

Authority: Item 14, Planning and Economic
Development Committee
Report 05-011 (PD05130)
CM: May 25, 2005

Bill No. 149

CITY OF HAMILTON

BY-LAW NO. 05-149

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)
as amended by By-law No. 03-319,
respecting lands municipally known as 411 Highway No. 8**

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 14 of Report 05-011 of the Planning and Economic Development Committee at its meeting held on the 25th day of May, 2005, 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. The Local Commercial "LC-9" Zone provisions contained in Subsection 8.2.4, "Special Exemptions" of Section 8.2, Local Commercial "LC" Zone, of Zoning By-law No. 3692-92, applicable to the lands, the extent and bounds of which are shown on the attached Schedule "A" be replaced with a new special exemption, "LC-9", as follows:

LC-9 411 Highway No. 8, Schedule "A", Map No. 6

Notwithstanding the provisions of Section 8.2.2 "Permitted Uses For Each Lot" of the Local Commercial "LC" Zone, on those lands zoned "LC-9" by this By-law, one (1) residential dwelling unit is also permitted.

Notwithstanding the provisions of paragraphs (a), (b), (f), (g), (j), and (k) of Section 8.2.3 "Zoning Regulations" of Zoning By-law 3692-92, on those lands zoned "LC-9" by this By-law, the following shall apply;

- (a) Minimum Lot Area – 422 square metres
- (b) Minimum Lot Frontage – 12.2 metres
- (f) Minimum Front Yard – 6.0 metres
- (g) Minimum Side Yard – 1.4 metres, except 1.3 metres for a flankage yard

(j) Minimum Landscape Open Space

The following shall be provided and maintained:

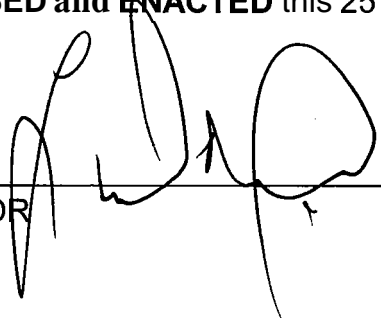
1. A landscape strip having a minimum width of 1.3 metres along the north lot line;
2. A landscape strip having a minimum width of 1.4 metres along the east lot line;
3. A landscape strip having a minimum width of 1.0 metres along the west lot line, except for any area used for vehicular access; and
4. A landscape strip of 0.0 metres abutting the hypotenuse of a daylight triangle.


(k) Minimum Parking Requirements – Six (6) parking spaces

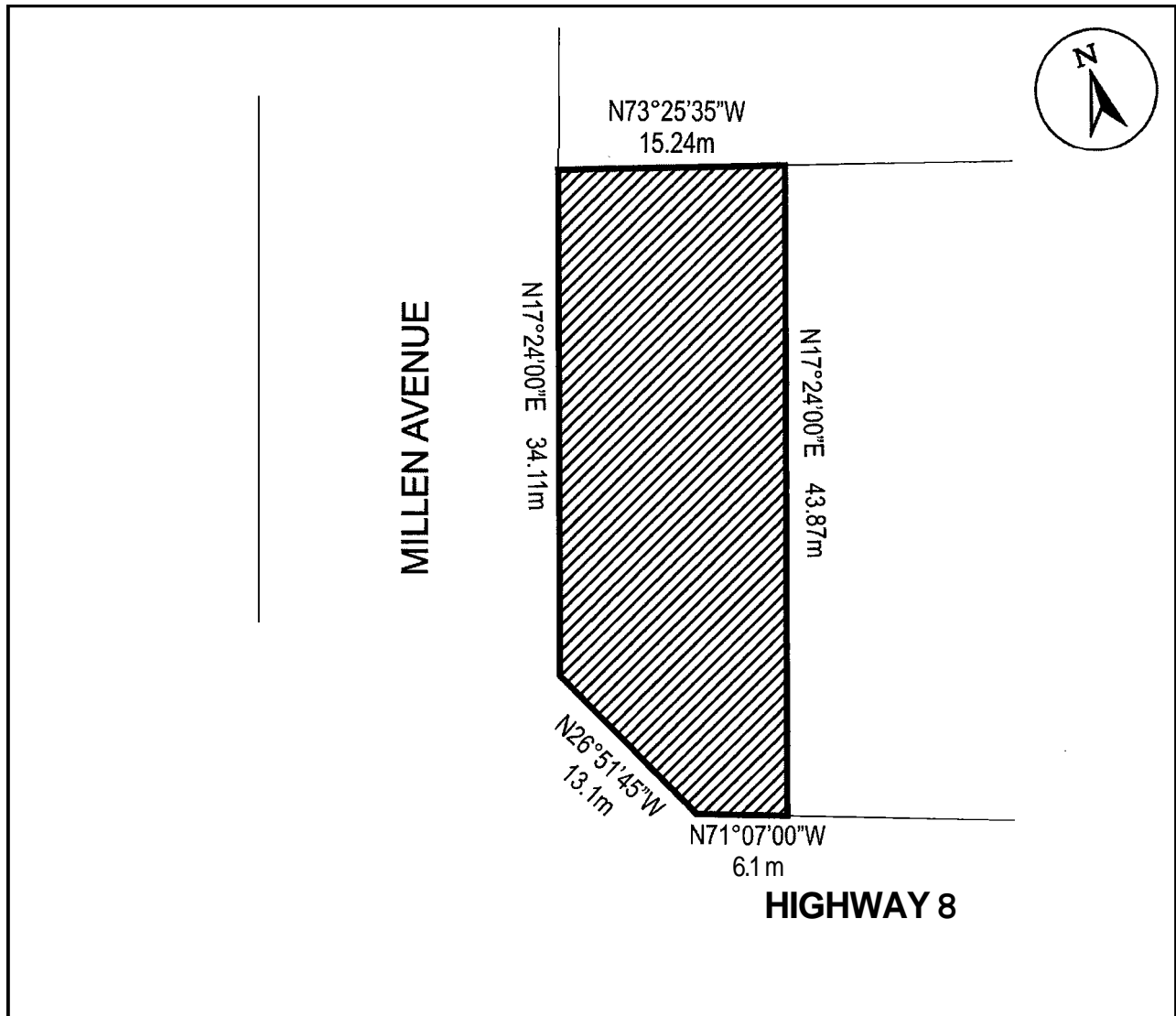
Section 4.13.1, "Special Setbacks – Daylight Triangles" of Zoning By-law 3692-92, shall not apply on those lands zoned "LC-9" by this By-law.

2. 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 25th day of May, 2005.

MAYOR 

CLERK 



This is Schedule "A" to By-Law No.05—

Passed the day of,2005

[Signature]

 Clerk

 Mayor

Schedule "A"

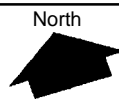
Map Forming Part of
 By-Law No. 05-____
 to Amend By-Law No.3692-92

Subject Property

411 Highway No.8



Block 1- A further modification to the "LC-9 Zone.



Scale:
Not to Scale

Date:
 April 2005

File Name/Number:
ZAC-05-18

Planner/Technician:
 MJ/LC

T&C File Name: