

Authority: Item 1, Planning and Economic
Development Committee
Report; 06-002 (PED05074(a))
CM: February 15, 2006

Bill No. 028

CITY OF HAMILTON

BY-LAW NO. 06-028

To Extend the expiration date of Interim Control Zoning By-law No. 05-041 Respecting LANDS ZONED K including all exceptions within those zones under the City of Hamilton Zoning By-law 6593 as amended within the areas bounded by Aberdeen Avenue, Highway 403, Main Street West and the CP Railway line, as more particularly shown on Schedule A to this By-law.

WHEREAS subsection 38 of the *Planning Act*, R.S.O. 1990 c.P. 13 as amended, permits Council of a municipality to pass an interim control by-law where the Council has directed that a review or study be undertaken in respect of land use planning policies within the municipality or in any defined area or areas thereof;

AND WHEREAS subsection 38(2) of the *Planning Act*, R.S.O. 1990 c.P. 13 as amended provides as follows:

38. (2) The Council of a municipality may amend an interim control by-law to extend the period of time during which it will be in effect, provided the total period of time does not exceed two years from the date of the passing of the Interim Control By-law.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001, placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001, by the *City of Hamilton Act, 1999* (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the land use study continues to determine the appropriate land uses and facilitate the revitalization of the former Camco property (known municipally as 175 and 279 Longwood Road South) and adjacent industrial area more particularly shown on Schedule "A" attached hereto;

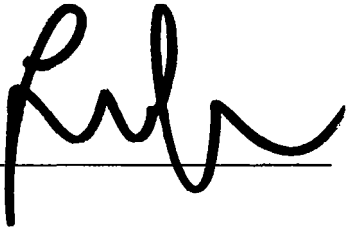
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. It is hereby directed that a planning study continue in respect of the land use policies in the area described in Schedule "A" attached hereto.

2. No person shall use any land, building or structure shown on the plan hereto attached and identified as Schedule "A" for any uses permitted in the "K" District zone, save and except for:
 - a) office uses, including laboratory, teaching, training and conference facilities;
 - b) such existing lawful uses, carried on immediately prior to the passage of this By-law and only within buildings existing as of the day of the passing of this By-law; and/or,
 - c) expansion to a maximum 10% of the existing gross floor area of such lawful uses carried on immediately prior to passage of this By-law.
3. This By-law shall be in effect until February 15, 2007.
4. By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1520.
5. Sheet Nos. W-23, W-24, W-33 and W-34 of the District Maps are amended by marking the subject lands, S-1520.
6. 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 15th day of February, 2006.

MAYOR



CLERK



CI-05-D



This is Schedule "A" to By-Law No. 06-028

Passed the 15th day of February, 2006

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 06-028
to Amend By-Law No. 6593

 Subject Property



Hamilton

North



Scale:
Not to Scale

Date:
January 10, 2006

File Name/Number:
CI-05-D

Planner/Technician:
AW/MC