

**Authority:** Item 7, Planning Committee  
Report: 16-021 (PED16227)  
CM: December 14, 2016

**Bill No. 329**

## **CITY OF HAMILTON**

### **BY-LAW NO. 16-**

#### **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*, 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 22<sup>nd</sup> day of June 1987, and approved by the Ontario Municipal Board on the 23<sup>rd</sup> day of January, 1989;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 7 of Report 16-021 of the Planning Committee, at its meeting held on the 14<sup>th</sup> day of December, 2016, which recommended that Zoning By-law No. 87-57, be amended as hereinafter provided;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan;

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

1. That Map No. 1 to Schedule "B", appended to and forming part of By-law No. 87-57 (Ancaster), as amended, is hereby amended as follows:

- (a) by changing the zoning from the Neighbourhood Commercial “C1-491” Zone, Modified, to the Neighbourhood Commercial “C1-680” Zone, Modified, 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, Modified, in its entirety and by adding the following Sub-section:

**“C1-680”**

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:

- Animal Hospital
- Banks and Financial Institutions
- Business and Professional Offices
- Caterers
- Craft and Custom Workshop
- Day Nurseries
- Establishments providing Education or Instructional Services
- Fast Food Restaurant, excluding Drive-In Restaurants
- Gymnasiums or Health Clubs excluding Body Rub Parlours
- Medical Clinic
- Medical and Dental Laboratories
- Personal Service Shop
- Printing Establishment
- Restaurant
- Retail Store, except that adult-oriented video rental outlets and similar retail outlets shall not be permitted
- Service Shop
- Sub-Post Office

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 Fast Food Restaurant shall not exceed more than 40% of the total gross floor area;
  - (b) Gymnasiums or Health Clubs, excluding Body Rub Parlours, shall not exceed more than 40% of the total gross floor area;
  - (c) A Medical Clinic shall not exceed more than 40% of the total gross floor area;
  - (d) Medical and Dental Laboratories shall not exceed more than 35% of the total gross floor area;
  - (e) A Restaurant shall not exceed more than 25% of the total gross floor area;
  - (f) A minimum of 1 parking space for every 22 square metres of gross floor area for all permitted uses shall be provided; and,
  - (g) The outdoor storage and display of goods, products or materials shall not be permitted.
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** this 14<sup>th</sup> day of December, 2016.

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F. Eisenberger  
Mayor

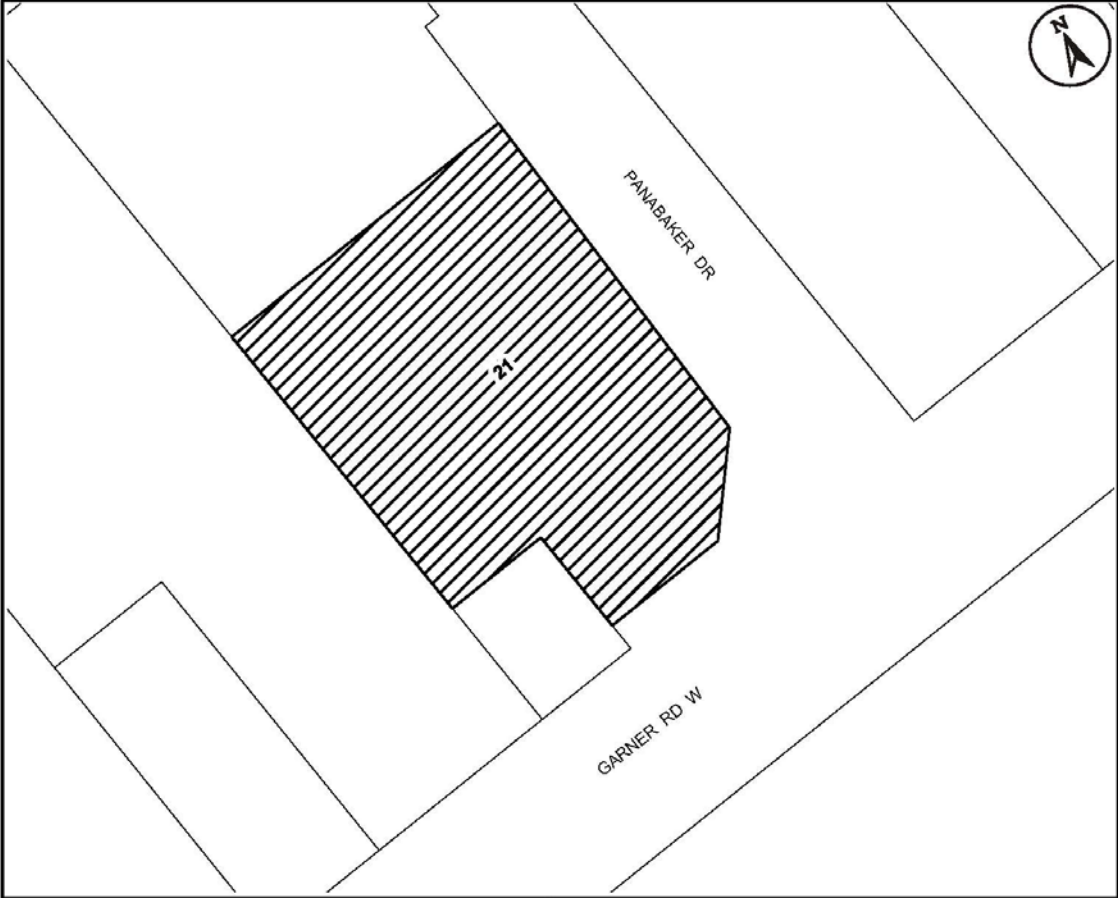


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R. Caterini  
City Clerk

ZAC-16-027

To Amend Zoning By-law No. 87-57, Respecting Lands Located at 21 Panabaker Drive,  
in the former Town of Ancaster, now in the City of Hamilton

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<p>This is Schedule "A" to By-law No. 16-</p> <p>Passed the ..... day of ....., 2016</p>	<p>-----</p> <p>Mayor</p> <p>-----</p> <p>Clerk</p>				
<p align="center"><b>Schedule "A"</b></p> <p align="center">Map Forming Part of By-law No. 16-_____</p> <p align="center">to Amend By-law No. 87-57</p>					
<table border="1"> <tr> <td>Scale: N.T.S.</td> <td>File Name/Number: ZAC-16-027</td> </tr> <tr> <td>Date: October 21, 2016</td> <td>Planner/Technician: AF/AL</td> </tr> </table>	Scale: N.T.S.	File Name/Number: ZAC-16-027	Date: October 21, 2016	Planner/Technician: AF/AL	<p><b>Subject Property</b></p> <p>21 Panabaker Drive</p> <p> Change in zoning from the Neighbourhood Commercial "C1-491" Zone, Modified, to a Neighbourhood Commercial "C1-680" Zone, Modified.</p>
Scale: N.T.S.	File Name/Number: ZAC-16-027				
Date: October 21, 2016	Planner/Technician: AF/AL				
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p> <p align="center"> <u>Hamilton</u></p>					