

Authority: Item 7, Economic Development
and Planning Committee
Report: 08-020 (PED08224)
CM: October 29, 2008

Bill No. 254

CITY OF HAMILTON

BY-LAW NO. 08-254

**To Amend Zoning By-law No. 87-57 (Ancaster),
respecting lands located at 21 Panabaker Drive, in the
former Town of Ancaster, now in the City of Hamilton**

WHEREAS the City of Hamilton Act, 1999, Statues 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 Township of Ancaster" and is the successor of 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;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 7 of Report 08-020 of the Economic Development and Planning Committee, at its meeting held on the 29th day of October, 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 Ancaster Official Plan, approved under the Planning Act by the Minister of Municipal Affairs and Housing on July 6, 1984.

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

1. That Map 1 to Schedule "B", appended to and forming part of By-law No. 87-57 (Ancaster), as amended, is hereby amended:
 - (a) by changing the zoning of Block 1 from the Residential Multiple "RM4-492" Zone, to the Neighbourhood Commercial "C1-491" Zone, Modified,

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

2. That Section 34, Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by deleting the Neighbourhood Commercial "C1-491" Zone in its entirety and replacing it with the following:

"C1-491"

Notwithstanding any provisions to the contrary of Subsection 3, Definitions; Subsection 7.14(b), Parking Requirements; Subsection 22.1, Permitted Uses of Neighbourhood Commercial "C1" Zone; and Subsection 22.2, Regulations of Section 22: Neighbourhood Commercial "C1" Zone, the following additional uses and special provisions shall apply:

Permitted Uses

- Banks and Financial Institutions
- Business and Professional Offices
- Day Nurseries
- Establishments providing Educational or Instructional Services
- Fast Food Restaurants, not to exceed 2 such restaurants, including an accessory bakery
- Medical Clinic
- Medical and Dental Laboratories
- Personal Service Shops
- Printing Establishment
- Retail Stores, except that adult-oriented video rental outlets and similar retail outlets shall not be permitted
- Service Shops
- Sub-Post Offices

Definitions

For the purpose of this By-law, **Sub-Post Office** – means a Government of Canada postal sub-station or a commercial parcel pick-up and delivery service.

Development Regulations

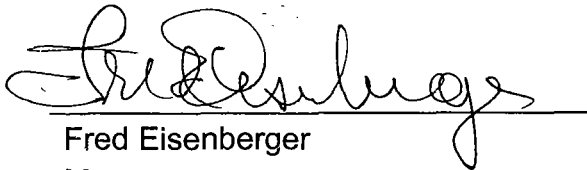
- (a) A Medical or Dental Clinic shall not exceed more than 40% of the total gross floor area;
- (b) Medical and dental laboratories shall not exceed more than 35% of the of the total gross floor area;

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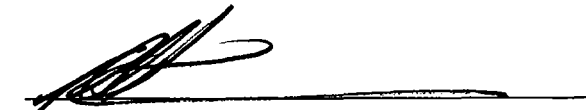
- (c) The outdoor storage and display of goods, products or materials shall not be permitted;
- (d) Maximum Gross Floor Area for a Fast Food Restaurant shall be 233 square metres; and,
- (e) All other applicable regulations of the Neighbourhood Commercial "C1" Zone shall apply.

3. 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 29th day of October, 2008.

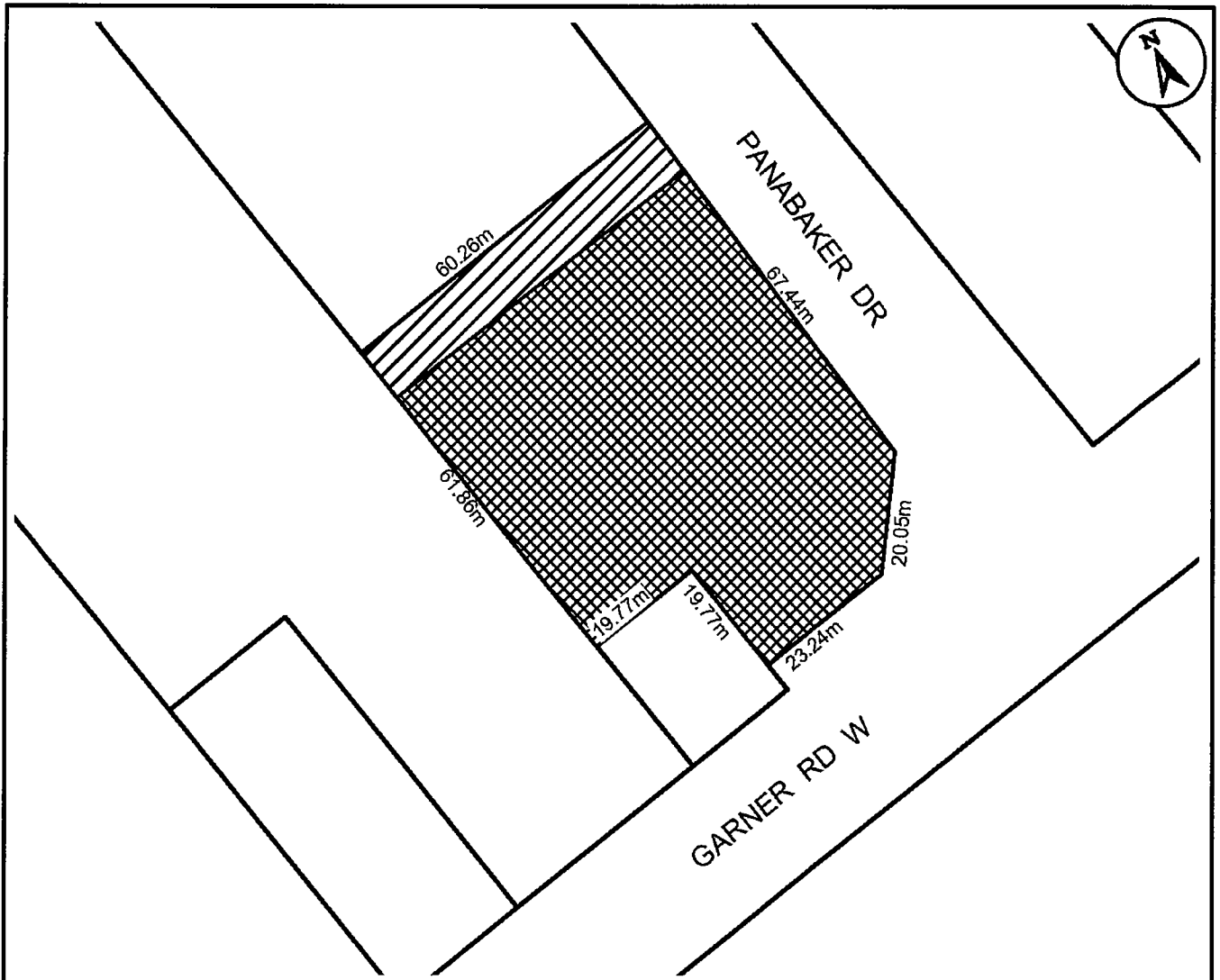


Fred Eisenberger
Mayor
ZAC-08-024

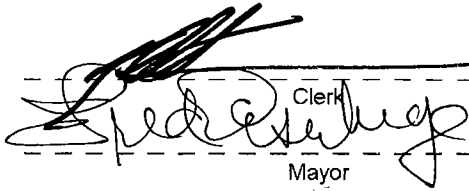


Kevin C. Christenson
City Clerk

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This is Schedule "A" to By-Law No. 08- 254
Passed the .29.th.. day of ...October....., 2008



 Clerk
 Mayor


Schedule "A"

Map Forming Part of
By-Law No. 08- 254
to Amend By-law No. 87-57

Subject Property

 Block 1 - Change in Zoning from the Residential Multiple "RM4-492" Zone to the Neighbourhood Commercial "C1-491" Zone, Modified.

 Block 2 - Further Modification to the Neighbourhood Commercial "C1-491" Zone.

Scale: N.T.S.	File Name/Number: ZAC-08-024	
Date:	Planner/Technician:	