

**Authority:** Item 31, Economic Development  
and Planning Committee  
Report 09-016 (PED09224)  
CM: August 13, 2009

**Bill No. 182**

**CITY OF HAMILTON**

**BY-LAW NO. 09-182**

**To Amend Zoning By-law No. 6593  
Respecting Lands Located at 1525 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 31 of Report 09-016 of the Economic Development and Planning Committee, at its meeting held on the 13th day of August, 2009, 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-69c of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended by By-law No. 78-44, is further amended by changing the zoning:

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- (a) from the "M-13/S-563" (Prestige Industrial) District, Modified, to the "M-13/S-563a" (Prestige Industrial) District, Modified, for the lands comprised in Block 1; and,
- (b) from the "M-13" (Prestige Industrial) District to the "M-13/S-563a" (Prestige Industrial) District, Modified, for the lands comprised in Block 2;

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

2. That the "M-13" (Prestige Industrial) District regulations, as contained in Section 17E of Zoning By-law No. 6593, as amended by By-law No. 78-44, applicable to the lands identified in Section 1 of this by-law, be further modified to include the following special requirements:

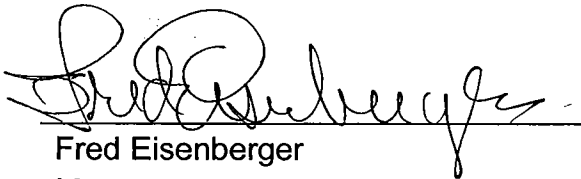
- (a) That notwithstanding Section 17E (1) of Zoning By-law No. 6593, the following uses shall also be permitted:
  - i. Bank.
  - ii. One restaurant provided that no drive-thru or stacking lane shall be located between any building and a street line.
  - iii. Fitness Club.
  - iv. Business and Professional Offices (excluding medical) up to a maximum of 2,000 square metres gross floor area per building.
  - v. Building or Contracting Supply Establishments with a total maximum gross floor area of 1,765 square metres and a maximum gross floor area of 929 square metres for each individual unit within the building existing on the date of the passing of this By-law, being the 13<sup>th</sup> day of August, 2009.
- (b) That notwithstanding Section 2 of Zoning By-law No. 6593, the following definition shall apply to the lands referred to in Section 1 of this By-law:
  - i. Building or Contracting Supply Establishments - Shall mean the use of land, building or structure in which building, construction or home improvement materials are stored and/or offered for wholesale or retail sale.

3. That 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-563" District, Modified, provisions, subject to the special requirements referred to in Section 2 of this By-law.

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4. That Zoning By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-563a.
5. That Sheet No. E-69c of the District Maps is amended by marking the lands referred in Section 1 of this By-law as S-563a.
6. 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 August, 2009



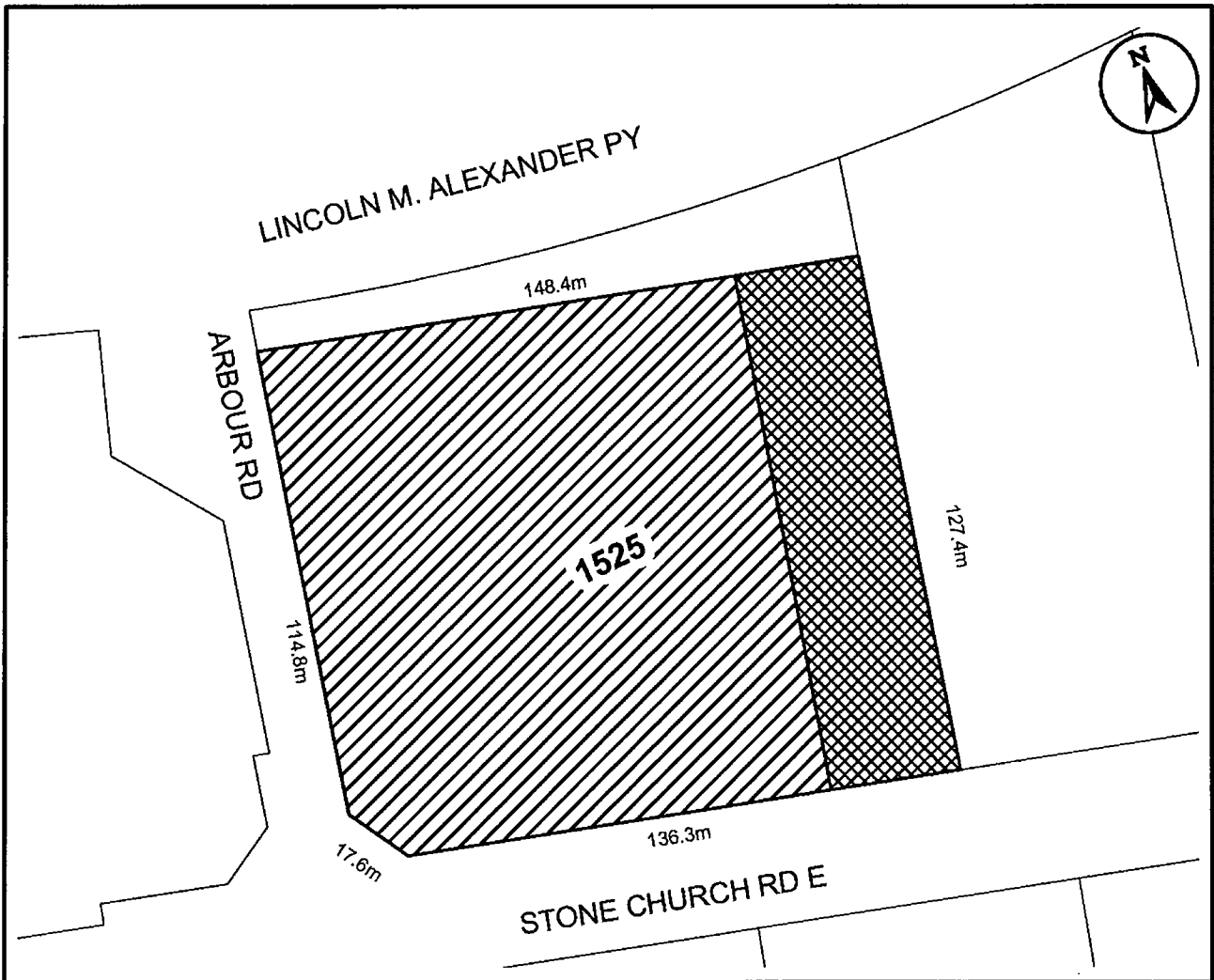
Fred Eisenberger  
Mayor



Kevin C. Christenson  
City Clerk

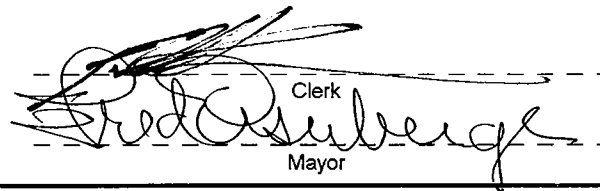
ZAC-08-044

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This is Schedule "A" to By-Law No. 09-82

Passed the 13th.... day of August....., 2009



  
 Clerk  
 Mayor

## Schedule "A"

Map Forming Part of  
By-Law No. 09-182

to Amend By-law No. 6593

**Subject Property**  
1525 Stone Church Road East

-  Block 1  
 Change in zoning from the "M-13/S-563" (Prestige Industrial) District, Modified to the "M-13/S-563a" (Prestige Industrial) District, Modified
-  Block 2  
 Change in zoning from the "M-13" (Prestige Industrial) District, Modified to the "M-13/S-563a" (Prestige Industrial) District, Modified

Scale:  
N.T.S.

File Name/Number:  
ZAC-08-044

Date:  
Sept. 5, 2008

Planner/Technician:  
DF/BR



**Hamilton**