

Authority: Item 18, Planning and Economic
Development Committee
Report 04-014 (PD04198)
CM: August 12,2004

Bill No. 194

CITY OF HAMILTON

BY-LAW NO. 04-194

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located on a portion of 205 Dewitt Road

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Section 18 of Report 04-14 of the Planning and Economic Development Committee at its meeting held on the 3rd day of August, 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 Plannina Act on May 12, 1986;

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

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 site-specific Single Residential "R4-12" Zone, the lands comprised of 205 Dewitt Road, the extent of boundaries of which are shown on a plan hereto annexed as Schedule "A".

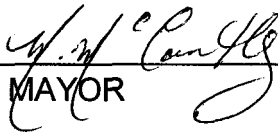
2. That Subsection 6.5.7., "Special Exemptions" of Section 6.5, Single Residential "R4" Zone, of Zoning By-law No. 3692-92, be amended by adding a new special exemption, "R4-12", as follows:

"R4-12 205 Dewitt Road, Schedule "A", Map No. 6

Notwithstanding the provisions of paragraphs (b) and (d) of Section 6.5.3 "Zone Regulations", on those lands zoned "R4-12" by this By-law, the minimum lot frontage shall be 9.84 metres and the minimum side yard, where no attached garage or carport is provided, shall be 2.56 metres from the southerly property line for the existing dwelling."

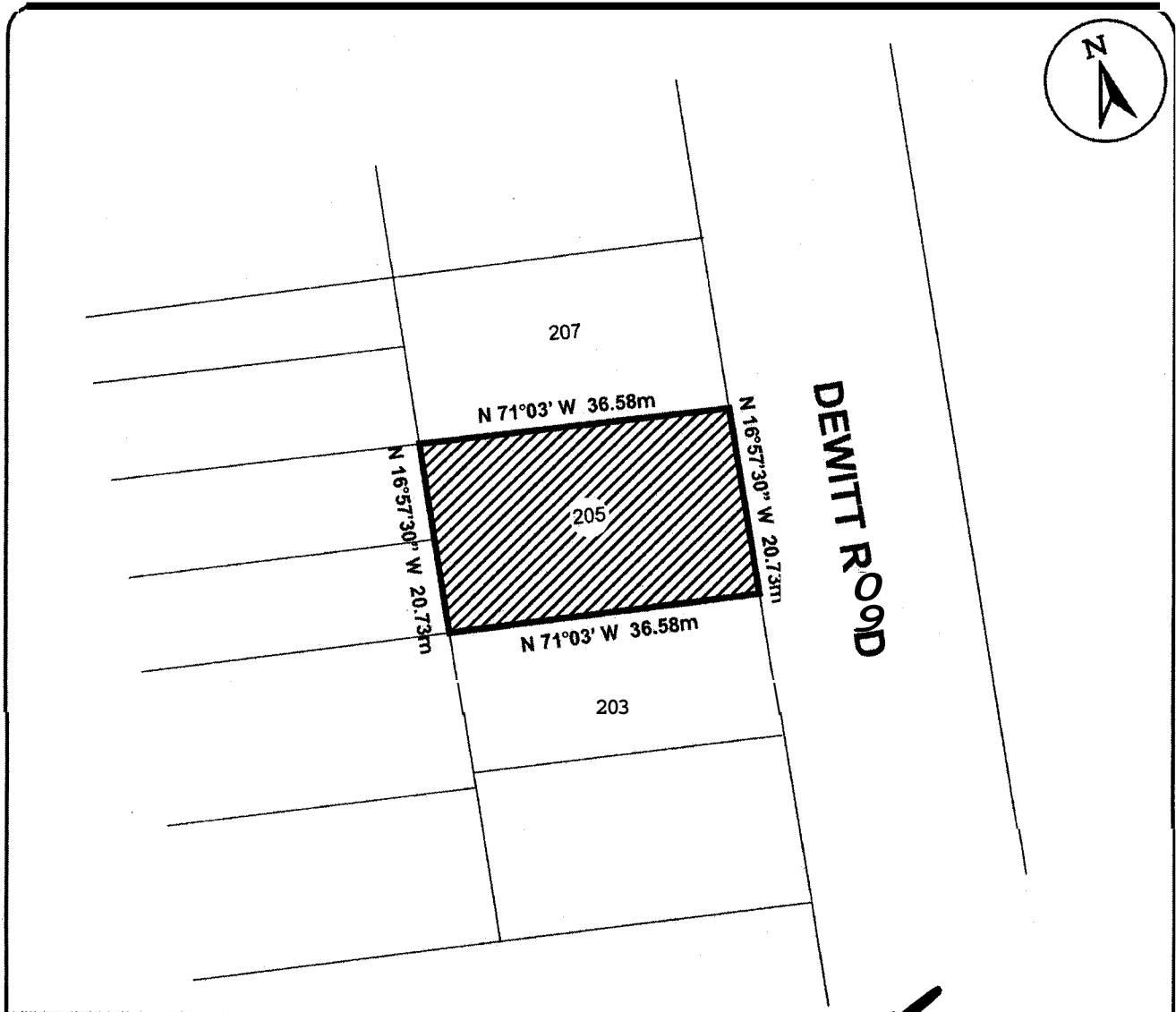
3. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Plannina Act.

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


MAYOR


CLERK

ZAR-04-44



This is Schedule "A" to By-Law No.04 — 194

Passed the 12th day of August, 2004

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 04-194
to Amend By-Law No. 3692-92



Planning and Development Department

Legend



Subject Property

Lands to be rezoned from the Single Residential "R2" Zone to the Single Residential "R4-12" Zone.

North

Scale

NOT TO SCALE

Reference File No

ZAR-04-44

Date

July 15, 2004

Drawn By

LC