

Authority: Item 13, Economic Development
and Planning Committee
Report: 08-019 (PED08227)
CM: October 15, 2008

Bill No. 244

CITY OF HAMILTON

BY-LAW NO. 08-244

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands Located at 28 Lochside Drive, 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 13 of Report 08-019 of the Economic Development and Planning Committee at its meeting held on the 15th day of October, 2008, 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. That Map No. 4 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended as follows:
 - (a) by changing the zoning from the Rural Residential Estate "RRE" Zone to the Single Residential "R1-18" Zone, the land comprised in Block "1"; and,

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- (b) by changing the zoning from the Rural Residential Estate “RRE” Zone to the Rural Residential Estate “RRE-3” Zone, the land comprised in Block “2”;

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

2. That Subsection 6.2.7, “Special Exemptions”, of Section 6.2 Single Residential “R1” Zone, of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new special exemption, “R1-18”, as follows:

“R1-18” – 28 Lochside Drive, Schedule “A”, Map No. 4

Notwithstanding the provisions of Paragraphs (a), (b), (c), and (d) of Section 6.2.3 of the Single Residential “R1” Zone, on those lands zoned “R1-18” by this By-law, the following shall apply:

- | | | | |
|-----|----------------------|---|--|
| (a) | Minimum Lot Area | - | 780 square metres |
| (b) | Minimum Lot Frontage | - | 23 metres |
| (c) | Minimum Front Yard | - | 6 metres, except 7.5 metres to an attached garage or attached carport |
| | Maximum Front Yard | - | 7.5 metres, except 8 metres to an attached garage or attached carport |
| (d) | Minimum Side Yard | - | No part of any dwelling shall be located closer than 1.85 metres to a side lot line, except as provided in Clauses (i) and (ii) below: |
| | (i) | | An attached garage or an attached carport may be erected at a distance of not less than 1.25 metres from a side lot line; and, |
| | (ii) | | Where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres. |

3. That Subsection 5.5.6, “Special Exemptions”, of Section 5.5 Rural Residential Estate “RRE” Zone, of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new special exemption, “RRE-3”, as follows”

“RRE-3” - 28 Lochside Drive, Schedule “A”, Map No. 4

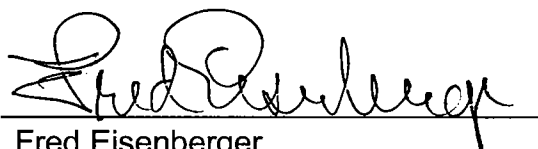
Notwithstanding the provisions Paragraphs (a), and (f) of Section 5.5.3 of the Rural Residential Estate “RRE” Zone, on those lands zoned “RRE-3” by this by-law, the following shall apply:

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- (a) Minimum Lot Area - 2,940 square metres
 - (f) Minimum Rear Yard - No dwelling or part thereof shall be located further from the front lot line than 57 metres
4. 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 "R1" Zone provisions, subject to the special requirements referred to in Section 2, and the Rural Residential Estate "RRE" Zone provisions, subject to the special requirements referred to in Section 3.
5. 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.

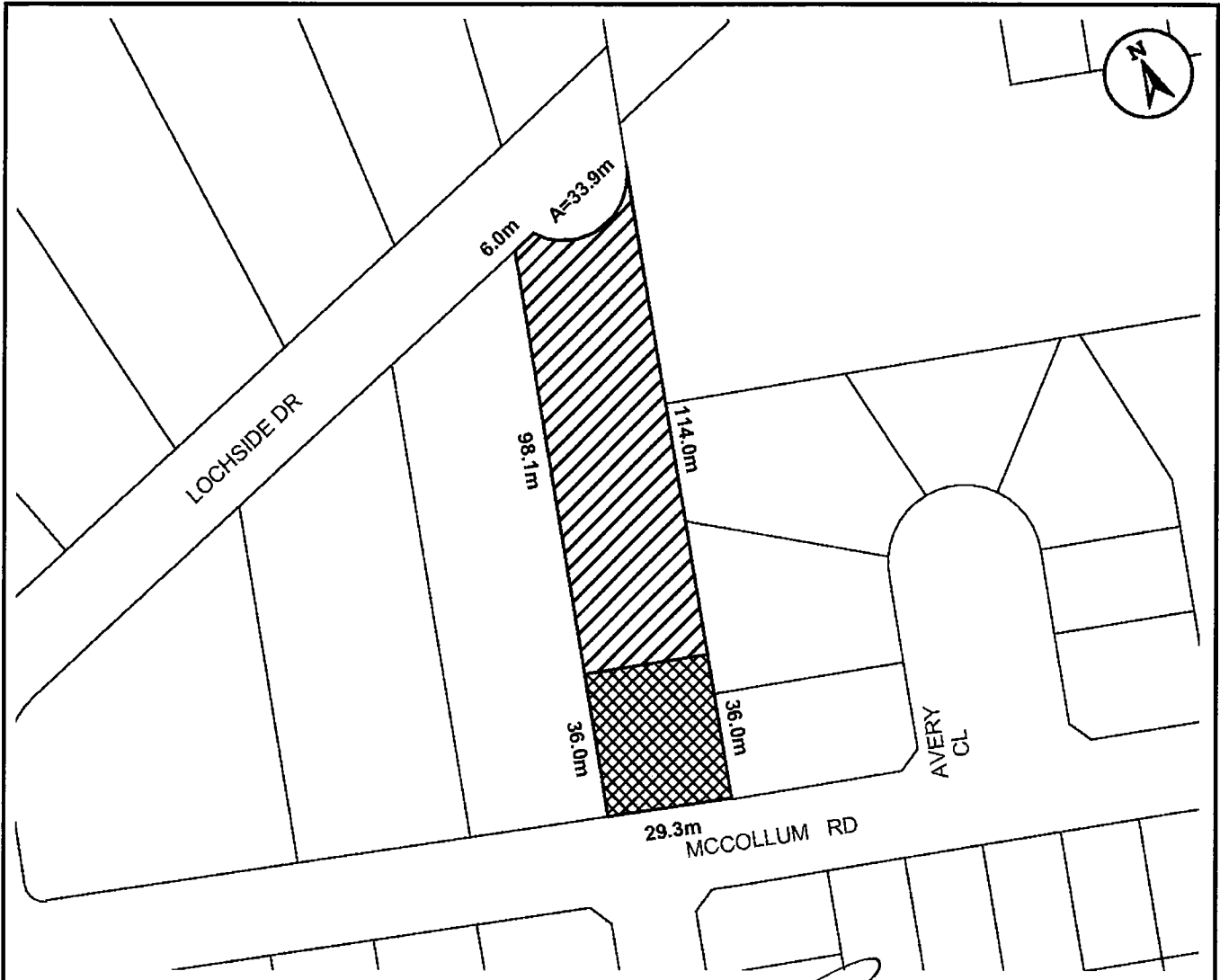
PASSED and ENACTED this 15th day of October, 2008.


Fred Eisenberger
Mayor


Rose Caterini
Acting City Clerk

ZAR-08-043

Zoning By-law Respecting the Lands Located at 28 Lochside Drive, Stoney Creek



This is Schedule "A" to By-Law No. 08- 244

Passed the15. day of ...October....., 2008



[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 08-244

to Amend By-law No. 3692-92

Subject Property

-  Block 1 - Change in Zoning from the Rural Residential Estate "RRE" Zone to the Single Residential "R1-18" Zone, Modified.
-  Block 2 - Change in Zoning from the Rural Residential Estate "RRE" Zone to the Rural Residential Estate Zone "RRE-3" Zone, Modified.

Scale: N.T.S.	File Name/Number: ZAR-08-043
Date: Sept 4, 2008	Planner/Technician: JD / BR

