

**Authority:** Item 5, Planning and Economic  
Development Committee  
Report; 04-021 (PD04291)  
CM: November 24, 2004

**Bill No. 295**

**CITY OF HAMILTON**

**BY-LAW NO. 04-295**

**To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands  
Located at 144-190 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 5 of Report 04-021 of the Planning and Economic Development Committee at its meeting held on the 24<sup>th</sup> day of November, 2004, 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:

By-law respecting 144-190 South Service Road

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 Preferred Industrial "MP" Zone to the Preferred Industrial "MP-12" Zone, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" . .
2. That Section 9.3.6, "Special Exemptions", of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new special provision "MP-12", to include the following:

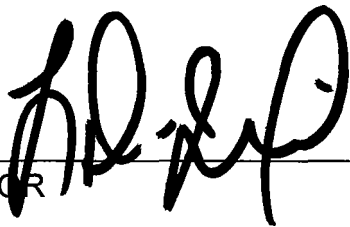
**"MP-12" 144-190 South Service Rd. (Unit 168), Schedule "A", Map No. 1**

"Notwithstanding the uses permitted in Section 9.3.2 of the Preferred Industrial "MP Zone, on those lands zoned "MP-12" by this By-law a waste transfer station, having an area no larger than 175 m<sup>2</sup>, shall be permitted for storage of non-hazardous waste."

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 Preferred Industrial "MP" 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 24th day of November, 2004.

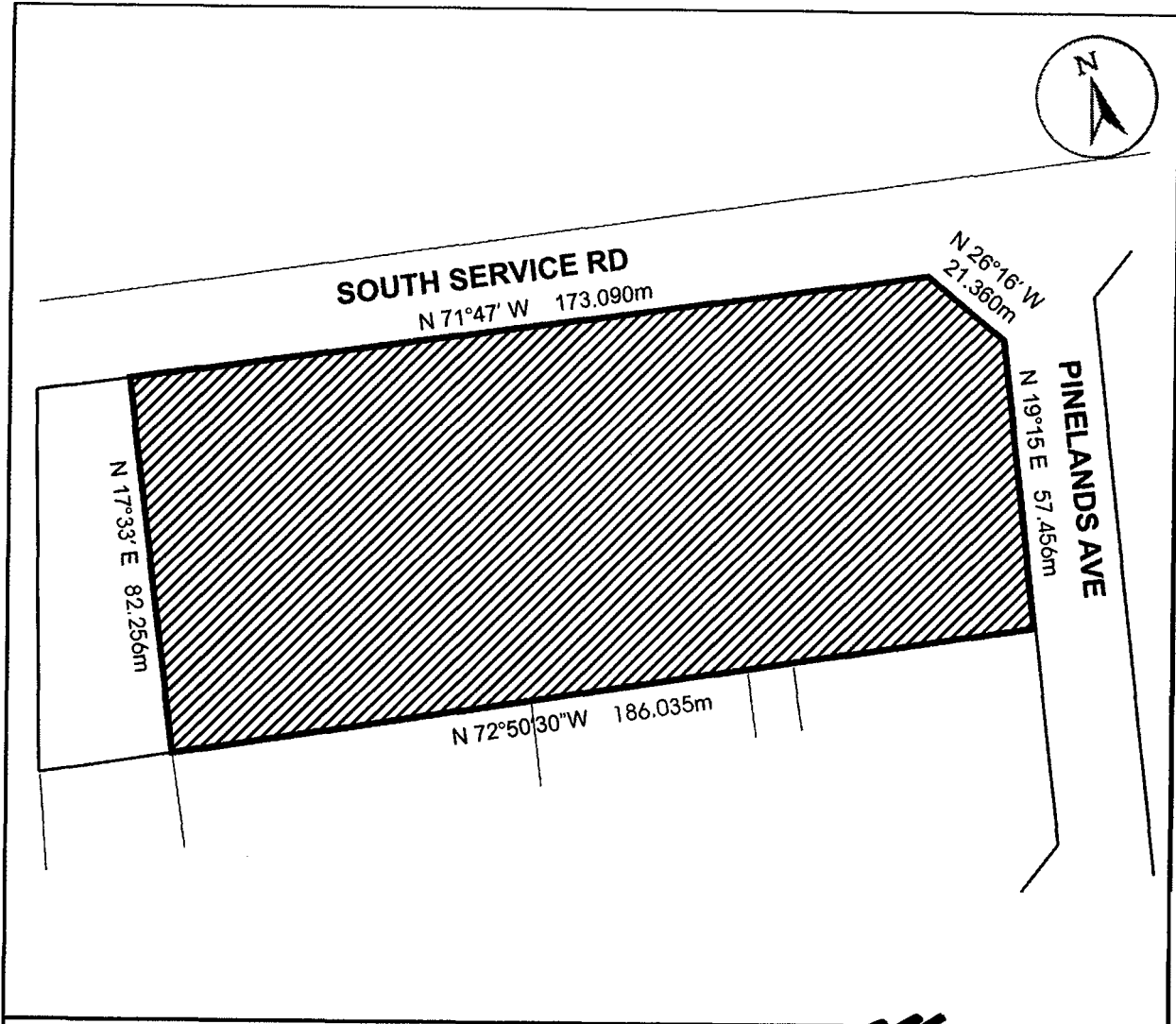
MAYOR



CLERK



ZAR-04-66




This is Schedule "A" to By-Law No. 04-295

Passed the 24th day of November, 2004


~~\_\_\_\_\_~~  
 Clerk  
*[Handwritten Signature]*

**Schedule "A"**

Map Forming Part of  
 By-Law No. 04-295  
 to Amend By-Law No. 3692-92



Hamilton

 **Subject Property**  
 144 - 190 South Service Road

Change in zoning from the Preferred Industrial "MP" Zone to the site specific Preferred Industrial "MP-12" Zone.

Scale:  
 Not to Scale

Dale:

File Name/Number:  
**ZAR-04-66**

Planner/Technician:

&C File Name: