

**Authority:** Item 16, Planning and Economic  
Development Committee  
Report 06-013 (PED06206)  
CM: July 12, 2006

**Bill No. 209**

**CITY OF HAMILTON**

**BY-LAW NO. 06-209**

**To Amend Zoning By-law No. 6593  
Respecting Lands Located at 27 & 37 Stone Church Road East**

**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 Hamilton" 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 16 of Report 06-013 of the Planning and Economic Development Committee at its meeting held on the 12<sup>th</sup> day of July, 2006, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-9c of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

By-law Respecting 27 & 37 Stone Church Road East (Page 2 of 4)

- (a) by changing Block "1" from the "AA" (Agricultural) District to the "R4/S-1558" (Small Lot Single Family Detached) District, Modified;
- (b) by changing Block "2" from the "AA" (Agricultural) District to the "R4/S-1556" (Small Lot Single Family Detached) District, Modified;
- (c) by changing Block "3" from the "AA" (Agricultural) District to the "R4/S-1557" (Small Lot Single Family Detached) District, Modified; and
- (d) by changing Block "4" from the "AA" (Agricultural) District to the "R4" (Small Lot Single Family Detached) District;

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

- 2. That the "R4" (Small Lot Single Family Detached) District regulations as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands identified as Block "1" in Section 1 of this by-law, be modified to the extent only of the following special requirement:
  - (a) That notwithstanding Section 18A (14a) of Zoning by-law No. 6593, not less than 45% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials.
- 3. That the "R4" (Small Lot Single Family Detached) District regulations as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands identified as Block "2" in Section 1 of this by-law, be modified to the extent only of the following special requirements:
  - (a) That notwithstanding Section 9A (2) (b) (1.) (i) of Zoning By-law No. 6593, the minimum front yard shall be 5.8 metres.
  - (b) That notwithstanding Section 9A (2) (b) (1.) (iv) of Zoning By-law No. 6593, the minimum rear yard shall be 3.3 metres.
  - (c) That notwithstanding Section 18A (1) (f) of Zoning By-law No. 6593, the minimum manoeuvring space shall be 5.8 metres in length.
- 4. That the "R4" (Small Lot Single Family Detached) District regulations as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands identified as Block "3" in Section 1 of this by-law, be modified to the extent only of the following special requirements:
  - (a) That notwithstanding Section 9A (2) (b) (1.) (i) of Zoning By-law No. 6593, the minimum front yard shall be 5.8 metres.

By-law Respecting 27 & 37 Stone Church Road East (Page 3 of 4)

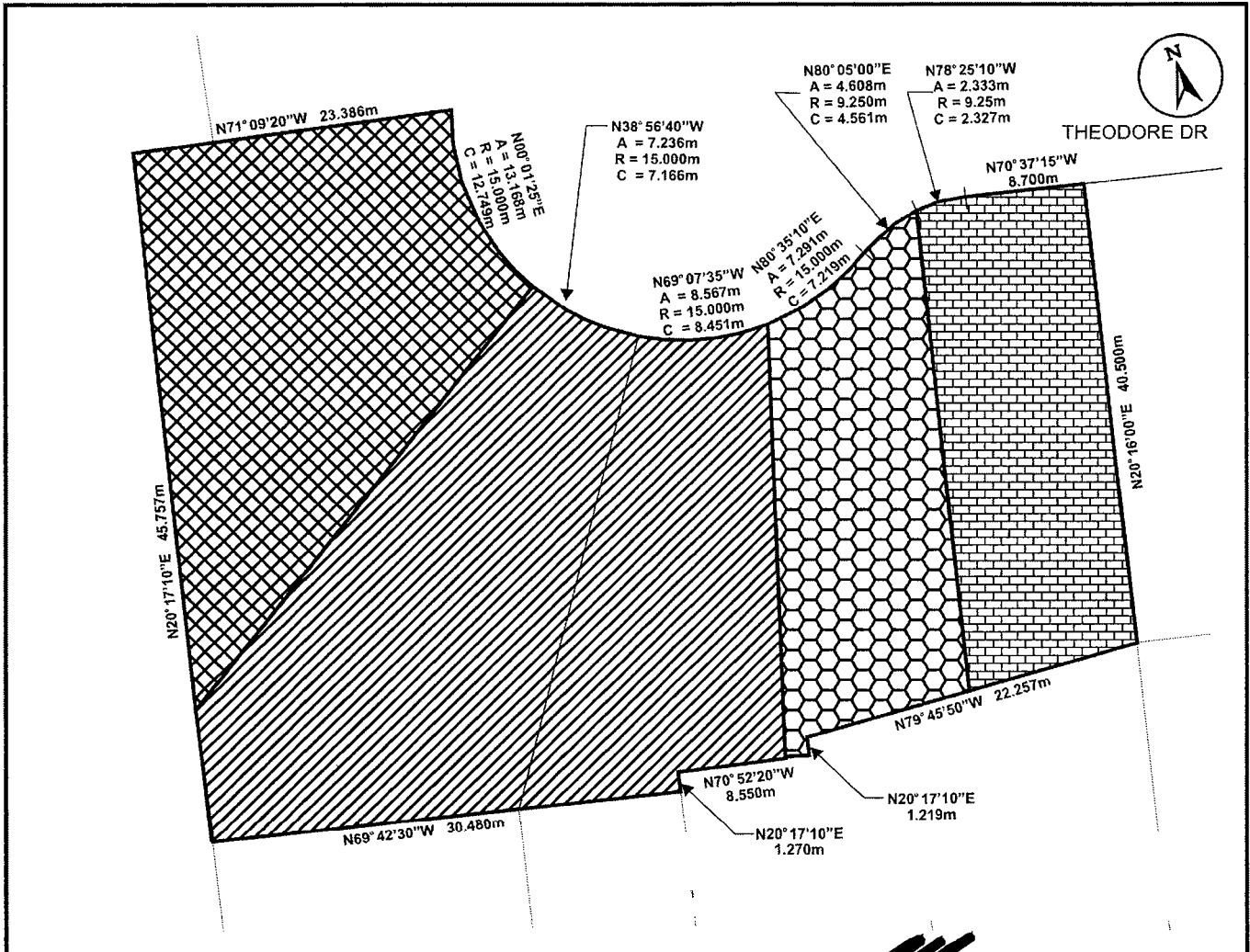
- (b) That notwithstanding Section 9A (2) (b) (1.) (iv) of Zoning By-law No. 6593, the minimum rear yard shall be 6.7 metres.
  - (c) That notwithstanding Section 18A (1) (f) of Zoning By-law No. 6593, the minimum manoeuvring space shall be 5.8 metres in length.
  - (d) That notwithstanding Section 18A (14a) of Zoning by-law No. 6593, not less than 45% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials.
5. 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 "R4" District provisions, subject to the special requirements referred to in Sections 2, 3 and 4, applicable to the lands described in Section 1.
  6. By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1556, Schedule S-1557, and Schedule S-1558.
  7. Sheet No. E-9c of the District Maps is amended by marking the lands referred in Section 1 (a) of this by-law as S-1558.
  8. Sheet No. E-9c of the District Maps is amended by marking the lands referred in Section 1(b) of this by-law as S-1556.
  9. Sheet No. E-9c of the District Maps is amended by marking the lands referred in Section 1(c) of this by-law as S-1557.
  10. 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 12<sup>th</sup> day of July , 2006.

\_\_\_\_\_  
MAYOR

ZAC-06-32

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CLERK



This is Schedule "A" to By-Law No. 06 — 209

Passed the 12th day of July, 2006

*[Handwritten Signature]*  
 Clerk  
 Mayor





# Schedule "A"

Map Forming Part of  
 By-law No. 06- 209

to Amend By-law No. 6593

## Subject Property

27 & 37 Stone Church Road East (Hamilton)

-  Block 1: Change in Zoning from the "AA" (Agricultural) District to the "R4/S-1558" (Small Lot Single Family Detached) District, Modified
-  Block 2: Change in Zoning from the "AA" (Agricultural) District to the "R4/S-1556" (Small Lot Single Family Detached) District, Modified
-  Block 3: Change in Zoning from the "AA" (Agricultural) District to the "R4/S-1557" (Small Lot Single Family Detached) District, Modified
-  Block 4: Change in Zoning from the "AA" (Agricultural) District to the "R4" (Small Lot Single Family Detached) District

Scale: <b>Not to Scale</b>	File Name/Number: <b>ZAC-06-32</b>
Date: <b>June 2006</b>	Planner/Technician: <b>DF/MB</b>
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

