

Authority: Item 10, Economic Development
and Planning Committee
Report: 10-005 (PED10039)
CM: March 10, 2010

Bill No. 044

CITY OF HAMILTON

BY-LAW NO. 10-044

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)
Respecting the Lands Located within Blocks 75-78, Registered Plan 62M-1057,
Stoney Creek**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 10 of Report 10- 005 of the Economic Development and Planning Committee, at its meeting held on the 10th day of March , 2010, 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 Blocks 75-78, Registered Plan 62M-1057, Stoney Creek

(Page 2 of 3)

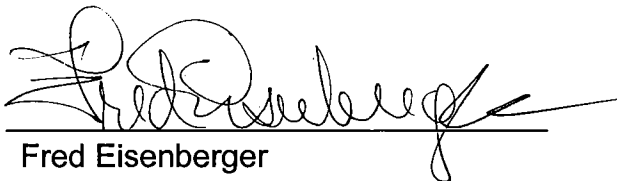
1. That Map No. 4 of Schedule 'A', appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended by changing the zoning from the Multiple Residential "RM2-5" Zone to the Single Residential "R5-6" Zone (Block 1) and the Single Residential "R3-31" Zone (Block 2), on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule 'A'.
2. That Subsection 6.4.7, "Special Exemptions", of Section 6.4 Single Residential "R3" Zone, of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new Special Exemption, "R3-31", as follows:

"R3-31" - Blocks 75 and 78, Plan 62M-1057, Schedule 'A', Map No. 4

Lands zoned Single Residential "R3-31" Zone shall be developed in accordance with the regulations contained within the Single Residential "R3-12" Zone, except for the following special provision:

- (a) On a corner lot, the side yard abutting the flankage lot line shall be a minimum of 3 metres and a maximum of 5.5 metres, except that an attached garage or attached carport shall not front on the flankage street.
3. That 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 Single Residential "R3" Zone provisions, subject to the special requirements referred to in Section 2, and the Single Residential "R5-6" Zone provisions.
4. That 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 this 10th day of March, 2010.

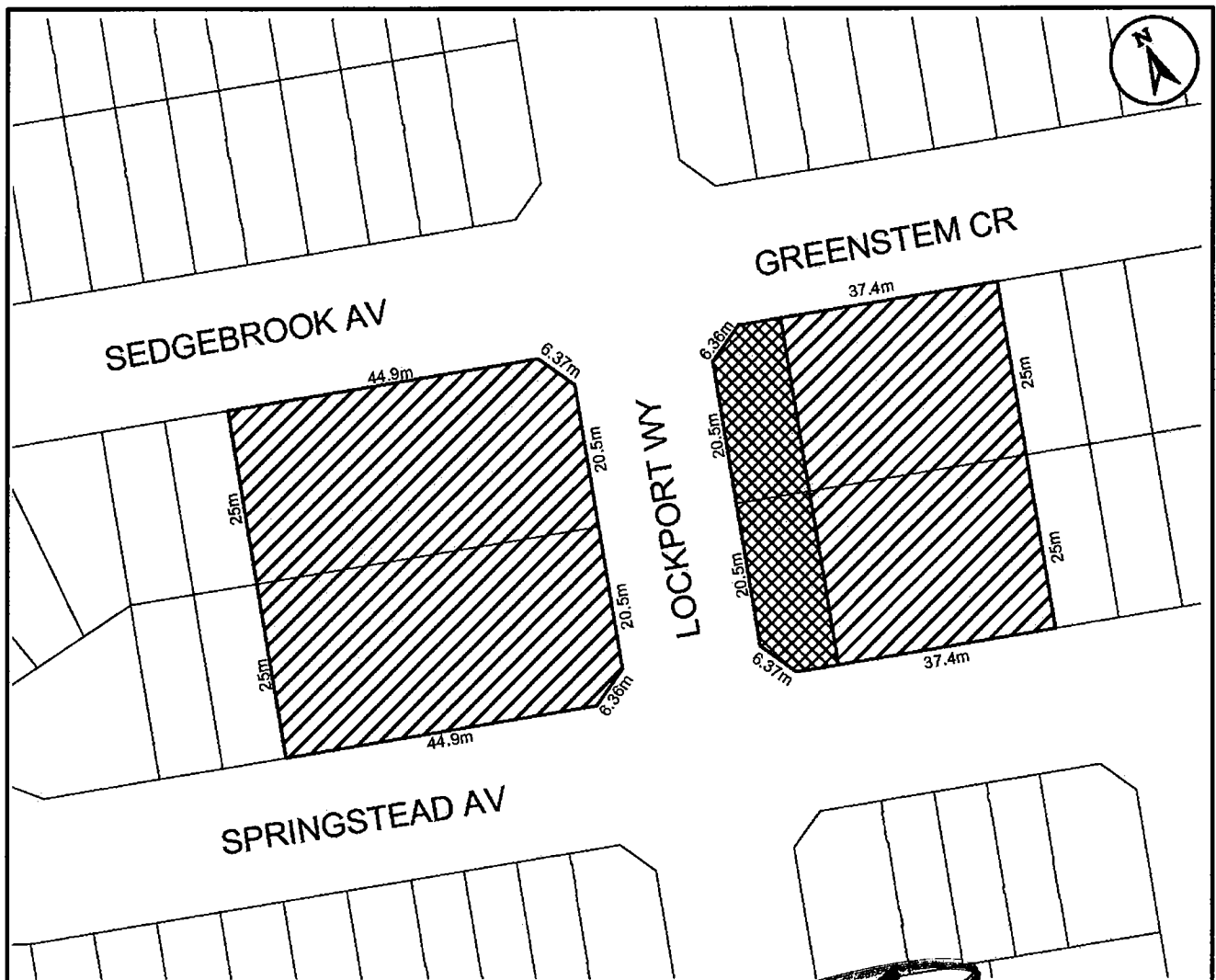


Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk

ZAC-09-044





This is Schedule "A" to By-Law No. 10- 044
 Passed the 10th.... day of March....., 2010

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"
 Map Forming Part of
 By-Law No. 10-044
 to Amend By-law No. 3692-92

Subject Property
 Blocks 75 to 78, Plan 62M-1057 (Stoney Creek)

 Block 1 - Change in zoning from the Multiple Residential "RM2-5" Zone to the Residential "R5-6" Zone

 Block 2 - Change in zoning from the Multiple Residential "RM2-5" Zone to the Residential "R3-31" Zone

Scale: N.T.S.	File Name/Number: ZAC-09-044
Date: November 18, 2009	Planner/Technician: DF/NB

