Authority:  Item 13, Planning and Economic Development Committee
Report 05-011
CM: May 25, 2005

Bill No. 213

CITY OF HAMILTON

BY-LAW NO. 05-213

To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting a Portion of Lands Located Within Draft Approved Plan of Subdivision “Trillium Estates (Seabreeze Estates) Phase 2” (25T-200015(R))

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton; 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 13 of Report 05-011 of the Planning and Economic Development Committee at its meeting held on the 25th day of May, 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, as amended by Official Plan Amendment No. 118 proposed by the Corporation of the City of Hamilton as By-law No. 05-213, but not yet approved in accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:
By-law respecting Seabreeze Estates Phase 2

1. Map No. 16 of Schedule “A”, appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended,

   (a) by changing the zoning from the Multiple Residential - Holding “RM2-8(H)” Zone to the Single Residential “R3” Zone, the lands comprised of Block “1”;

   (b) by changing the zoning from the Multiple Residential - Holding “RM2-9(H)” Zone to the Single Residential “R3” Zone, the lands comprised of Block “2”;

   (c) by changing the zoning from the Multiple Residential – Holding “RM2-8(H)” Zone to the Open Space “OS” Zone, the lands comprised of Block “3”; 

   (d) by changing the zoning from the Neighbourhood Development “ND” Zone to the Open Space “OS” Zone, the lands comprised of Block “4”; and,

   (e) by changing the zoning from the Neighbourhood Development “ND” Zone to the Single Residential “R3” Zone, the lands comprised of Block “5”,

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

2. 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 Open Space “OS” Zone provisions.

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 13th day of July, 2005.

[Signatures]

MAYOR

CLERK

ZAC-05-21/OPA-05-03
By-law respecting Seabreeze Estates Phase 2

This is Schedule "A" to By-Law No. 05-213

Passed the 13th day of July, 2005

Schedule "A"

Map Forming Part of By-Law No. 05-213 to Amend By-Law No. 3692-92

Subject Property
Trillium Estates (Seabreeze Estates) Ph. 2, Stoney Creek

Block 1 - Lands to be rezoned from the Multiple Residential-Holding "RM2-8(H)" Zone to the Single Residential "R3" Zone
Block 2 - Lands to be rezoned from the Multiple Residential-Holding "RM2-8(H)" Zone to the Single Residential "R3" Zone
Block 3 - Lands to be rezoned from the Multiple Residential-Holding "RM2-8(H)" Zone to the Open Space "OS" Zone
Block 4 - Lands to be rezoned from the Neighbourhood Development "ND" Zone to the Open Space "OS" Zone
Block 5 - Lands to be rezoned from the Neighbourhood Development "ND" Zone to the Single Residential "R3" Zone

Planning and Economic Development Department
Hamilton