

Authority: Item 9, Planning and Economic
Development Committee
Report: 06-003 (PED06053)
CM: March 1, 2006

Bill No. 050

CITY OF HAMILTON

BY-LAW NO. 06-050

**To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting the Property
located at 880 South Service 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 9 of Report 06-003 of the Planning and Economic Development Committee at its meeting held on the first day of March, 2006, 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 changing the zoning from the Prestige Industrial "MT" Zone to the Prestige Industrial "MT-9" Zone, the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

By-law Respecting 880 South Service Road

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2. That Section 9.4.6, "Special Exemptions", of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new special provision "MT-9", to include the following:

"MT-9 880 South Service Road, Schedule "A", Map No. 2

In addition to the permitted uses in Subsection 9.4.2 of the Prestige Industrial "MT" Zone, those lands zoned "MT-9" by this By-law may also be used for an industrial garage. Notwithstanding the provisions of Subsection 9.1.6 of Zoning By-law No. 3692-92, loading spaces are permitted in the area between the lot line abutting a street and any wall of a building facing a street except for the South Service Road. Notwithstanding the provisions of Paragraphs (d), (f), and (i) of Subsection 9.4.3 of the Prestige Industrial "MT" Zone, for those lands zoned "MT-9" by this By-law, the following shall apply:

- (d) Minimum Front Yard - 27 metres
 - (f) Minimum Flankage Yard - 8 metres
 - (i) Minimum Landscaped Open Space – 8 metres along the South Service Road lot line and 6 metres along all other lot lines except for points of ingress and egress".
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 Prestige Industrial "MT" 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 1st day of March , 2006.

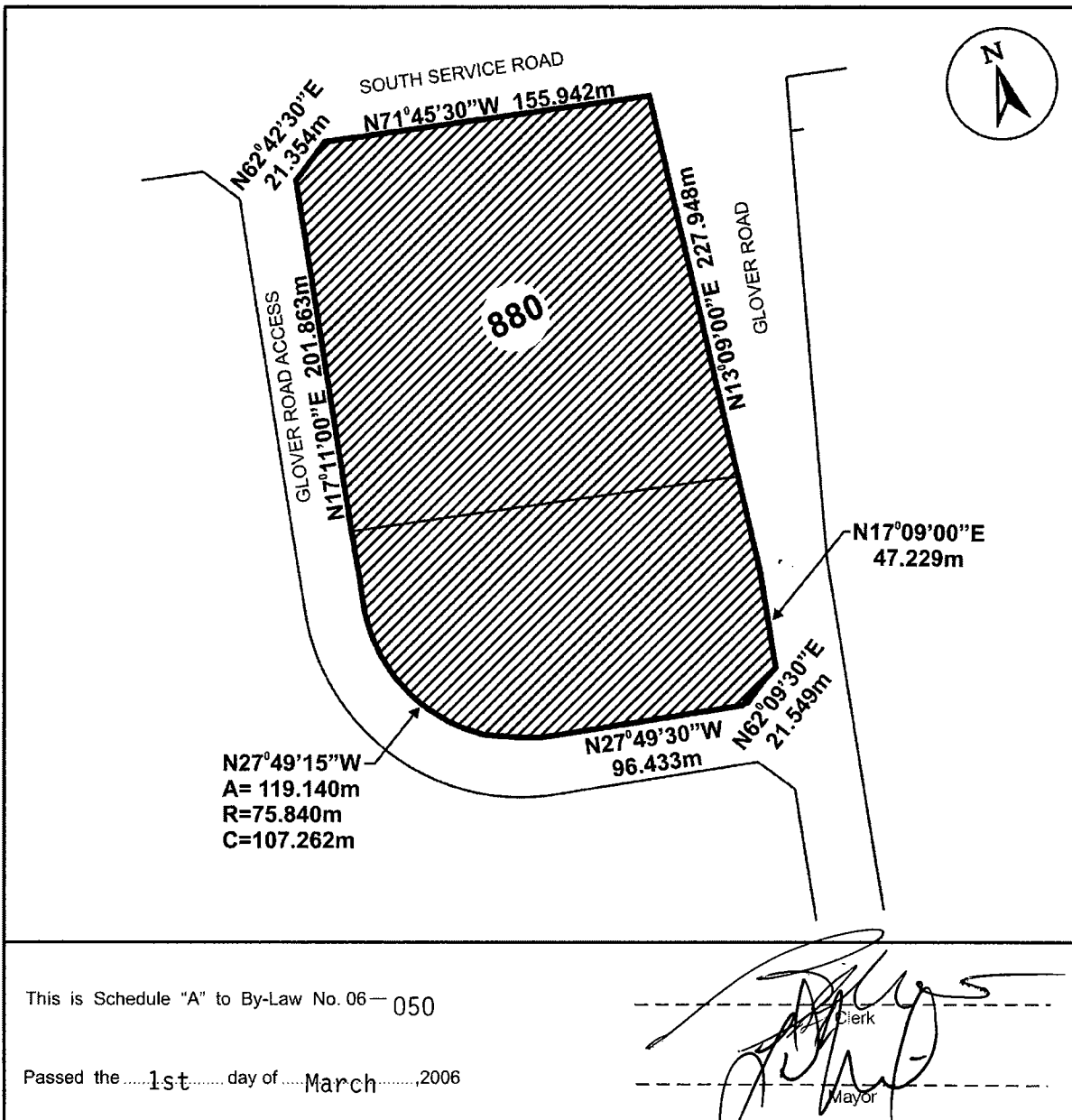
MAYOR

ZAR-05-115

CLERK

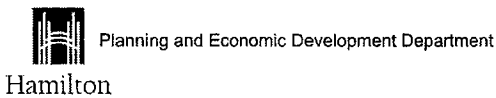
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Schedule "A"

Map Forming Part of
By-Law No. 06-050
to Amend By-Law No. 3692-92



Subject Property
880 South Service Road (Stoney Creek)
Change in zoning from the Prestige Industrial "MT" Zone to the Prestige Industrial "MT-9" Zone.

	Scale: Not to Scale	File Name/Number: ZAR-05-115
	Date: January 23, 2006	Planner/Technician: GM/NB

T&C File Name: