

Authority: Item 9, Planning and Economic
Development Committee
Report 05-013 (PD05139)
CM: June 15,2005

Bill No. 161

CITY OF HAMILTON

BY-LAW NO. 05-161

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located at 500 Glover 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 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 9 of Report 05-013 of the Planning and Economic Development Committee at its meeting held on the 15th day of June , 2005, 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 Schedule "A, appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended as follows:
 - i) By changing from the Neighbourhood Development "ND" Zone to the Single Residential "R3-24(H)" Holding Zone, the lands legally known as 500 Gbver Road, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A .

2. That the 'H' symbol applicable to the lands referred to in Section 2 shall be removed conditional upon,
 - i) The owner conducting an archaeological assessment of the entire development to mitigate, through preservation or resource removal and documentation, any adverse impact to any significant archaeological resources found, to the satisfaction of the Director of Development and Real Estate and the Ministry of Culture. No demolition, grading or soil disturbances shall take place on the subject property prior to the approval of the Director of Development and Real Estate and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements; and,
 - ii) The owner applying for, and receiving final approval of a Consent Application to sever a 4.5 metre wide strip of land at the southern end of the property.

City Council may remove the 'H' symbol and, thereby give effect to the Single Residential "R3-24" Zone, as amended by the special requirements of Section 3 as stipulated in this By-law, by enactment of an amending By-law once the above conditions have been fulfilled.

3. That Subsection 6.4.7, "Special Exemptions" of Section 6.4, Single Residential "R3" Zone, of Zoning By-law No. 3692-92, be amended by adding a new special exemption, "R3-24(H)", as follows:

"R3-24(H)" 500 Glover Road, Schedule "A", Map No. 3

Notwithstanding the provisions of Section 6.4.3, on those lands zoned "R3-24" by this By-law, a minimum rear yard of 6.23 metres shall be provided and maintained for only the single detached dwelling existing on the lands as of the date of the passing of this By-law (No. _____).

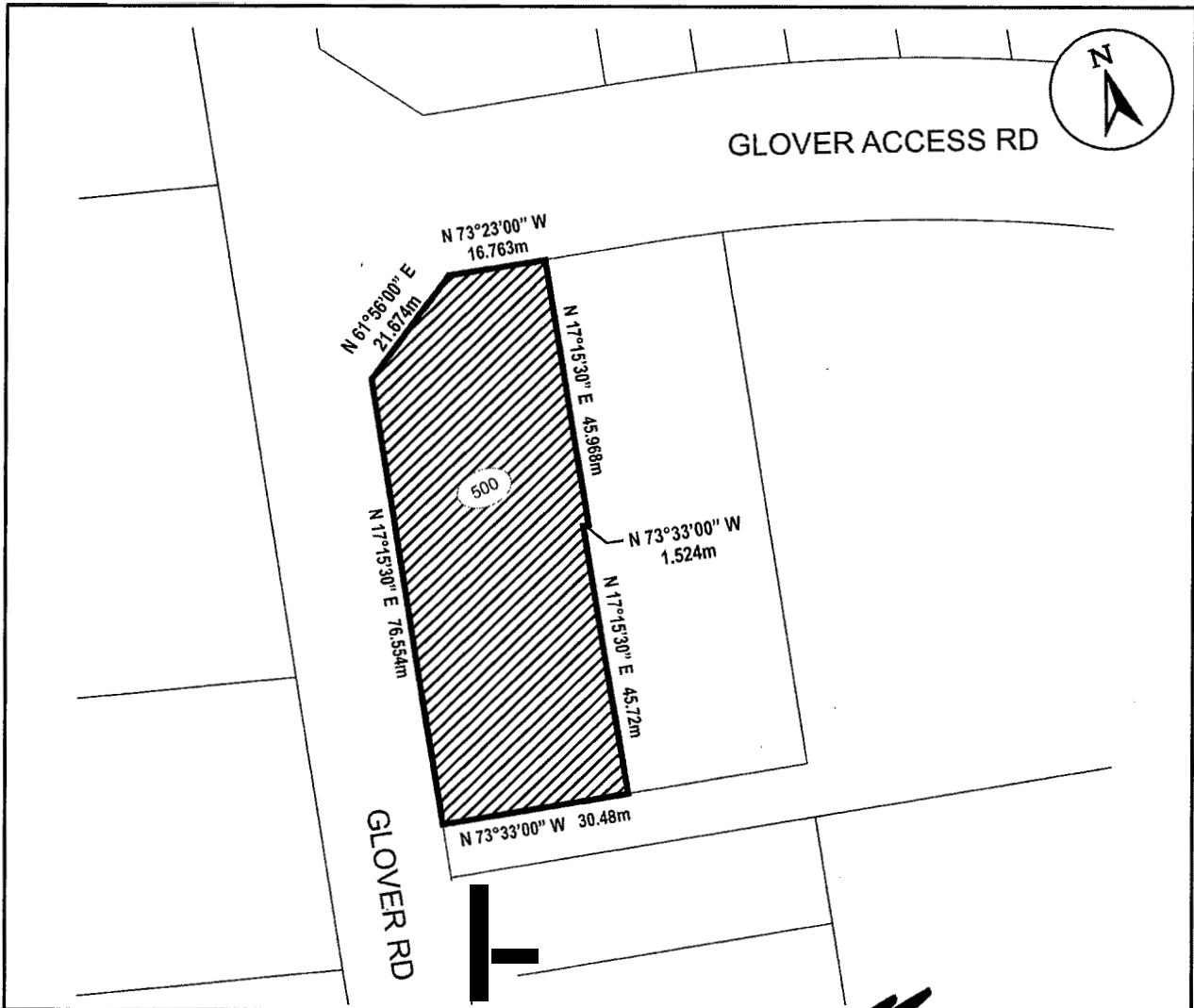
4. That no building or structure shall be erected, altered extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Single Residential "R3" Zone Provisions, and the special requirements referred to is Section 3.
5. The 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 June, 2005.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 05— 161

Passed the 15th day of June, 2005

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 05-161
to Amend By-Law No. 3692-92



Subject Property 500 Glover Road



Block 1 - Change in zoning from the Neighbourhood Development "N D" Zone to the Modified Single Residential "R3-24" Zone

North



Scale:
Not to Scale

Date:
March 23, 2005

File Name/Number:
ZAC-05-30

Planner/Technician:
JM/MC