

**Authority:** Item 17, Economic Development &  
Planning Committee  
Report: 07-013 (PED07171)  
CM: July 11, 2007

**Bill No. 210**

## **CITY OF HAMILTON**

### **BY-LAW NO. 07-210**

#### **To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting the Property Located at 837 Barton Street**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1<sup>st</sup>, 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 17 of Report 07-013 of the Economic Development & Planning Committee at its meeting held on the 11th day of July, 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. That Map No. 2 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 Small Scale Industrial "MS" Zone to the Small Scale Industrial "MS-10" Zone;

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

**By-law Respecting 837 Barton Street (Page 2 of 3)**

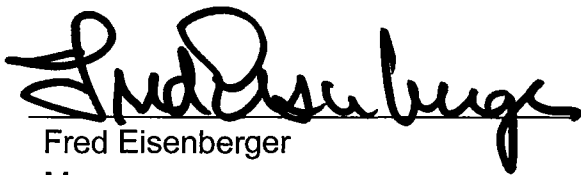
2. That Subsection 9.2.7, "Special Exemptions", of Section 9.2 Small Scale Industrial "MS" Zone, of Zoning By-law No. 3692 (Stoney Creek), be amended by adding a new special exemption, "MS-10", as follows:

**"MS-10" 837 Barton Street, Schedule "A", Map No. 2**

In addition to the uses permitted in Section 9.2.2 of the Small Scale Industrial "MS" Zone, those lands zoned "MS-10" by this by-law, may also be used for a contractor's depot.

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 Small Scale Industrial "MS" Zone provisions, subject to the special provision 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 11<sup>th</sup> day of July, 2007.

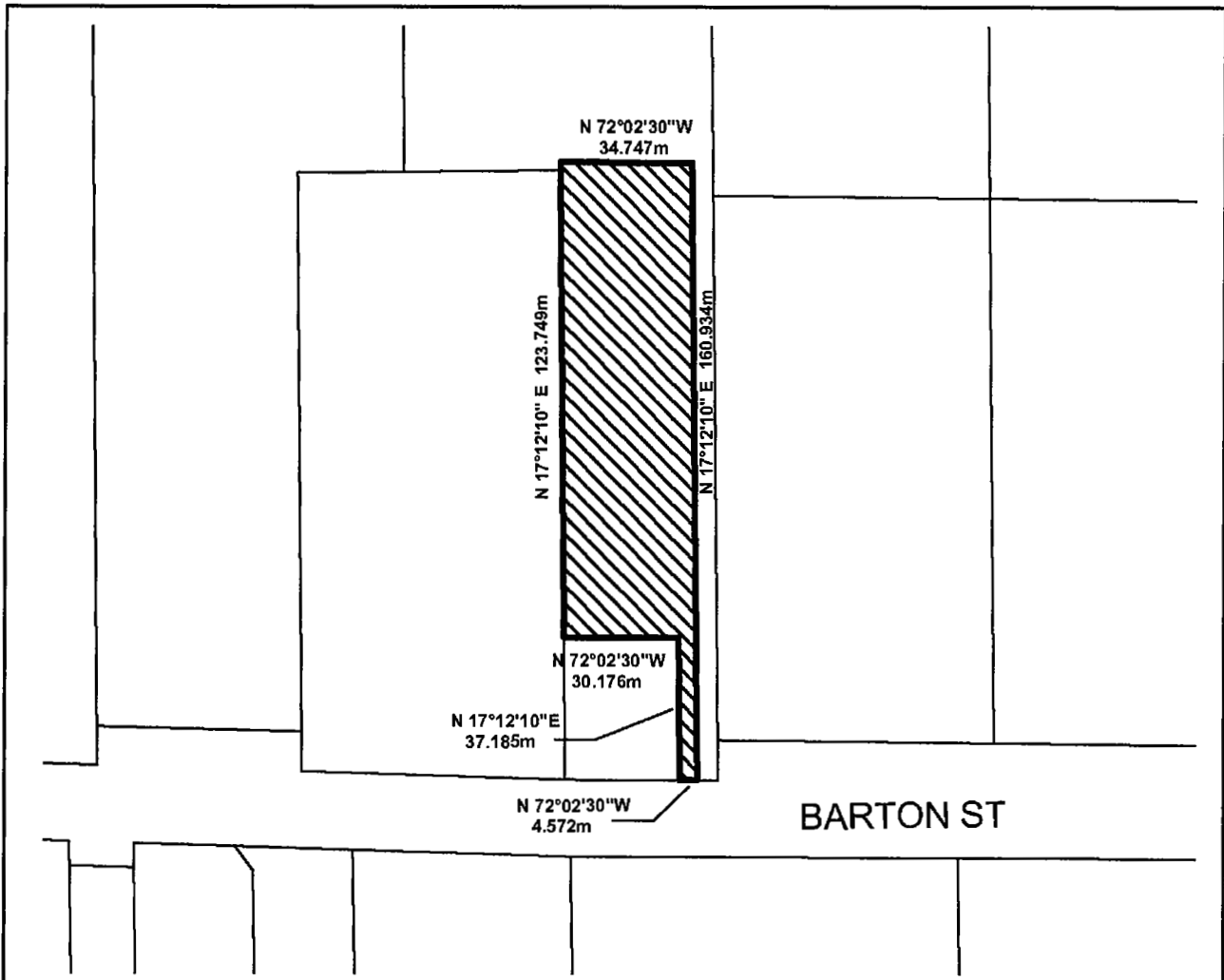


Fred Eisenberger  
Mayor

  
Kevin C. Christenson  
City Clerk

ZAC-07-018

By-law Respecting 837 Barton Street (Page 3 of 3)



This is Schedule "A" to By-Law No. 07-210

Passed the 11th day of July, 2007


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 Clerk  
*And Searge*  
 Mayor

**Schedule "A"**

Map Forming Part of  
 By-Law No. 07- 210

to Amend By-law No.3692-92

**Subject Property**

 837 Barton Street

Proposed Change in Zoning from Small Scale Industrial "MS" Zone to Small Scale Industrial "MS-10" Zone.

Scale:  
 N.T.S.

File Name/Number:  
 ZAR-07-018

Date:  
 April 2007

Planner/Technician:  
 JG/LC



**Hamilton**

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT