

**Authority:** Item 4 , Planning and Economic  
Development Committee  
Report; 05-006 (PD05052)  
CM: March 9,2005

**Bill No. 050**

**CITY OF HAMILTON**

**BY-LAW NO. 05-050**

**To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands  
Located at 340 Leaside Avenue and 467 Barton Street**

**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 Stoney Creek" 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 3692-92 (Stoney Creek) was enacted on the 8<sup>th</sup> day of December, 1992, and approved by the Ontario Municipal Board on the 31<sup>st</sup> day of May, 1994;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 4 of Report 05-006 of the Planning and Economic Development Committee at its meeting held on the 9<sup>th</sup> day of March, 2005, recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Plannina Act on May 12, 1986;

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

1. Map No. 1 of Schedule "A" appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the Small Scale Industrial "MS" Zone to the Special Purpose Industrial "MSP-6" Zone, the lands

composed of 340 Leaside Avenue (Block "1"), the extent and boundaries of which are shown on a plan annexed as Schedule "A" .

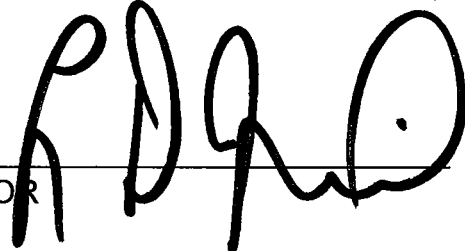
2. That Special Exemption "MSP-6" of Subsection 9.6.7 of Zoning By-law No. 3692-92 (Stoney Creek), applicable to Blocks "1" and "2", be deleted in its entirety and replaced with the following special provision:

**"MSP – 6 467 Barton Street, Schedule "A", Map No. I**

In addition to the uses permitted in Subsection 9.6.2 of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-6" by this By-law may also be used for an adult education centre. Notwithstanding the provisions of paragraphs (g), (j), and (k) of Subsection 9.6.3 of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-6" by this By-law, applicable to an adult education centre, may also have more than one building on the property, a maximum building height of 17 metres, and a minimum of 775 parking spaces shall be provided for an adult education centre with a maximum gross floor area of 25,000m<sup>2</sup>. Parking shall be provided in accordance with Section 4.10 of Zoning By-law 3692-92 for that portion of the gross floor area in excess of 25,000m<sup>2</sup>."

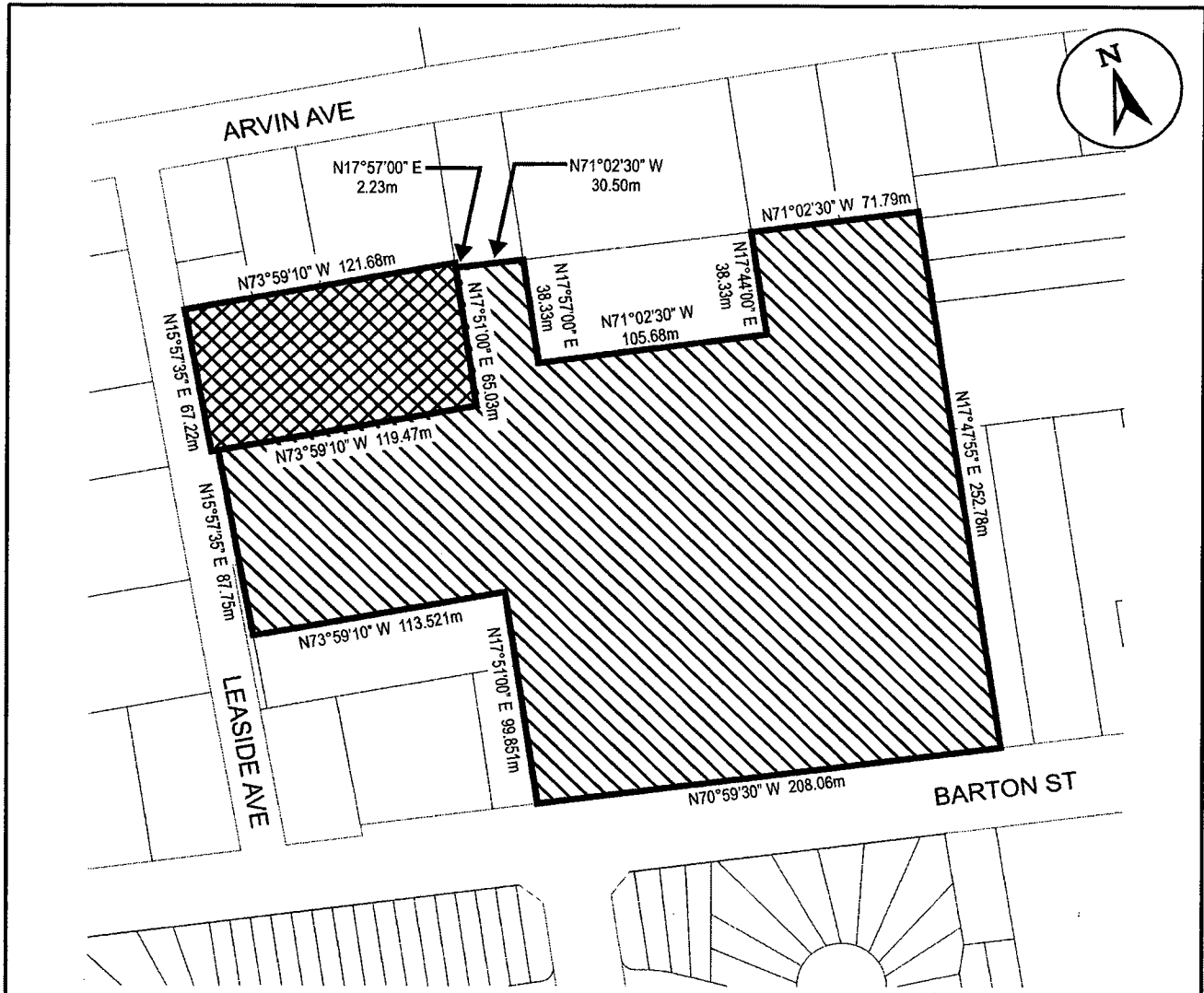
3. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 9<sup>th</sup> day of March, 2005.

MAYOR 

CLERK 

ZAC-04-94



This is Schedule "A" to By-Law No. 05 — 050

Passed the 9th day of March, 2005

*[Signature]*  
 Clerk

*[Signature]*  
 Mayor

# Schedule "A"

Map Forming Part of  
 By-Law No. 05-050  
 to Amend By-Law No. 3692-92



## Subject Property

467 Barton Street / 340 Leaside Avenue

- Block 1: Change in Zoning from the Small Scale Industrial "MS" Zone to the Special Purpose Industrial "MSP-6" Zone
- Block 2: Further modification to the Special Purpose Industrial "MSP-6" Zone

North 	Scale: <b>Not to Scale</b>	File Name/Number: <b>ZAC-04-94</b>
	Date: January 12, 2005	Planner/Technician: GM / MC