

Authority: Item 7, Planning and Economic
Development Committee
Report 05-010(PD05114)
CM: May 11,2005

Bill No. 250

CITY OF HAMILTON

BY-LAW NO. 05-250

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located at 359 Winona 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 7 of Report 05-010 of the Planning and Economic Development Committee at its meeting held on the 11th day of May , 2005, recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided;

AND WHEREAS this by-law will be in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), upon the approval of Official Plan Amendment No. 119;

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

1. Schedule “A”, appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended as follows:
 - i) By changing the zoning from the Local Commercial “LC Zone to the Single Residential “R3-21” Zone, legally known as 359 Winona Road,

By-law respecting Lands located at 359 Winona Road
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on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. 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, "R3-21", as follows:

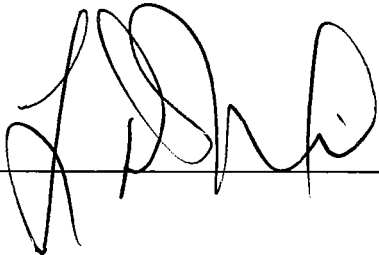
"R3-21" 359 Winona Road, Schedule "A", Map No. 3

Notwithstanding the provisions of Section 4.13.1 and Section 4.13.3, on those lands zoned "R3-21" by this By-law, a minimum yard of 1.2 metres from the hypotenuse of the daylight triangle shall be required and no berm shall be required for a non-industrial building with a minimum yard of 30 metres from a railway right-of-way.

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" Zone provisions, and the special requirements referred to in Section 2.
4. 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 10th day of August , 2005.

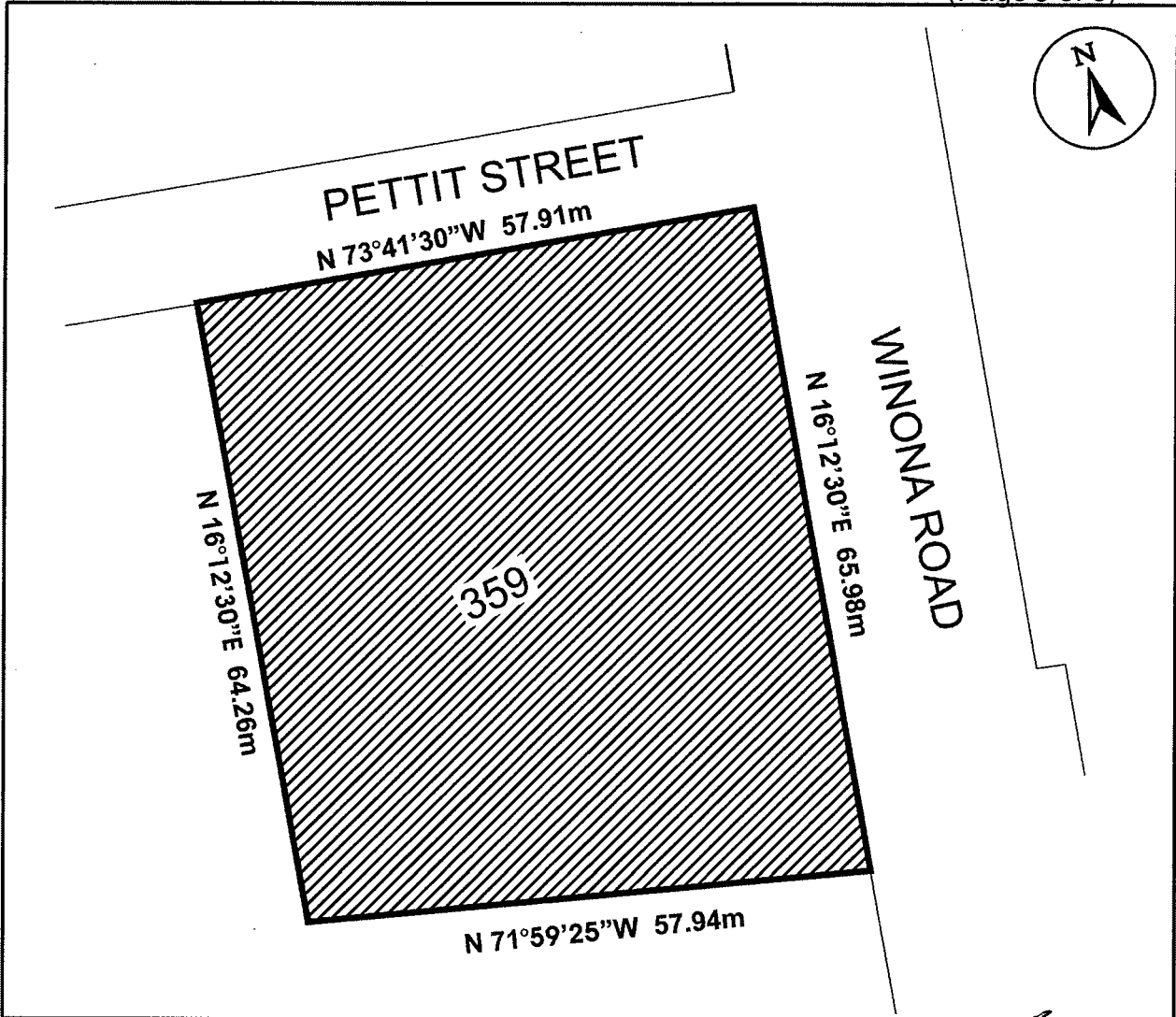
MAYOR



ZAC-04-78

CLERK





This is Schedule "A" to By-Law No. 05— 250

Passed the 10th day of August, 2005

[Signature]
 Clerk


[Signature]
 Mayor


Schedule "A"

Map Forming Part of
 By-Law No. 05-250
 to Amend By-Law No 3692-92



Subject Property 359 Winona Road (Stoney Creek)

 Change in zoning from the Local Commercial "LC" Zone to the Single Residential "R3-21" Zone

North 	Scale: Not to Scale	File Name/Number: ZAC-04-78
	Date: October 2004	Planner/Technician: JM/LC
*&C File Name: zac-04-78 schedule a.cdr		