), approved by the Minister under the Planning Act on January 5, 1995, and July 6, 1984, respectively, as amended by

By-law respecting 1309 Wilson Street West
Official Plan Amendment No.'s 22 and 101 proposed by the Corporation of the City of Hamilton as By-law No. 05-038, 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. Map 5 to Schedule "A" of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing from the Agricultural "A" Zone to the following:

(a) to Prestige Industrial "M2-520" Exception Zone, for lands comprised in **Blocks "1 & 4"**; and,

(b) to General Industrial "M4-521" Exception Zone for lands comprised in **Blocks "2 & 3"**,

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 subsections:

M2-520 Notwithstanding the provisions of Subsection 27.1 – Permitted Uses of Section 27: Prestige Industrial "M2" Zone of Zoning By-law No. 87-57 (Ancaster), the following additional uses shall be permitted on the lands zoned "M2-520":

(a) Permitted Uses:

- new an/or used motor vehicle sales establishments with accessory motor vehicle body shop and servicing
- animal hospitals
- auctioneer establishments;
- building supply sales in wholly enclosed buildings
- cold storage locker establishments
- establishments for retail sale of farm supplies, grain, feed and fertilizer
- recreational vehicle sales, service and rental
- welding and sheet metal shops

(b) Notwithstanding any provisions of Subsection 27.2 Regulations of Section 27: Prestige Industrial "M2" Zone, of Zoning By-law No. 87-57 (Ancaster) the provisions of

By-law respecting 1309 Wilson Street West
Subsection 22.2 – Table 2: Regulations, of Section 22 Urban
Commercial “C4” Zone shall apply only to the additional
permitted uses in (a) above.

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

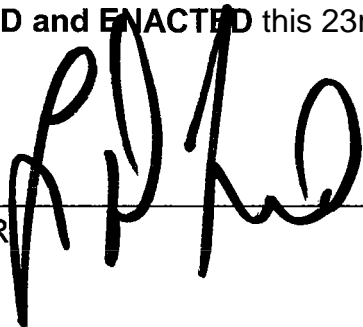
M4-521 Notwithstanding any provisions to the contrary of Subsection 27.2 – Regulations of Section 27: General Industrial “M4” Zone of Zoning By-law No. 87-57 (Ancaster), the following special provisions shall apply to the lands zoned “M4-521”:

Development Regulations:

- (a) Minimum Rear Yard 15.0 metres for all buildings, structures, sheds or any other accessory structure.
- (b) All other provisions of Zoning By-law No. 87-57 as applicable to the General Industrial “M4” Zone shall apply.
4. That the amending By-law be added to Map 5 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 23rd day of February , 2005.

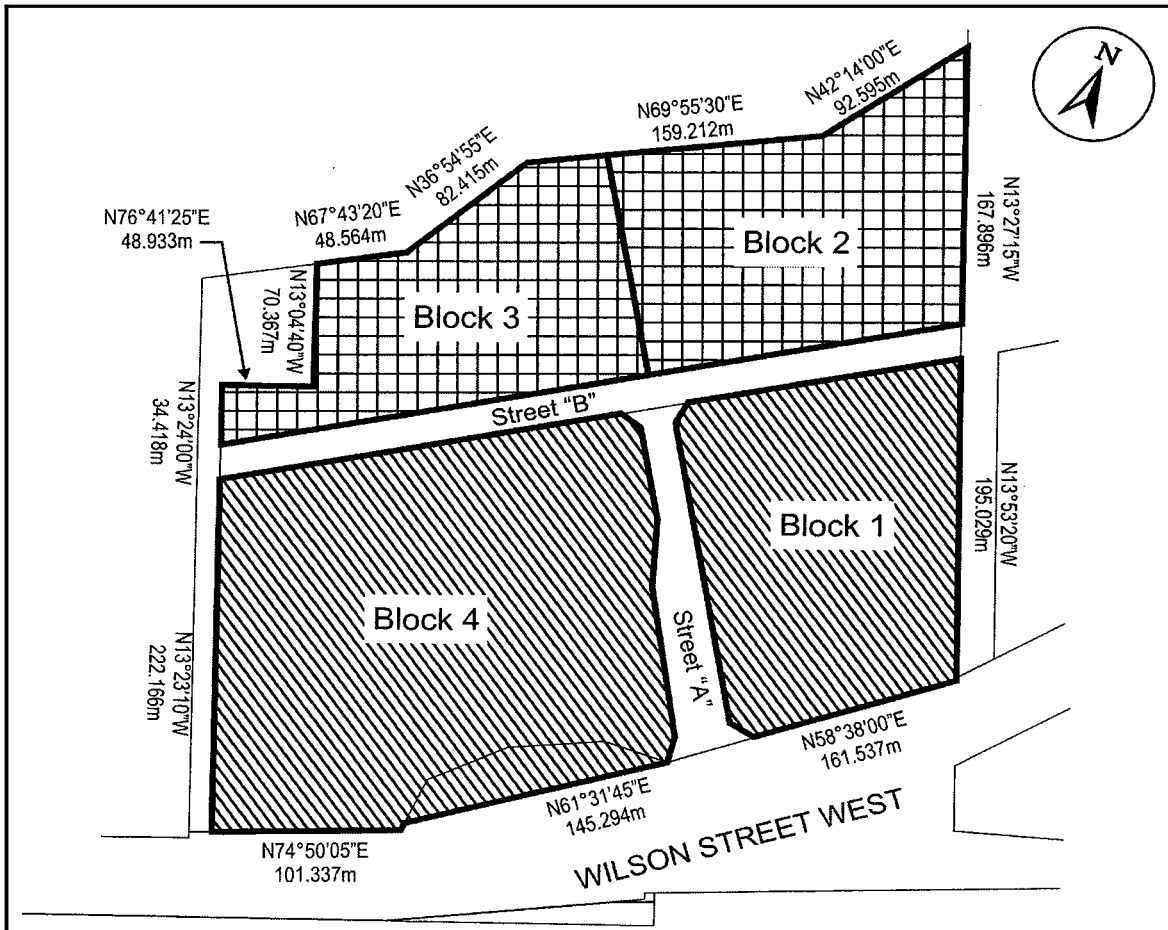
MAYOR



CLERK



ROPA-03-06, OPA-03-29,
ZAC-03-109 & 25T91005(R)



This is Schedule "A" to By-Law No 05-039

Passed the 23rd day of February, 2005

[Handwritten signature]
 Clerk
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 05-039
 to Amend By-Law No. 87-57



Subject Property

1309 Wilson Street West
 Part of Lot 34 Concession 3 (Ancaster)
 Change in Zoning from Agricultural "A" to:

Block 1 and Block 4- Site Specific Prestige Industrial "M2-520" Zone

Block 2 and Block 3- Site Specific General Industrial "M4-521" Zone.

North



Scale:
 Not to Scale

Date:
 January 2005

File Name/Number:
 ZAC-03-109 & 25T9100(R)

Planner/Technician:
 JT/CL