

Authority: Item 10, Economic Development
and Planning Committee
Report: 07-004 (PED07069)
CM: February 28, 2007

Bill No. 065

CITY OF HAMILTON

BY-LAW NO. 07-065

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located at 312-318 Arvin Avenue

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 10 of Report 07-004 of the Economic Development & Planning Committee at its meeting held on the 28th day of February, 2007, 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:

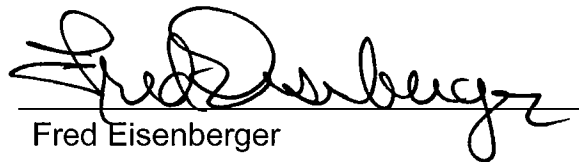
1. Map No. 1 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the General Industrial "MG" Zone to the General Industrial "MG-11" Zone, on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Section 9.5.7, "Special Exemptions" of Zoning By-law No. 3692-92, be amended by adding a new special exemption, "MG-11", as follows:

"MG-11" 312-318 Arvin Avenue, Schedule "A", Map No. 1

- i) Notwithstanding the uses permitted in Section 9.5.2 of the General Industrial "MG" Zone, on those lands zoned "MG-11" by this By-law, Business Offices shall be permitted within the building existing on the date of the passing of this by-law being the day of , 2007.
 - ii) That Section 9.5.3(g) of the General Industrial "MG" Zone, shall not apply on those lands zoned "MG-11".
 - iii) Notwithstanding Section 4.10.5(b) of the General Provisions, on those lands zoned "MG-11" by this By-law, the Indirect Access shall have a minimum width of 3.0 metres for one-way vehicular circulation.
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 General Industrial "MG" 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.

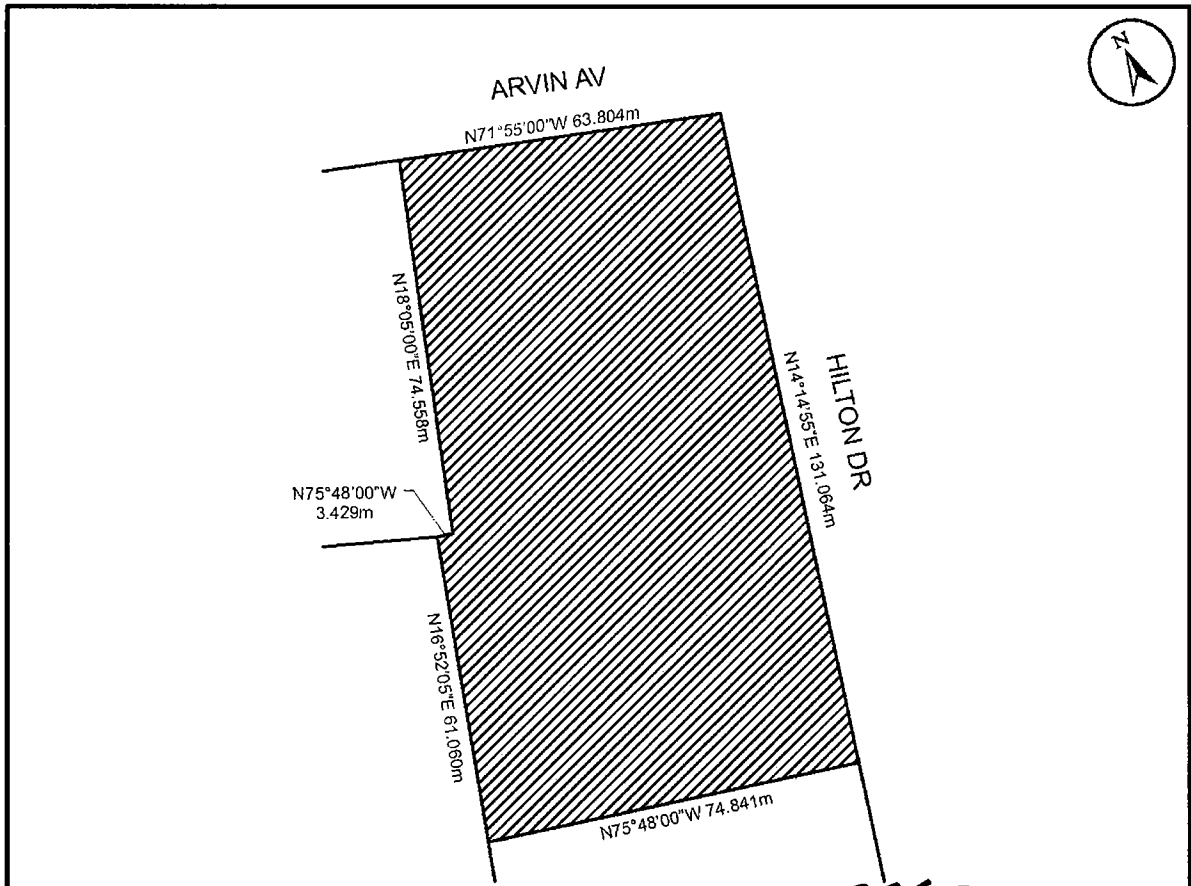
PASSED and ENACTED this 28th day of February, 2007.



Fred Eisenberger
Mayor




Kevin C. Christenson
City Clerk




This is Schedule "A" to By-Law No. 07- 065
 Passed the 28th day of February, 2007

 Clerk
Fred Emburge
 Mayor

Schedule "A"
Map Forming Part of
By-Law No. 07-065
 to Amend By-law No. 3692-92

Subject Property
 312-318 Arvin Avenue, Stoney Creek.
 Change in zoning from the General Industrial
 "MG" Zone to the General Industrial
 "MG-11" Zone.

Scale: N.T.S.	File Name/Number: ZAR-06-97	
Date: January 18, 2007	Planner/Technician: SH/KA	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		