

Authority: Item 16, Planning and Economic
Development Committee
Report 04-013 (PD04160)
CM: July 14, 2004

Bill No. 191

CITY OF HAMILTON

BY-LAW NO. 04-191

**To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands
Located at 145,147, and 149 Green Road**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 16 of Report 04-013 of the Planning and Economic Development Committee at its meeting held on the 14th day of July, 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, as amended by Official Plan Amendment No. 109 proposed by the Corporation of the City of Hamilton as By-law No.04-190, but not yet approved in accordance with the provisions of the Planning Act.


1. Map No. 6 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the Single Residential "R2" Zone to the Multiple Residential "RM3-25" Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That Section 6.10.7, "Special Exemptions", of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new special provision "RM3-25", to include the following:

"RM3-25 145,147, and 149 Green Road, Schedule "A", Map No. 6

Notwithstanding the provisions of Paragraphs (b), (d), and (m) of Section 6.10.3 and Paragraph (d) of Section 6.10.5 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-25" by this By-law, the minimum lot frontage shall be 46 metres, the minimum easterly and southerly side yards shall be 3 metres, the minimum landscaped open space shall be 41%, and parking spaces shall be provided no closer than 0.5 metres from the rear lot line and 2.2 metres from the northerly side lot line. In addition, vehicular access to the lands to the south shall not be permitted."

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 "R3-25" 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.

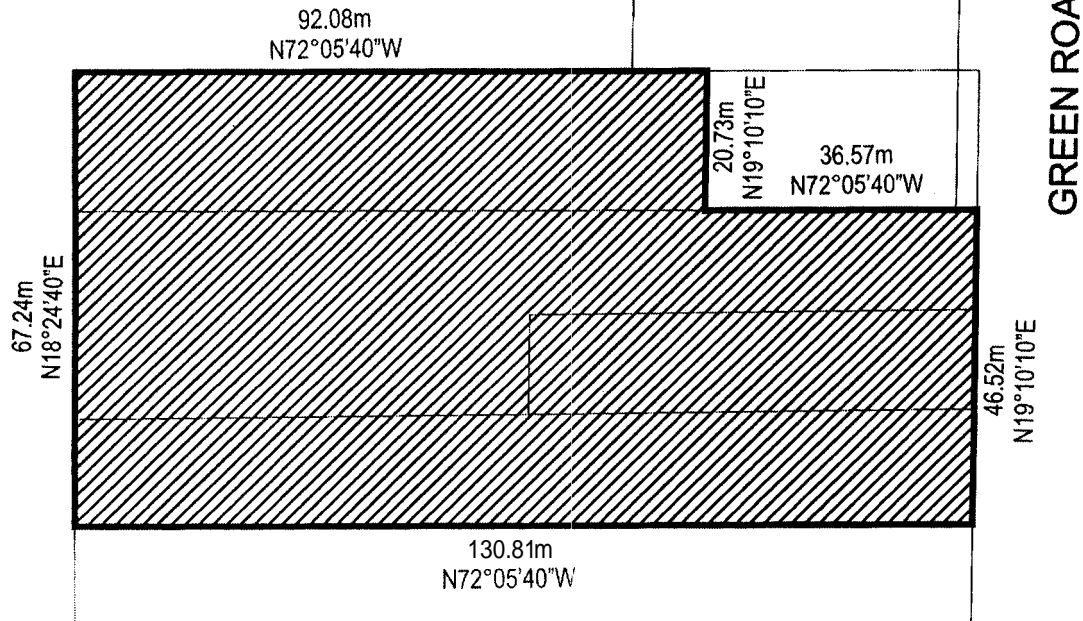
PASSED and ENACTED this 12th day of August, 2004.



MAYOR



CLERK



This is Schedule "A" to By-Law No. 04— 191

Passed the 12th day of August, 2004

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 04-191
to Amend By-Law No 3962-92

Legend



Subject Property
145,147 and 149 Green Road (Stoney Creek)
Change in Zoning from the Single Residential
"R 2 Zone to the Multiple Residential "RM3-25"
Zone.



Hamilton

Planning and Development Department



Scale
NOT TO SCALE

Date
July 22, 2004

Reference File No.
ZAC-04-17/OPA-04-02

Drawn By
LC