

Authority: Item 7, Economic Development
and Planning Committee
Report 08-010 (PED08134)
CM: June 11, 2008

Bill No. 150

CITY OF HAMILTON

BY-LAW NO. 08-150

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 1123, 1131, and 1135 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 7 of Report 08-010 of the Economic Development and Planning Committee at its meeting held on the 11th day of June 2008, 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 No. E-59c of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended by By-law No. 92-309, is further amended by changing the zoning from the "M-13/S1293" (Prestige Industrial) District, Modified to the "M-13/S-1293a" (Prestige Industrial) District, Modified, on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

Zoning By-law Respecting 1123, 1131, and 1135 Stone Church Road East

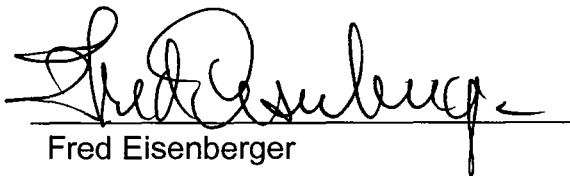
(Page 2 of 4)

2. That the “M-13” (Prestige Industrial) District regulations, as contained in Section 17E of Zoning By-law No. 6593, and the site-specific regulations contained in “M-13/S-1293” of By-law No. 92-309, applicable to the lands identified in Section 1 of this by-law, be further modified to include the following special requirement:
 - (a) That notwithstanding Section 17E.(1) of Zoning By-law No. 6593, and the site-specific regulations contained in By-law No. 92-309, the following additional uses shall be permitted, but not within the buildings existing on the date of the passing of this by-law, being the 11th day of June , 2008:
 - i. Retail Stores Selling:
 - (a) Liquor, Wine, Beer
 - (b) Prescription Drugs and Medicine
 - (c) Household Furniture, Appliances and Furnishings
 - (d) General Merchandise
 - (e) Books and Stationary
 - (f) Hardware, Paint, Wallpaper and Glass
 - (g) Sporting Goods and Bicycles
 - (h) Musical Instruments and Records
 - (i) Camera and Photographic Supplies
 - (j) Toy, Hobby, Novelty and Souvenirs
 - (k) Other Retail Stores
 - (l) Computer Service/Sales
 - ii. Lawn and Garden Centres with a maximum of 25% of lot area to be used for outside storage and sales area
 - iii. Financial and Insurance Industries
 - iv. Real Estate Operators and Insurance Agent Industries
 - v. Employment Agencies and Personnel Suppliers
 - vi. Offices for:
 - (a) Lawyers, Notaries
 - (b) Medical, Dental
 - (c) Health Practitioners
 - (d) Social Services Practitioners
 - vii. Outdoor Patio in conjunction with food services (restaurant) only
 - viii. Barber and Beauty Shops
 - ix. Self Serve Laundries and/or Dry Cleaners
 - x. Photographers
 - xi. Travel Agencies
 - xii. Tanning Salon
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the “M13/S-1293” District, Modified, provisions, subject to the special requirements referred to in Section 2 of this By-law.

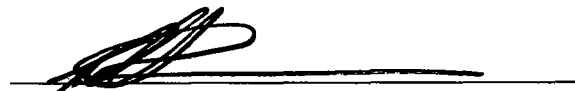
Zoning By-law Respecting 1123, 1131, and 1135 Stone Church Road East
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4. By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1293a.
5. Sheet No. E-59c of the District Maps is amended by marking the lands referred in Section 1 (a) of this by-law as S-1293a.
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 11th day of June, 2008.



Fred Eisenberger
Mayor

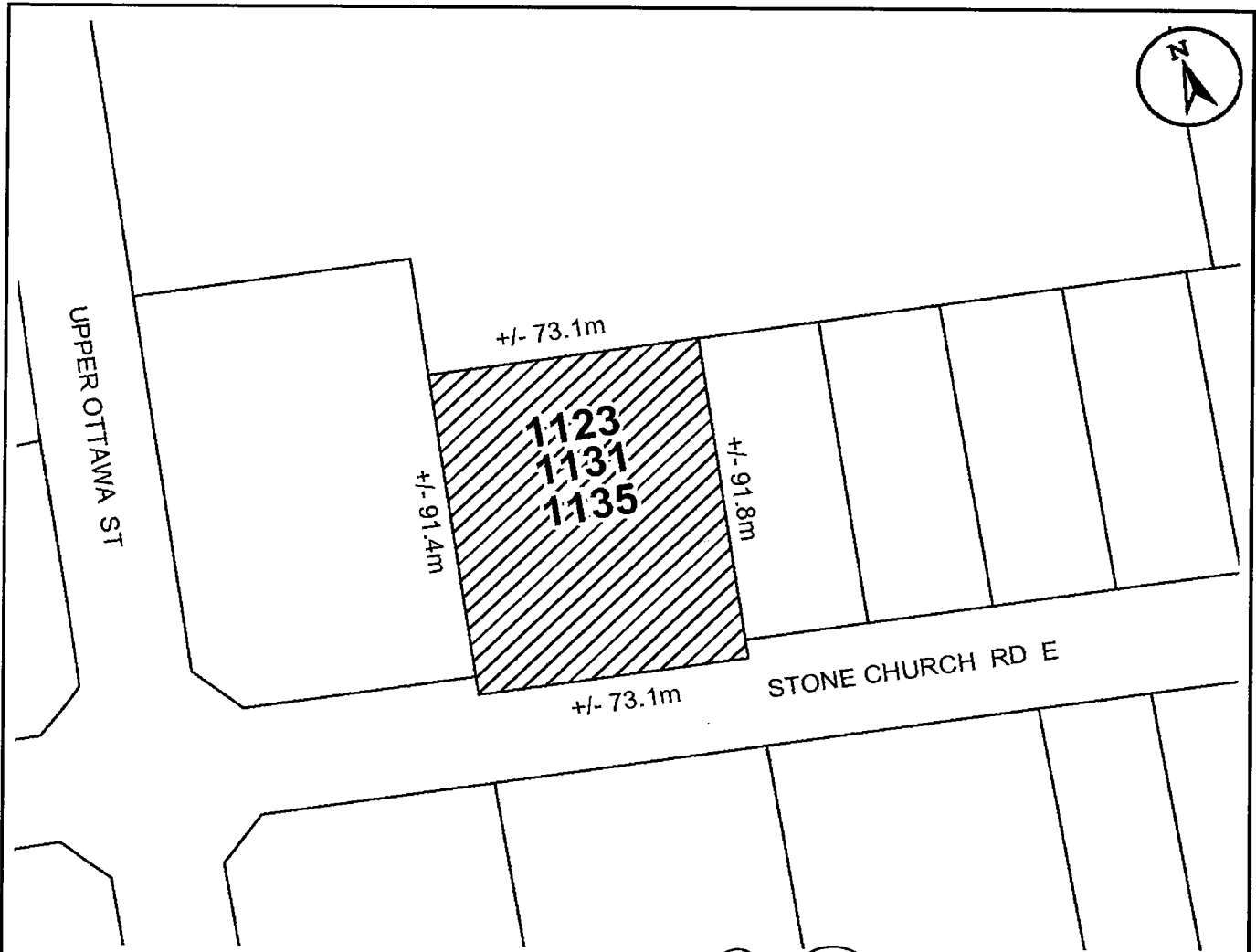


Kevin C. Christenson
City Clerk

ZAC-07-065

Zoning By-law Respecting 1123, 1131, and 1135 Stone Church Road East

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This is Schedule "A" to By-Law No. 08- 150

Passed the ...11th. day of ...June....., 2008

[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 08- 150

to Amend By-law No.3692-92

Subject Property

1123,1131 & 1135 Stone Church Rd E



Change in Zoning from the "M-13/S-1293" (Prestige Industrial) District, Modified to the "M-13/S-1293a" (Prestige Industrial) District, Modified.

Scale:
N.T.S.

File Name/Number:
ZAC-07-065

Date:
April 29, 2008

Planner/Technician:
DF/BR



Hamilton