

**Authority:** Item 14, Planning and Economic  
Development Committee  
Report 06-016 (PED06351)  
CM: September 27, 2006

**Bill No. 290**

**CITY OF HAMILTON**

**BY-LAW NO. 06-290**

**To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands  
Located at 259-261 Highway No. 8, Stoney Creek**

**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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 14 of Report 06-016 of the Planning and Economic Development Committee at its meeting held on the 27<sup>th</sup> day of September, 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. 133;

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

**By-law Respecting 259-261 Highway No. 8, Stoney Creek Page 2 of 3**

1. Map No. 6 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the Residential "R6" Zone to the General Commercial "GC-53" Zone on the lands, 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 adding the following new Special Exemption as follows:

**"GC-53      259-261 Highway No. 8, Schedule "A", Map No. 6**

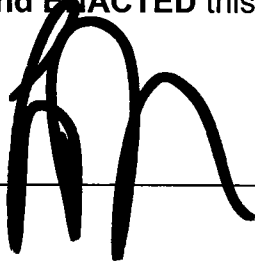
Notwithstanding the uses permitted in Subsection 8.3.2, only the following uses shall be permitted: Retail Stores, Personal Service Shops, Fast Food Restaurants, Professional and Business Offices, Denture Clinics and, Optometrists.

Notwithstanding the provisions of paragraphs (a) and (i) of Subsection 8.3.3, the minimum lot frontage shall be 41 metres and a parking ratio of 1 space per 31 square metres of gross floor area shall be provided and maintained."

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 27<sup>th</sup> day of September, 2006.

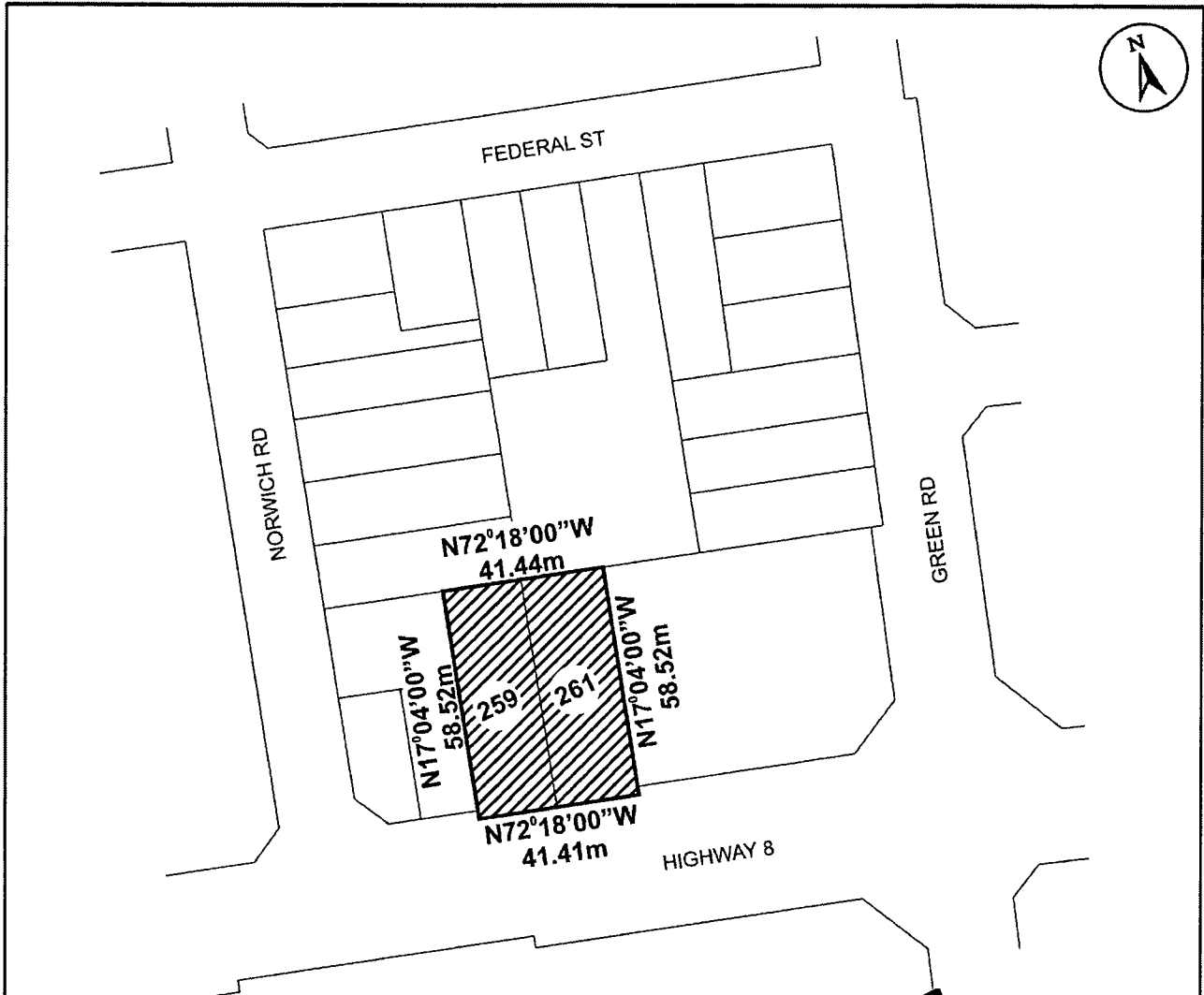
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MAYOR



ZAC-06-39

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CLERK





This is Schedule "A" to By-Law No. 06-290

Passed the 27th day of September, 2006

*[Signature]*  
Clerk

*[Signature]*  
Mayor

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

# Schedule "A"

Map Forming Part of  
By-law No. 06-290

to Amend By-law No. 3692-92



### Subject Property

259 and 261 Highway No. 8, Stoney Creek  
Change from the Residential "R6" Zone to the  
General Commercial "GC-53" Zone

Scale: <b>Not to Scale</b>	File Name/Number: <b>ZAC-06-39</b>	
Date: <b>June 1, 2006</b>	Planner/Technician: <b>PM/NB</b>	