

Authority: Item 13, Planning and Economic
Development Committee
Report: 06-004 (PED05201)
CM: March 22, 2006

Bill No. 061

CITY OF HAMILTON

BY-LAW NO. 06-061

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located at 341 Regional Road 20

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 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 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 13 of Report 06-004 of the Planning and Economic Development Committee at its meeting held on the 22nd 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 Planning Act on May 12, 1986;

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

1. Map No. 17 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by:
 - (a) changing the zoning from the Agricultural "A" Zone to the Agricultural "A-7(H)" Holding Zone, the lands composed of Block 1; and,
 - (b) changing the zoning from the Agricultural "A" Zone to the and Agricultural "A-8(H)" Holding Zone, the lands composed of Block 2;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Subsection 5.2.8, "Special Exemptions" of Section 5.2, Agricultural "A" Zone, of Zoning By-law No. 3692-92, be amended by adding new special exemptions, "A-7" and "A-8", as follows:

"A-7(H) 341 Regional Road 20, Schedule "A", Map No. 17

Notwithstanding the provisions of Section 5.2.2 of the Agricultural "A" Zone, on those lands zoned "A-7(H)" by this By-law, a Nursery Garden Centre, and Home Industry, including Accessory Outdoor Storage shall also be permitted.

For the purpose of this By-law, "Home Industry means a small scale commercial and/or industrial use secondary to an agricultural operation which is owned and operated by one (1) or more of the residents of the dwelling unit on the subject lot and shall be wholly enclosed within either a single detached dwelling unit, an attached garage or an accessory building. Such home industries may include a carpentry shop, a metal working shop, a welding shop, an electrical shop or blacksmith's shop, a farm equipment service establishment, but shall exclude motor vehicle repair shops and motor vehicle body shops."

Notwithstanding the provisions of Section 5.2.3 of the Agricultural "A" Zone, on those lands zoned "A-7(H)" by this By-law, a minimum 9.0 metre wide landscape strip shall be provided and maintained along the westerly lot line, and a minimum 6.0 metre wide landscape strip shall be provided and maintained along the southerly lot line except for points of ingress and egress; a minimum flankage side yard of 45 metres shall be required; and Accessory Outdoor Storage will not be permitted in the flankage side yard or the front yard".

The 'H' symbol may be removed by Council upon the approval of a site plan application to the satisfaction of the Manager, Development Planning.

"A-8(H) 341 Regional Road 20, Schedule "A", Map No. 17

Notwithstanding the provisions of Section 5.2.2 of the Agricultural "A" Zone, on those lands zoned "A-8(H)" by this By-law, a Home Industry, including Accessory Outdoor Storage shall also be permitted.

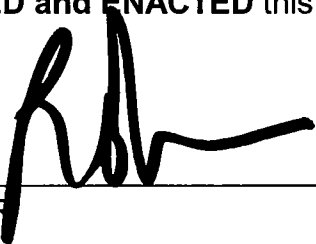
For the purpose of this By-law, "Home Industry means a small scale commercial and/or industrial use secondary to an agricultural operation which is owned and operated by one (1) or more of the residents of the dwelling unit on the subject lot and shall be wholly enclosed within either a single detached dwelling unit, an attached garage or an accessory building. Such home industries may include a carpentry shop, a metal working shop, a welding shop, an electrical shop or blacksmith's shop, a farm equipment service establishment, but shall exclude motor vehicle repair shops and motor vehicle body shops."

Notwithstanding the provisions of Section 5.2.3 of the Agricultural "A" Zone, on those lands zoned "A-8(H)" by this By-law, a minimum 6.0 metre wide landscape strip shall be provided and maintained along the easterly zone boundary and southerly lot line except for points of ingress and egress; and Accessory Outdoor Storage will not be permitted in the front yard".

The 'H' symbol may be removed by Council upon the approval of a site plan application to the satisfaction of the Manager, Development Planning.

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 Agricultural "A" Zone provisions, subject to the special requirements 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 22nd day of March, 2006.

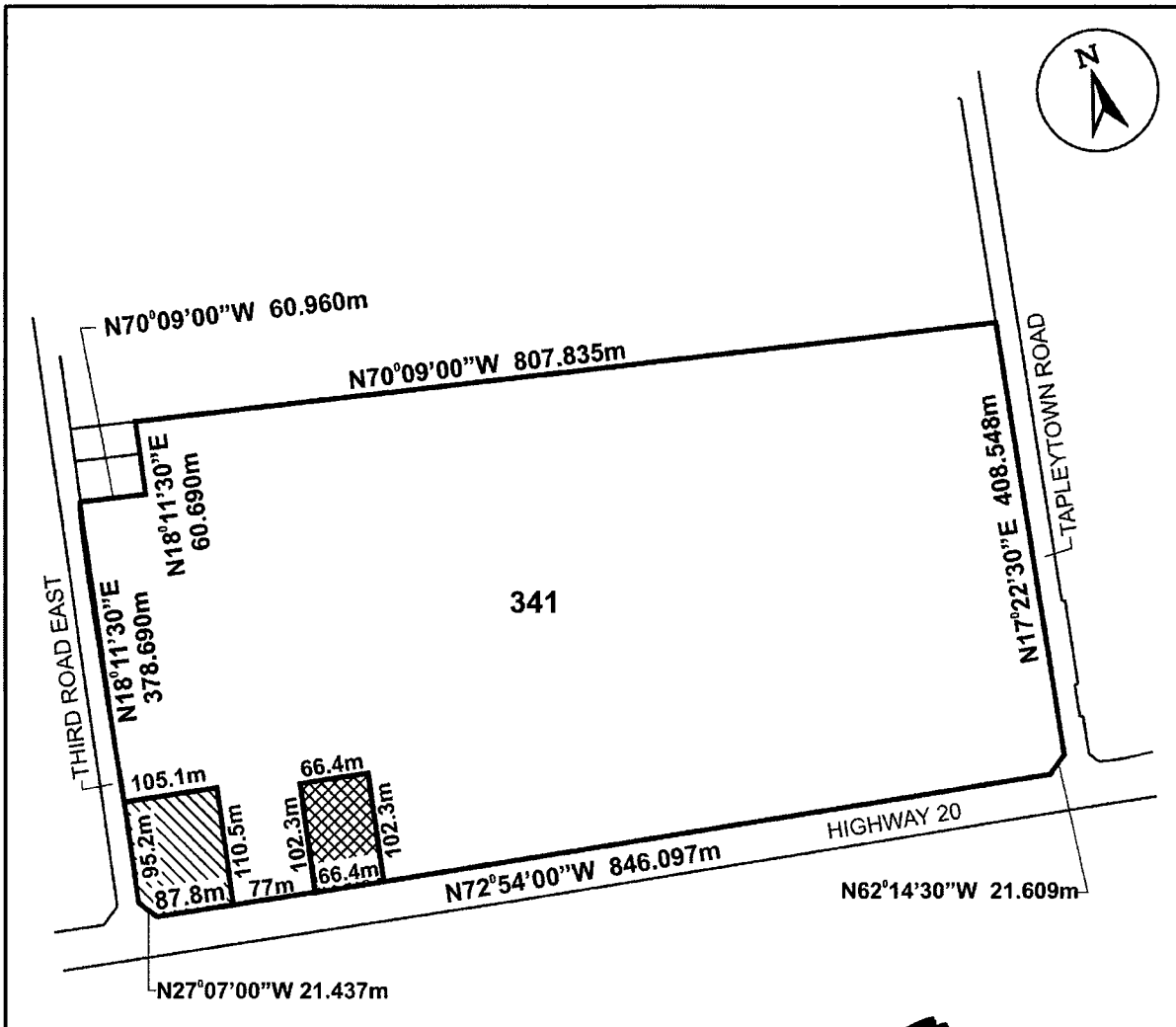


MAYOR



CLERK

ZAR-05-80



This is Schedule "A" to By-Law No. 06-061

Passed the 22nd day of March, 2006

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 06-061
to Amend By-Law No. 3692-92



Subject Property 341 Regional Road No. 20

- Block 1** - Change from the Agricultural "A" Zone to a Modified Agricultural "A-7(H)" Holding Zone.
- Block 2** - Change from the Agricultural "A" Zone to a Modified Agricultural "A-8(H)" Holding Zone.

	Scale: Not to Scale	File Name/Number: ZAR-05-80
	Date: August 16, 2005	Planner/Technician: MJ/NB

T&C File Name: