

Authority: Item 13, Planning and Economic
Development Committee
Report 04-013 (PD04183)
CM: July 14,2004

Bill No. 195

CITY OF HAMILTON

BY-LAW NO. 04-195

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located at 241 Crompton Way

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 13 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;

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 Residential "R6-3" Zone, the lands located at 241 Crompton Way, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Subsection **6.7.7**, "Special Exemptions" of Section **6.7**, Residential "R6" Zone, of Zoning By-law No. **3692-92**, be amended by adding a new special provision, "**R6-3**", to include the following:


"R6-3 241 Crompton Way, Schedule "A", Map No. 6

Notwithstanding the provisions of Paragraphs (b) **3.**, (b) **4.**, (b) **5.**, and (b) **6.** of Section **6.7.3** of the Residential "R6" Zone, for those lands zoned "**R6-3**" by this By-law, the following shall apply:

- (b) **3.** Minimum Front Yard - **3** metres, except **5.8** metres to an attached garage or an attached carport.
- (b) **4.** Minimum Side Yard – No part of any dwelling shall be located closer than **1.2** metres to a side lot line, except as provided in Clauses (i), (ii), (iii) and (iv) below:
- (i) The minimum side yard on the side of the dwelling containing an attached garage or attached carport shall be **1.2** metres except for a side yard which abuts a flankage street;
 - (ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be **3** metres;
 - (iii) On a corner lot, the minimum side yard abutting a flankage lot line shall be **3** metres, except that an attached garage or attached carport, which fronts on the flankage street, shall not be located within **5.5** metres of the flankage lot line; and,
 - (iv) No side yard is required along the common wall separating the two units.
- (b) **5.** Minimum Rear Yard - **6** metres, except **7.5** metres to an attached garage or an attached carport.
- (b) **6.** Maximum Building Height – One Storey."

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 Planning Act.

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

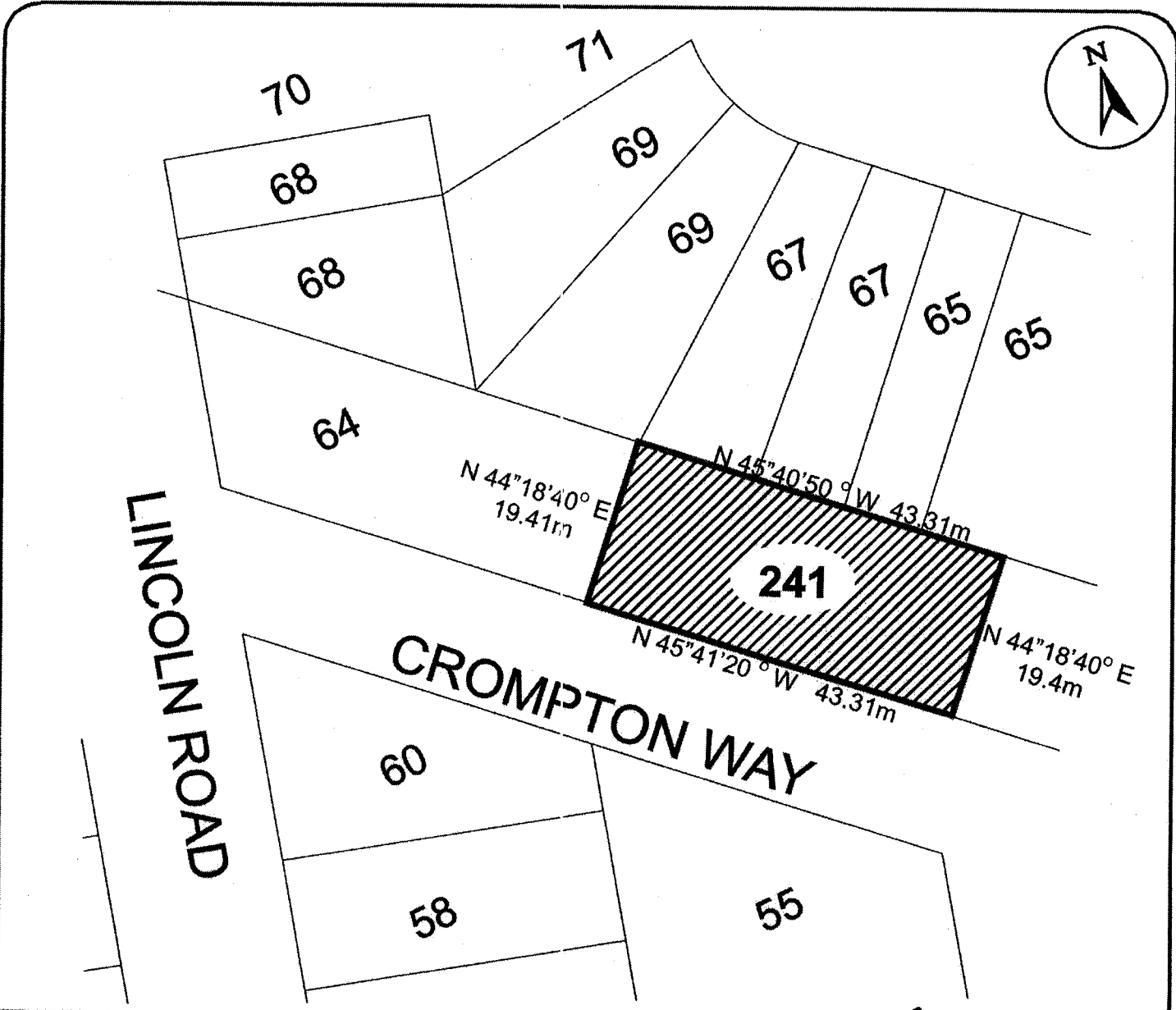


MAYOR



CLERK

ZAR-04-29



This is Schedule "A" to By-Law No. 04— 195

Passed the 12th day of August, 2004

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 04-195
to Amend By-Law No. 3692-92

Legend



Subject Property
241 Crompton Way
Change from the Residential "R2" Zone
to the site-specific Residential "R6-3" Zone.

