

Authority: Item 16, Economic Development
and Planning Committee
Report: 10-020 (PED10218)
CM: October 13, 2010

Bill No. 281

CITY OF HAMILTON

BY-LAW NO. 10-281

**To Amend Zoning By-law No. 05-200 (Hamilton), as amended by
By-law No. 10-128, respecting 236 Pritchard Road**

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, Statutes of Ontario, 1999, Chap. 14;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

AND WHEREAS it is desirable to enact a new Zoning By-law to comprehensively deal with zoning throughout the City;

AND WHEREAS the first stage of the Zoning By-law, being By-law No. 05-200, came into force on May 25, 2005;

AND WHEREAS By-law 10-128, New Comprehensive Industrial Zones, enacted May 26, 2010, but appealed to the Ontario Municipal Board, rezoned the subject lands to Prestige Business Park (M3) Zone.

AND WHEREAS the Council of the City of Hamilton, in adopting Item 16 of Report 10-020 of the Economic Development and Planning Committee, at its meeting held on the 13th day of October, 2010, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton;

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

1. That Map No: 1501 of Schedule "A" - Zoning Maps, appended to and forming part of By-law No. 05-200 is amended, by changing the zoning from the

By-law respecting 236 Pritchard Road

(Page 2 of 3)

Prestige Business Park (M3) Zone to the Prestige Business Park (M3, 31) Zone, with a Special Exception, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

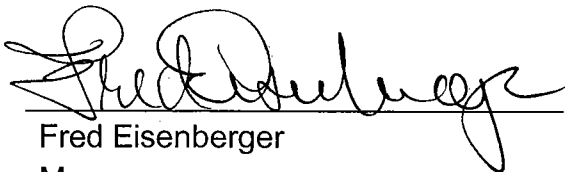
2. That Schedule "C": Special Exceptions of By-law No. 05-200 is amended by adding an additional Special Exception as follows:

"31. Notwithstanding Sections 9.3.1; 9.3.3(i)(i) and (ii) and 5.6(c), only as it relates to an "Office", on those lands zoned Prestige Business Park (M3) Zone, on Map 1501 of Schedule "A" - Zoning Maps, the following provisions shall apply:

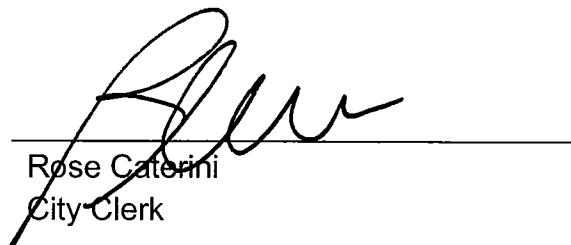
- | | | |
|------|---|--|
| (i) | Landscaped Area and Planting Requirements | A minimum 1.17m wide landscape area and planting strip shall be provided and maintained between parking spaces, aisles or driveways and a street, except for points of ingress and egress. |
| (ii) | Office (within building at time of passage of by-law) | A minimum of eleven (11) parking spaces shall be provided and maintained, with one space being Barrier Free. |

3. That this By-law No. 10.281 shall not come into force and effect until such time as By-law 05-200, as amended by By-law 10-128, comes into force and effect.

PASSED this 13th day of October, 2010.

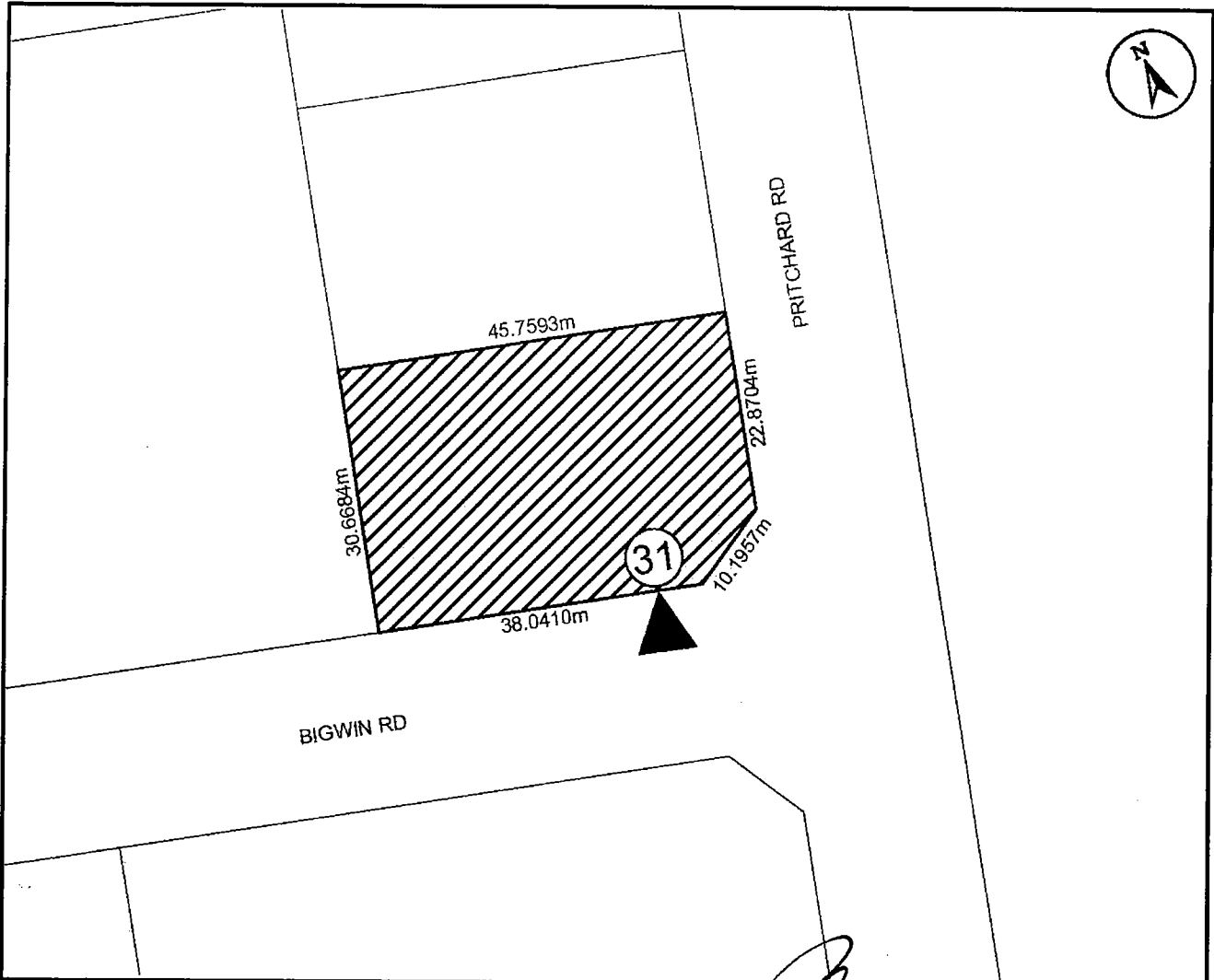


Fred Eisenberger
Mayor



Rose Caterini
City Clerk

ZAR-10-031
OPA-10-011



This is Schedule "A" to By-Law No. 10- 281

Passed the .13th... day of ..October....., 2010

[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 10- 281

to Amend By-law No.05-200
(Map 1501)

236 Pritchard Road



Change in zoning from Prestige Business
Parks (M3) Zone to a Prestige Business Parks
(M3,31) Zone.

Scale:

N.T.S.

File Name/Number:

ZAR-10-031

Date:

August 25, 2010

Planner/Technician:

AC/SW



Hamilton