

Authority: Item 12, Planning and Economic
Development Committee
Report 06-010 (PED06190)
CM: June 28, 2006

Bill No. 232

CITY OF HAMILTON

BY-LAW NO. 06-232

**To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands
Located at 627 Barton Street and 327-333 Fruitland 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 12 of Report 06-010 of the Planning and Economic Development Committee at its meeting held on the 28th day of June, 2006, recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided;

AND WHEREAS this by-law will be in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), upon approval of Official Plan Amendment No 130;

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

1. Map No. 2 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended,

- (a) by further modifying the General Commercial "GC-47" Zone, the lands comprised of Block "1"; and,
- (b) by changing from the Special Purpose Industrial "MSP" Zone to the General Commercial "GC-47" Zone, the lands comprised of Block "2",

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

- 2. That Section 8.3.8, "Special Exemptions", of Zoning By-law No. 3692-92 (Stoney Creek), be amended by deleting the words "and a motor vehicle service station are" and replaced with the word "is" in the seventh line, so that special provision "GC-47" reads as follows:

"GC-47 627 Barton Street, 327-333 Fruitland Road, Schedule "A", Map No. 2

In addition to the uses permitted in subsection 8.3.2, of the General Commercial "GC" Zone, those lands zoned "GC-47" by this By-law may also be used for any assembling, manufacturing or processing use which is not obnoxious as defined by this by-law; warehouses; wholesale uses; building supply outlets in enclosed buildings; custom workshops; laboratories; printing establishments and swimming pool sales and service. A motor vehicle dealership is not permitted on these lands zoned "GC-47" by way of this By-law.

Notwithstanding paragraphs (c) and (d) of Subsection 8.3.3, the minimum front yard and minimum flankage side yard for a warehouse or mini-storage shall be 60 metres."

- 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 Commercial "GC" Zone provisions, subject to the special provisions 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.

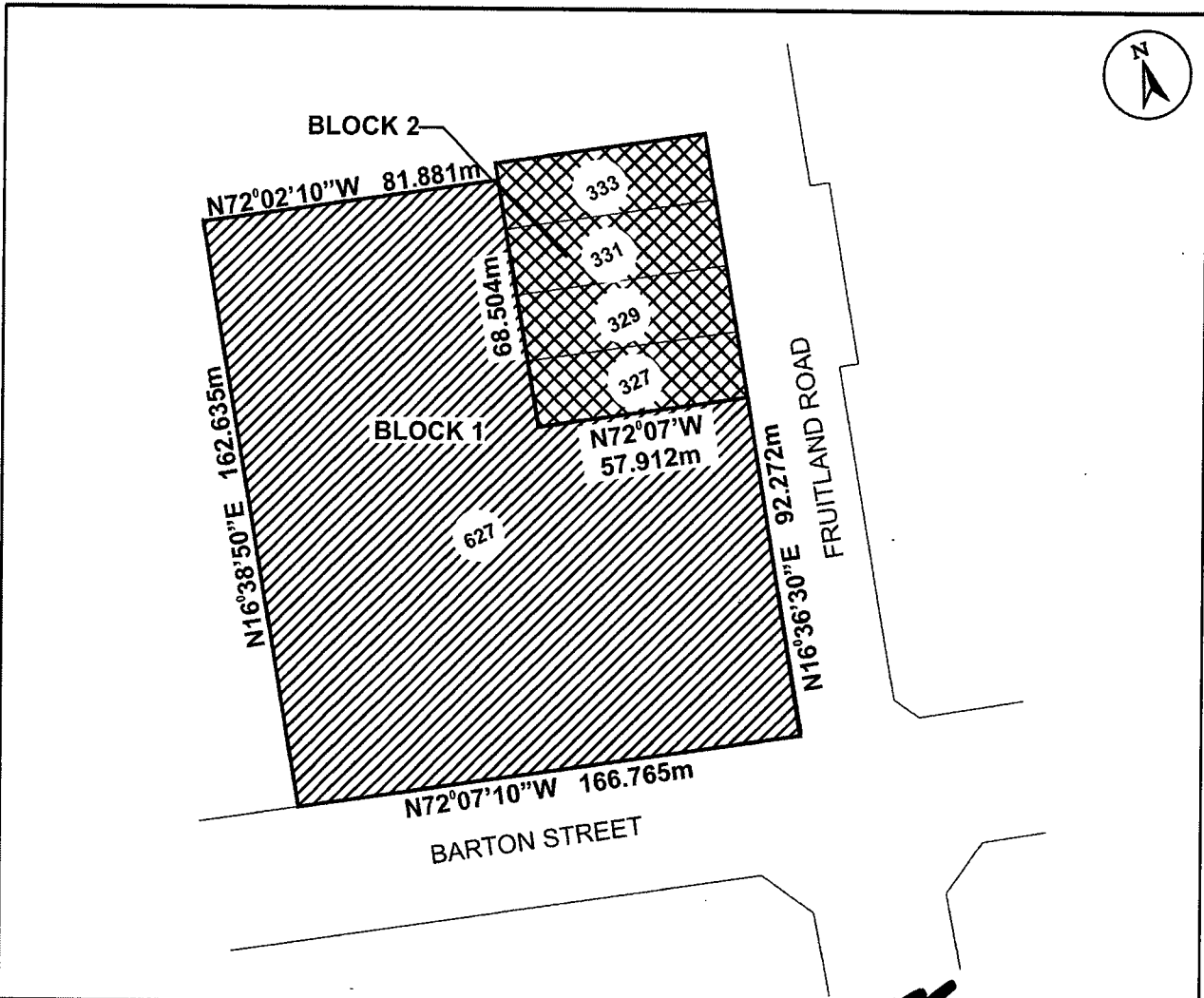
PASSED and ENACTED this 9th day of August , 2006.



MAYOR
ZAC-06-11



CLERK



This is Schedule "A" to By-Law No. 06— 232

Passed the 9th day of August, 2006

[Signature]
Clerk

[Signature]
Mayor



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT


Schedule "A"

Map Forming Part of
By-law No. 06-232

to Amend By-law No. 3692-92

Subject Property

-  627 Barton Street, Block 1 - Further Modification to the General Commercial "GC-47" Zone
-  327 - 333 Fruitland Road, Block 2 - Change from the Special Purpose Industrial "MSP" Zone to the General Commercial "GC-47" Zone

Scale: Not to Scale	File Name/Number: ZAC-06-11	
Date: May 4, 2006	Planner/Technician: PM/NB	