

**Authority:** Item 8, Economic Development  
and Planning Committee  
Report: 08-010 (PED08121)  
CM: June 11, 2008

**Bill No. 149**

## **CITY OF HAMILTON**

### **BY-LAW NO. 08-149**

**To Amend Zoning By-law No. 87-57 (Ancaster), as amended, Respecting the Lands known as 611 Tradewind Drive in the former Town of Ancaster, now in the City of Hamilton**

**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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 22<sup>nd</sup> day of June 1987, and approved by the Ontario Municipal Board on the 23<sup>rd</sup> day of January, 1989;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 8 of Report 08-010 of the Economic Development and Planning Committee at its meeting held on the 11<sup>th</sup> day of June , 2008, 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. That Map 5 to Schedule "A" of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing from the Light Industrial "M3" Zone to the

Light Industrial "M3-576" Modified Zone, the lands the extent and boundaries of which are 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 subsection:

**"M3-576"** (i) That notwithstanding the provisions of Subsection 27.1 - Permitted Uses of Section 27: Light Industrial "M3" Zone of Zoning By-law No. 87-57 (Ancaster), the following Additional use shall be permitted:

a) Professional Office provided that the maximum gross floor shall not exceed 10,000 square metres.

(ii) That notwithstanding the provisions of Subsection 7.14(b)(iii) - Industrial Uses: Minimum Required Parking Spaces of Section 7: General Provisions of Zoning By-law No. 87-57 (Ancaster), the following provision shall be provided and maintained:

a) 1 parking space shall be provided for each 30 square metres of floor area.

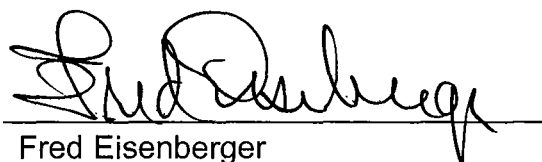
(iii) For the purposes of this by-law, Professional Office shall be defined as:

"Professional Office" means any office where professionally qualified persons, technical assistants and clerical staff are employed except for medical practitioners, dentists, osteopaths or drugless practitioners.

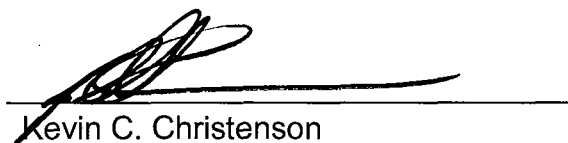
(iv) All other provisions of the Light Industrial "M3" Zone shall continue to apply.

3. 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.

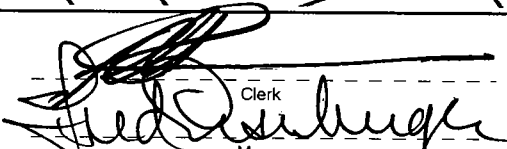


**PASSED and ENACTED** this 11<sup>th</sup> day of June, 2008



Fred Eisenberger  
Mayor  
ZAR-07-092



Kevin C. Christenson  
City Clerk

<p>This is Schedule "A" to By-Law No. 08-149</p> <p>Passed the ..11th day of .....June....., 2008</p>	 Clerk Mayor	
<p align="center"><b>Schedule "A"</b></p> <p align="center">Map Forming Part of By-Law No. 08- 149</p> <p align="center">to Amend By-law No.87-57</p>	<p><b>Subject Property</b></p> <p> 611 Tradewind Drive, Ancaster Change in Zoning from the Light Industrial "M3" Zone to the Light Industrial "M3-576" Zone.</p>	
<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAR-07-092</p>	 Hamilton
<p>Date: January 14, 2008</p>	<p>Planner/Technician: JMB/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		