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subsequently amended or repealed by the Council of the City of Hamilton;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:
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
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