

Authority: Item 16, Economic Development
and Planning Committee
Report: 07-019 (PED06405(c))
CM: November 14, 2007

Bill No. 326

CITY OF HAMILTON

BY-LAW NO. 07-326

To Amend Zoning By-law No. 6593 (Hamilton), Respecting the lands located at

1338 Stone Church Road East

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 City of Hamilton" 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item 16 of Report 07-019 of the Economic Development and Planning Committee at its meeting held on the 14th day of November, 2007, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

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

1. That Sheet Nos. E-59C and E-69C of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), are amended by zoning

the lands “M-14” (Prestige Industrial, etc.) District, the extent and boundaries of which are shown on a plan hereto attached as Schedule “A”.

2. That the “M-14” (Prestige Industrial, etc.) District regulations, as contained in Section 17F of Zoning By-law No. 6593, applicable to the lands identified in Section 1 of this By-law, are modified to the extent only of the following special requirements:

(a) notwithstanding Subsection 17F(1) of Zoning By-law No. 6593, the following PUBLIC USE shall not be prohibited:

Identification Number	Use Not Prohibited
9659	Other Amusement and Recreation Service comprised only of the sports, fitness and recreation uses existing on the day of the passing of this by-law;

(b) notwithstanding Clause 17F(1)(a) of Zoning By-law No. 6593, the following COMMERCIAL USE shall not be prohibited:

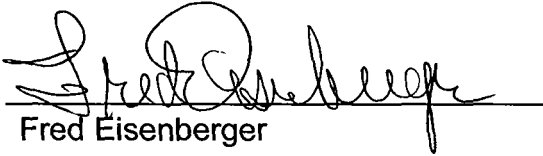
Identification Number	Use Not Prohibited
9659	Other Amusement and Recreation Service comprised only of the sports, fitness and recreation uses existing on the day of the passing of this by-law

on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

3. That Zoning By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-904.

4. That Sheet Nos. E-59C and E-69C of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-904.
5. That 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 November, 2007.

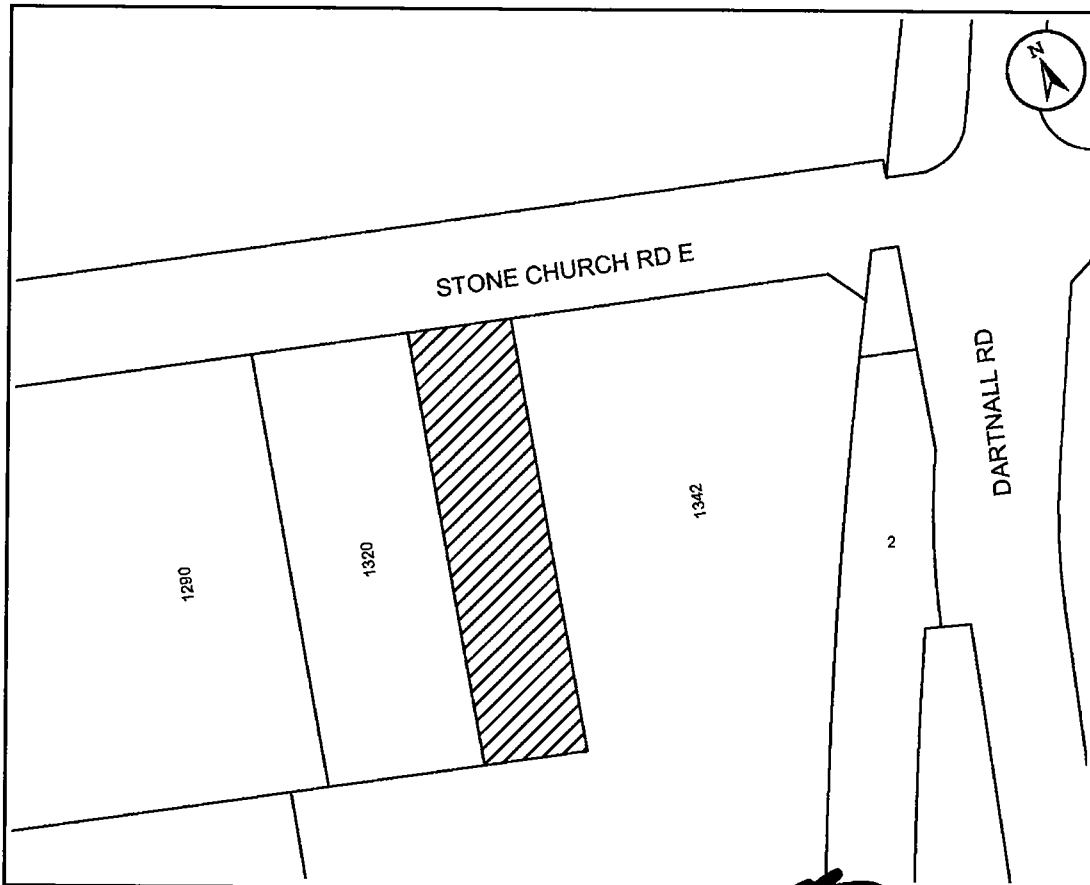


Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk

CI-07-L



This is Schedule "A" to By-Law No. 07- 326
 Passed the 14th day of November, 2007


[Signature]
 Clerk
 Mayor

Schedule "A"

 Map Forming Part of
 By-Law No. 07- 326

 to Amend By-law No.6593

Subject Property
 1338 Stone Church Road East

 Lands to be Zoned "M-14" (Prestige Industrial, etc.) District, Modified.

Scale: N.T.S.	File Name/Number: 1338 Stone Church Rd E	 Hamilton
Date: September 2007	Planner/Technician: AF / MB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		