

Authority: Item 35, Planning and Economic
Development Committee
Report 05-027 (PED05199)
CM: December 14, 2005

Bill No. 381

CITY OF HAMILTON

BY-LAW NO. 05-381

**To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands
Located on a Portion of 404 McNeilly Road**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 35 of Report 05-027 of the Planning and Economic Development Committee at its meeting held on the 14th day of December, 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 Planning Act on May 12, 1986;

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

1. Map No. 3 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the Prestige Industrial

(Holding) "MT(H)" Zone to the Prestige Industrial "MT-8" Zone, on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Section 9.4.6, "Special Exemptions", of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new special provision "MT-8", to include the following:

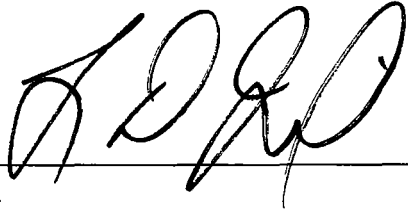
"MT-8 404 McNeilly Road, Schedule "A", Map No. 3

In addition to the uses permitted in Subsection 9.4.2, Permitted Uses For Each Lot, of Section 9.4, Prestige Industrial "MT" Zone, on those lands zoned "MT-8" Zone, a contractor's compound yard shall also be permitted.

Notwithstanding the provisions of paragraph (j) of Section 9.4.3, Zone Regulations, of Section 9.4, Prestige Industrial "MT" Zone, outside storage shall be permitted.

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 Prestige Industrial "MT" Zone provisions, subject to the special requirement referred to in Section 2.
4. 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 19th day of December, 2005.

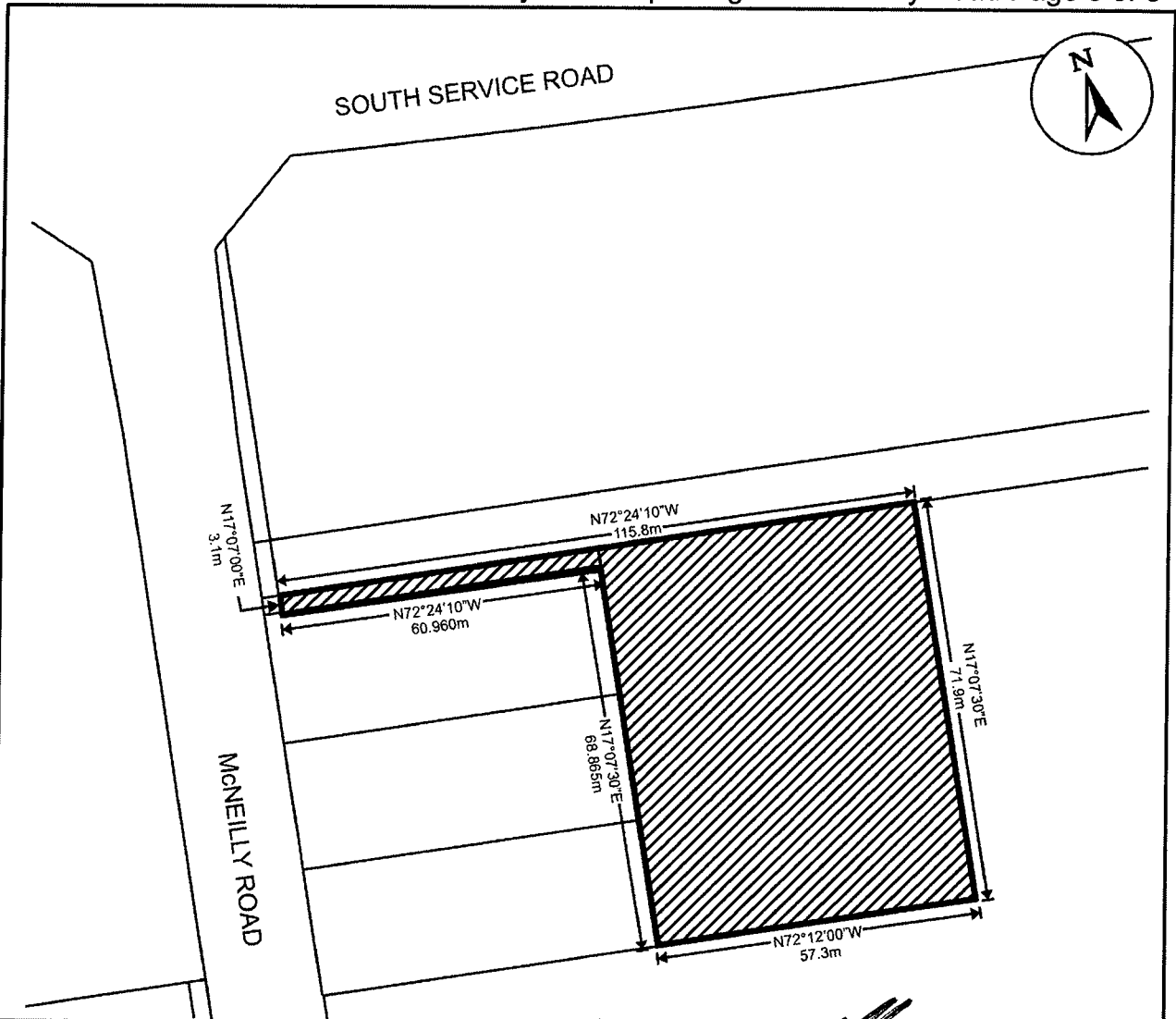


MAYOR



CLERK

ZAR-05-100



This is Schedule "A" to By-Law No. 05— 381

Passed the 19th..... day of December.....2005

[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 05-381
to Amend By-Law No. 3692-92



Subject Property



Change from the Prestige Industrial (Holding) "MT(H)" Zone to the Prestige Industrial "MT-8" Zone



Scale:
Not to Scale

Date:
October 28, 2005

File Name/Number:
ZAR-05-100

Planner/Technician:
PM/MF