

Authority: Item 14, Economic Development
and Planning Committee
Report: 08-019 (PED08226)
CM: October 15, 2008

Bill No. 243

CITY OF HAMILTON

BY-LAW NO. 08-243

**To Amend Zoning By-law No. 6593 (Hamilton)
Respecting Lands Located at 1520 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Plan of the former regional municipality, continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 14 of Report 08-019 of the Economic Development and Planning Committee at its meeting held on the 15th day of October, 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-69c of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended:

Zoning By-law Respecting 1520 Stone Church Road East

(Page 2 of 4)

- (a) by changing from the "M-14/S-658a" (Prestige Industrial) District, Modified, and the "M-14/S-982" (Prestige Industrial) District, Modified, to the "M-14/S-1596" (Prestige Industrial) District, Modified, the lands comprised of Block "1"; and,
- (b) by changing from the "M-14/S-658a" (Prestige Industrial) District, Modified, and the "M-14/S-1039" (Prestige Industrial) District, Modified, to the "M-14/S-1596" (Prestige Industrial) District, Modified, the lands comprised of Block "2";

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

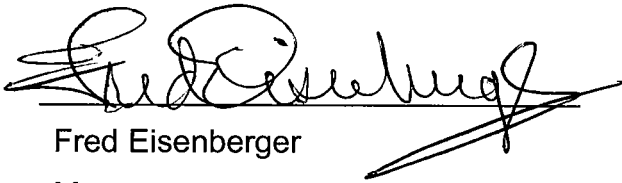
2. That the "M-14" (Prestige Industrial) District regulations, as contained in Section 17F of Zoning By-law No. 6593, applicable to Blocks "1" and "2", are modified to include the following special requirements:
 - (a) Notwithstanding Subsection 17F(1)(b) of Zoning By-law 6593, caterers, including banquet facilities, and a hotel having a maximum of 53 rooms as an accessory use to a banquet facility, shall be permitted.
 - (b) Notwithstanding Subsection 17F(2)(a) of Zoning By-law No. 6593, a hotel shall not exceed 27.0 metres and 8 storeys in height.
 - (c) Notwithstanding Subsections 17F(2)(e) and 2(2)(J)(xb) of Zoning By-law 6593, the signs existing on the date of the passing of this By-law, being the 15th day of October, 2008, are permitted to be located within the required landscaped area.
 - (d) Notwithstanding Subsection 18A(1)(a) of Zoning By-law No. 6593, a minimum of 175 parking spaces shall be provided and maintained for the banquet facility existing on the date of the passing of this By-law, being the 15th day of October, 2008, and a hotel having a maximum of 53 rooms as an accessory use to a banquet facility.
 - (e) Notwithstanding Subsection 18A(7) every required parking space, other than a parallel parking space, shall have dimensions not less than 2.6 metres wide and 5.5 metres long.
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 "M-14" (Prestige Industrial) District provisions, subject to the special requirements referred to in Section 2.
4. Sheet No. E-69c of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1596.

Zoning By-law Respecting 1520 Stone Church Road East

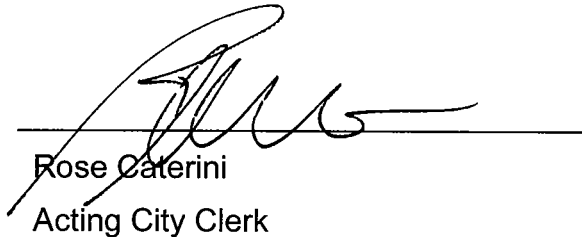
(Page 3 of 4)

5. That Zoning By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1596.
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 15th day of October, 2008.



Fred Eisenberger
Mayor



Rose Caterini
Acting City Clerk

ZAC-08-021

Zoning By-law Respecting 1520 Stone Church Road East

(Page 4 of 4)



This is Schedule "A" to By-Law No. 08- 243

Passed the15. day of October....., 2008

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 08- 243

to Amend By-law No. 6593

Subject Property

1520 Stone Church Road East, Hamilton



Block 1 - Change in Zoning from "M-14/S-658a" (Prestige Industrial) District, Modified and "M-14/S-982" (Prestige Industrial) District, Modified to "M-14/S-1596" (Prestige Industrial) District, Modified.



Block 2 - Change in Zoning from "M-14/S-658a" (Prestige Industrial) District, Modified and "M-14/S-1039" (Prestige Industrial) District, Modified to "M-14/S-1596" (Prestige Industrial) District, Modified.

Scale:
 N.T.S.

File Name/Number:
 ZAC-08-021

Date:
 September 3, 2008

Planner/Technician:
 JD/NH



Hamilton