

**Authority:** Item 6, Planning Committee Report  
17-019 (PED17194)  
CM: November 22, 2017  
Ward: 14

**Bill No. 257**

## **CITY OF HAMILTON**

### **BY-LAW NO. 17-**

**A By-law to amend Zoning By-law 05-200 to Permit the Expansion of the Adjacent Mineral Aggregate Operation on Lands located at 582, 626, 632, 634 and 638 Brock Road, 790, 798, 822, 826 and 832 Concession 4 West, and 520, 526, 532, 536, 540, 542, 546, 550, 554, 559, 564, 565, 568, 580 and 588 Moxley Road (Flamborough)**

**WHEREAS** Council approved Item 6 of Report 17-019 of the Planning Committee, at its meeting held on the November 22, 2017;

**AND WHEREAS** this By-law is in conformity with the Rural Hamilton Official Plan upon approval of Official Plan Amendment No 14;

**NOW THEREFORE** Council enacts as follows:

1. That Map No. 83 of Schedule "A" - Zoning Maps, of Zoning By-law No. 05-200, be amended as follows:
  - a. by adding to the City of Hamilton Zoning By-law No. 05-200, the lands the extent and boundaries of which are shown as Schedule "A" to this By-law;
  - b. by establishing an Extractive Industrial (M12, 658) Zone, to the lands the extent and boundaries of which are shown as Schedule "A" to this By-law; and,
  - c. by establishing an Open Space (P4) Zone, to the lands the extent and boundaries of which are shown as Schedule "A" to this By-law.
2. That Schedule "C" – Special Exceptions, of By-law No. 05-200 is hereby amended by adding an additional special exception as follows:

"658 Within the lands zoned Extractive Industrial (M12) Zone, identified on Map No. 83 of Schedule "A" – Zoning Maps and described as 582, 626, 632, 634 and 638 Brock Road, 790, 798, 822, 826 and 832 Concession 4

A by-law to amend Zoning By-law 05-200 to permit the expansion of the adjacent mineral aggregate operation on lands located at 582, 626, 632, 634 and 638 Brock Road, 790, 798, 822, 826 and 832 Concession 4 West, and 520, 526, 532, 536, 540, 542, 546, 550, 554, 559, 564, 565, 568, 580 and 588 Moxley Road (Flamborough)

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West, and 520, 526, 532, 536, 540, 542, 546, 550, 554, 559, 564, 565, 568, 580 and 588 Moxley Road, Flamborough, the following special provision shall apply:

a) Notwithstanding Section 9.12.3.4 a), a minimum setback for excavation of 15 metres shall be required adjacent to the southerly property line of 559 and 565 Moxley Road and 582 Brock Road.”

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 22<sup>nd</sup> day of November, 2017.

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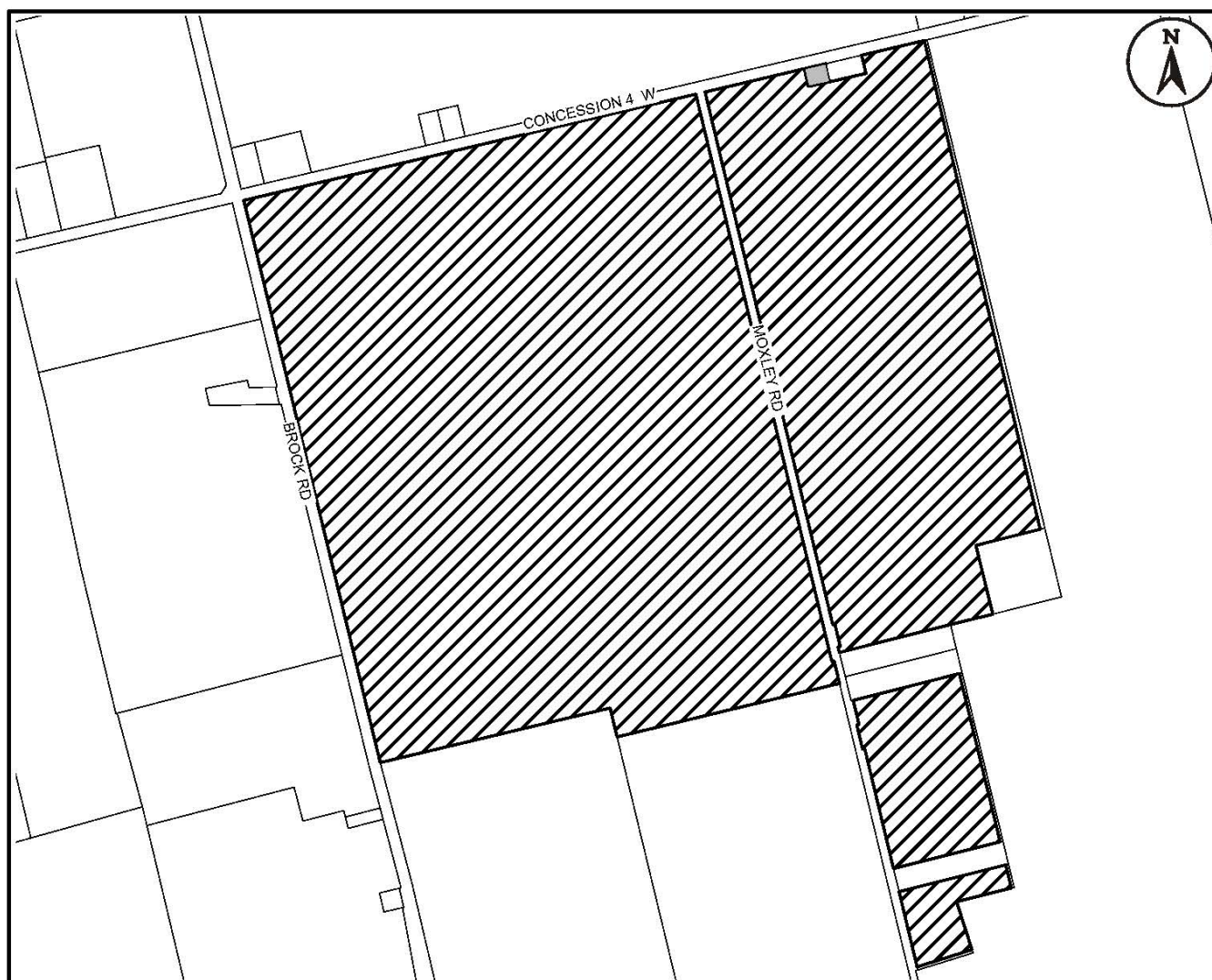
F. Eisenberger  
Mayor

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R. Caterini  
City Clerk

ZAC-13-051

A by-law to amend Zoning By-law 05-200 to permit the expansion of the adjacent mineral aggregate operation on lands located at 582, 626, 632, 634 and 638 Brock Road, 790, 798, 822, 826 and 832 Concession 4 West, and 520, 526, 532, 536, 540, 542, 546, 550, 554, 559, 564, 565, 568, 580 and 588 Moxley Road (Flamborough)



This is Schedule "A" to By-law No. 17-

Passed the ..... day of ....., 2017

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Mayor

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Clerk

## Schedule "A"

Map Forming Part of  
By-law No. 17-\_\_\_\_\_

to Amend By-law No. 05-200  
Map RU83

### Subject Property

582, 626, 632, 634 and 638 Brock Road,  
790, 798, 822, 826 and 832 Concession 4 West  
and 520, 526, 532, 536, 540, 542, 546, 550, 554,  
559, 564, 565, 568, 580 and 588 Moxley Road,  
Flamborough



Lands to be Zoned Extractive Industrial  
(M12, 658) Zone



Lands to be Zoned Open Space  
(P4) Zone

Scale:  
N.T.S.

File Name/Number:  
ZAC-13-051/RHOPA-13-015

Date:  
Sept. 27, 2017

Planner/Technician:  
HT/NB



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT