

Authority: Item 15, Economic Development
and Planning Committee
Report: 09-010 (PED09124)
CM: May 13, 2009

Bill No. 092

CITY OF HAMILTON

BY-LAW NO. 09-092

To Amend Zoning By-law No. 87-57 Respecting Lands Located at 658 Fiddlers Green Road, 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 1, 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 "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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 15 of Report 09-010 of the Economic Development and Planning Committee at its meeting held on the 13th day of May, 2009, recommended that Zoning By-law No. 87-57, 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 1 of Schedule "B", appended to and forming part of By-law No. 87-57 (Ancaster), as amended, is hereby further amended as follows:

By-law Respecting 658 Fiddlers Green Road, Ancaster

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- (a) By changing the zoning from the Extractive Industrial "M6-215" Zone, Modified, to the Agricultural "A" Zone, for lands comprised in Block "1"; and,
- (b) By changing the zoning from the Extractive Industrial "M6-215" Zone, Modified, to the Extractive Industrial "M6-586" Zone, Modified, for lands comprised in Block "2";

the extent and boundaries of which are more particularly shown on Schedule "A" annexed hereto and forming part of this by-law.

- 2. That Section 34: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsection:

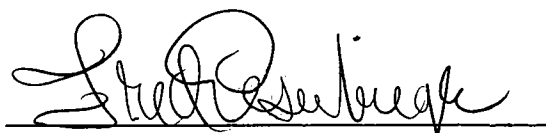
"M6-586" (a) That notwithstanding the provisions of Subsection 28.2 - Permitted uses of Section 28: Extractive Industrial "M6" Zone of Zoning By-law No. 87-57 (Ancaster) the following additional uses shall also be permitted:

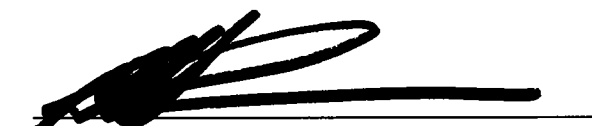
- (i) The Transportation Depot and Truck Terminal existing on the date of passing of this by-law being the 13 day of May, 2009; and,
- (ii) The operations and equipment storage of an excavation contractor and uses, buildings and structures accessory thereto.

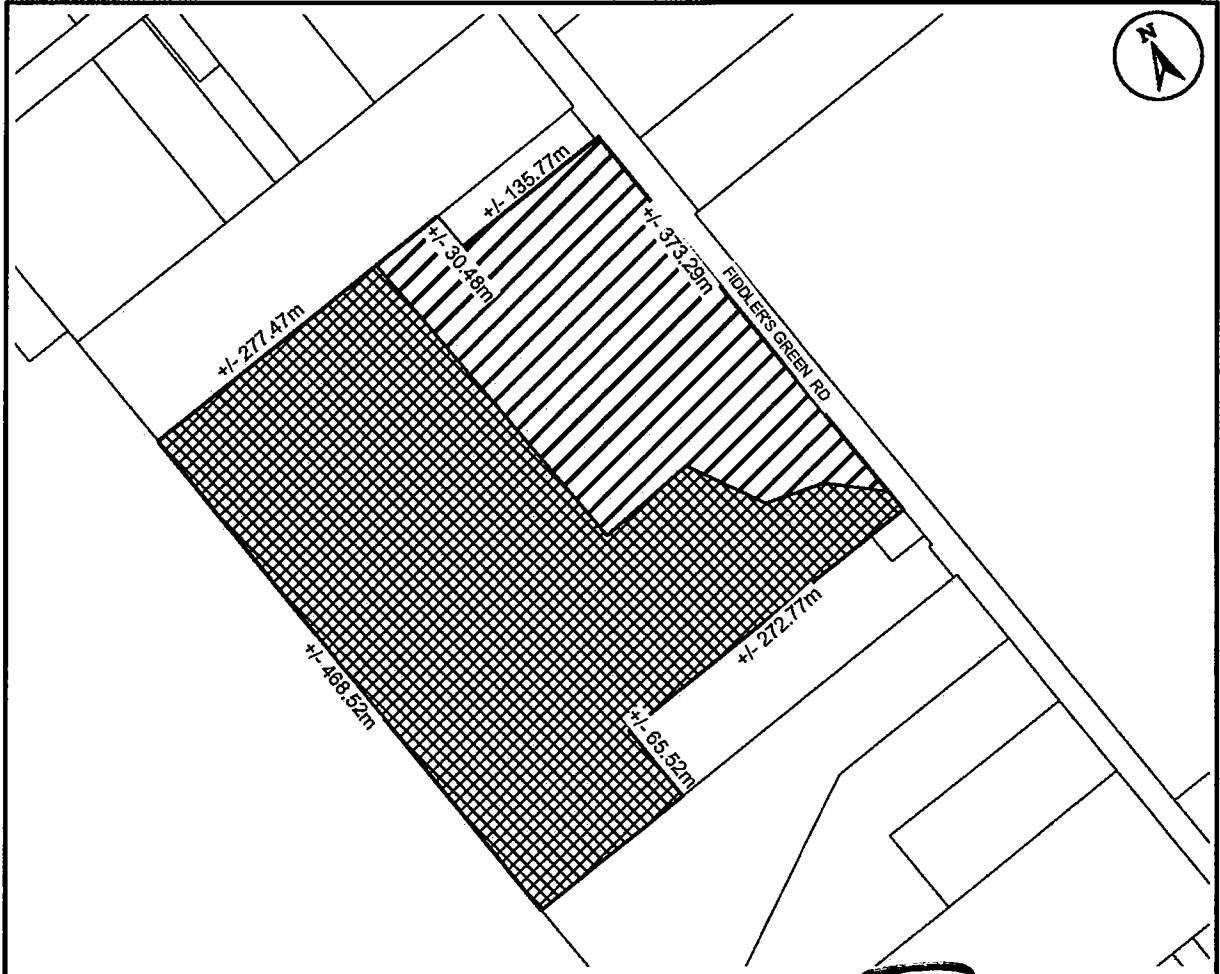
(b) That all other provisions of the Extractive Industrial "M6" Zone shall continue to apply.

- 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 13th day of May, 2009.


Fred Eisenberger
Mayor


Kevin C. Christenson
Clerk



This is Schedule "A" to By-Law No. 09- 092

Passed the 13th day of May, 2009

Fred Aubrey
 Clerk
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 09- 092

to Amend By-law No. 87-57

Subject Property

658 Fiddlers Green Road, Ancaster



Block 1 - Extractive Industrial "M6-215" to Agricultural "A"



Block 2 - Extractive Industrial "M6-215" to Extractive Industrial "M6-586" Zone, Modified

Scale: N.T.S.	File Name/Number: ZAC-08-046
Date: September 18, 2008	Planner/Technician: DS/NH
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

