

Authority: Item 18, Planning and Economic
Development Committee
Report 04-012 (PD04149)
CM: June 30, 2004

Bill No. 235

CITY OF HAMILTON

BY-LAW NO. 04-235

**To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands
Located on the North Side of Hemlock Avenue, West of Ferris Park, Between
Madoc Street and Valrose Drive**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Section 18 of Report 04-012 of the Planning and Economic Development Committee at its meeting held on the 30th day of June, 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 Hemlock Avenue

1. Map No. 6 of Schedule "A" appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended,
 - (a) by changing the zoning from the Small Scale Institutional "IS" Zone to the Single Residential "R3-17" Zone, the lands comprised of Block "1"; and,
 - (b) by the changing the zoning from the Small Scale Institutional "IS" Zone to the Park "P" Zone, the lands composed of Block "2",

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

2. That Section 6.4.7, "Special Exemptions", of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new special provision, "R3-17", to include the following:

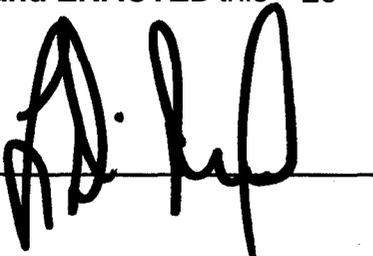
"R3-17 North Side of Hemlock Avenue, West of Ferris Park, Between Madoc Street and Valrose Drive, Schedule "A", Map No. 6

Notwithstanding the provisions of Paragraphs (c) and (e) of Section 6.4.3 of the Single Residential "R3" Zone, on those lands zoned "R3-17" by this By-law, the minimum front yard shall be 3 metres, except 5.8 metres to an attached garage or attached carport, and the minimum rear yard shall be 7 metres."

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 Single Residential "R3-17" Zone provisions.
4. The City 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.

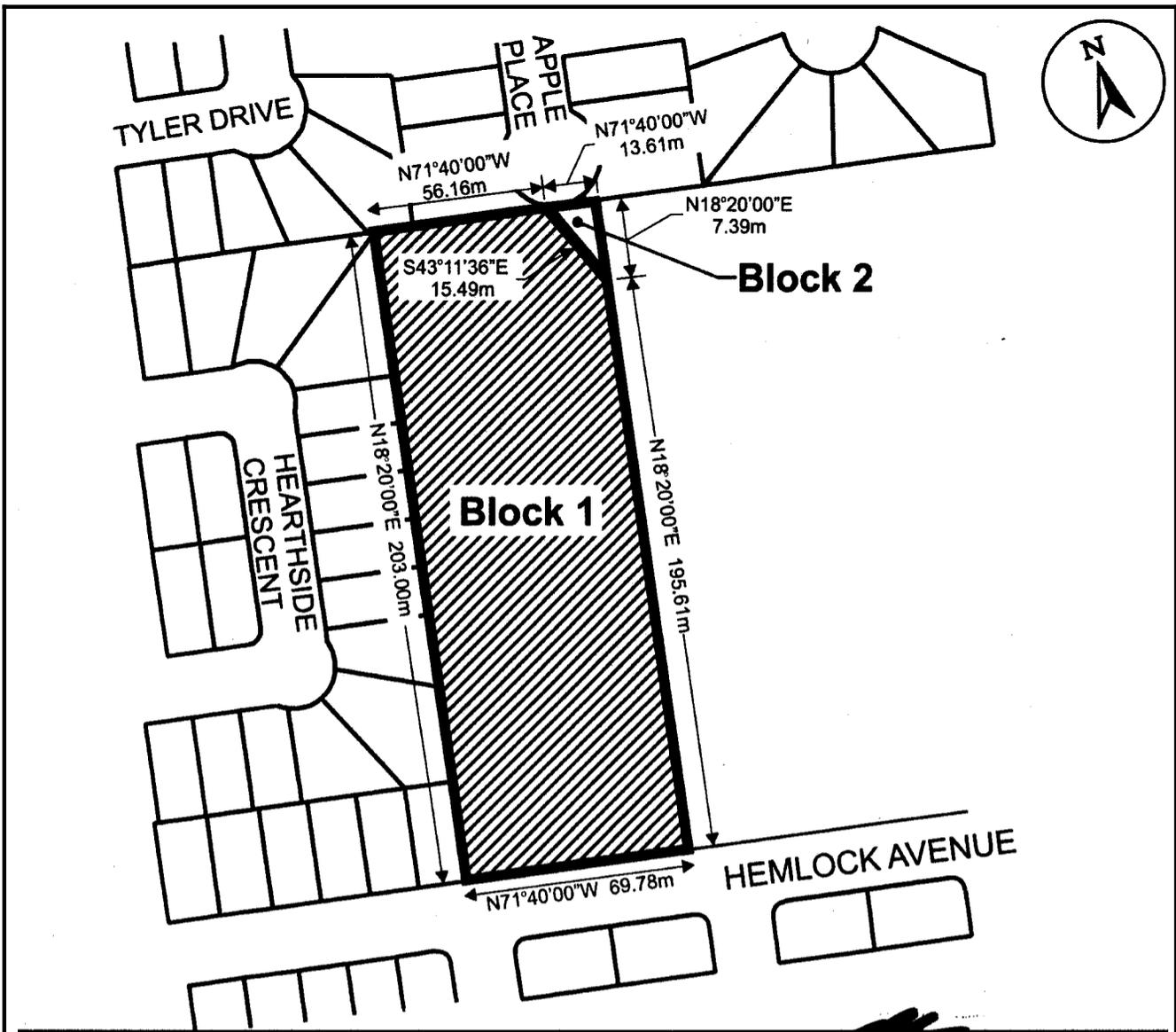
PASSED and ENACTED this 29th day of September, 2004.

MAYOR



CLERK





This is Schedule "A" to By-Law No. 04-235

Passed the 29th day of September, 2004

[Signature]
Clerk

Schedule "A"

Map Forming Part of
By-Law No. 04-235
to Amend By-Law No. 3692-92



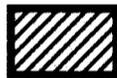
Hamilton

Planning and Development Department

Legend

Subject Property

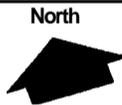
Hemlock Avenue, West of Ferris Park
Change in zoning from the Small Scale Institutional "IS" zone to the:



BLOCK 1 - Single Residential "R3-17" Zone



BLOCK 2 - Park "P" Zone



North

Scale:
Not to Scale

Date:
August 18, 2004

Filename/Number:
ZAC-02-91

Planner/Technician:
A.F.