

Authority: Item 23, Planning and Economic
Development Committee
Report 06-005 (PED06084)
CM: April 12, 2006

Bill No. 089

CITY OF HAMILTON

BY-LAW NO. 06-089

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 23 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April, 2006, 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. 123;

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 Single Residential "R3-21" Zone to the Multiple Residential "RM2-12" Zone, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

By-law Respecting at 359 Winona Road (Page 2 of 3)

2. That Subsection 6.9.6, "Special Exemptions" of Section 6.9, Multiple Residential "RM2" Zone, of Zoning By-law No. 3692-92, be amended by adding a new special exemption, "RM2-12", as follows:

"RM2-12" 359 Winona Road, Schedule "A", Map No. 3

Notwithstanding the provisions of Section 4.13.1, and Section 6.9.3 (a) and (b), on those lands zoned "RM2-12" by this By-law, a minimum yard of 1.2 metres from the hypotenuse of the daylight triangle shall be required; a minimum lot area for an interior unit of 170 square metres, and a minimum lot frontage for an interior lot of 5.7 metres shall be permitted.

Section 4.13.3 shall not apply.

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 Multiple Residential "RM2" 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 12th day of April, 2006.

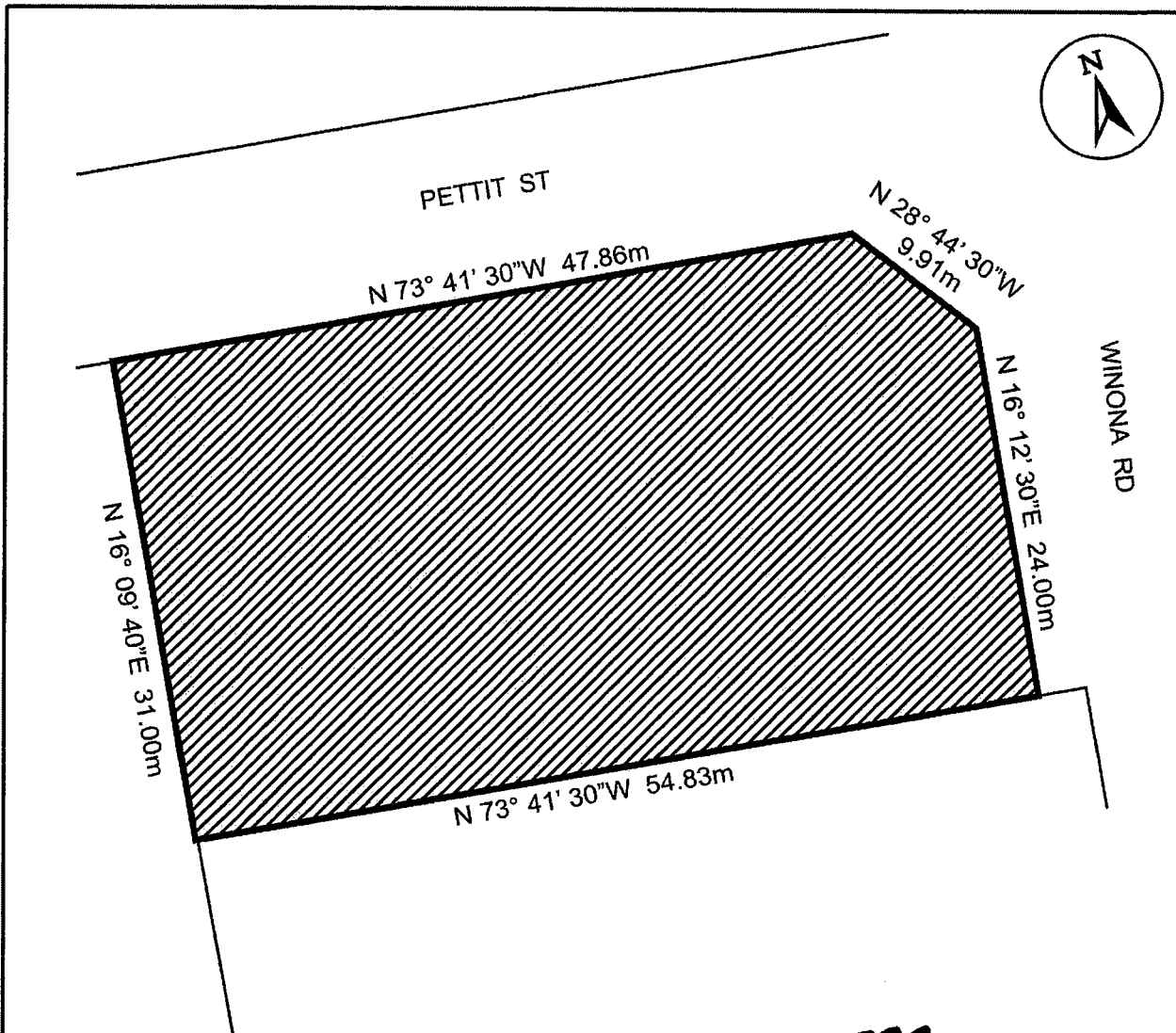


MAYOR



CLERK

ZAC-05-120



This is Schedule "A" to By-Law No. 06— 089


Passed the 12 day of April, 2006


[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 06-089
to Amend By-Law No. 3692-92

Subject Lands

 Change in Zoning from the Single Residential "R3-21" Zone to the Site Specific Multiple Residential "RM2-12" Zone

	Scale: Not to Scale	File Name/Number: ZAC-05-120/OPA-05-22
	Date: December 2005	Planner/Technician: JM/MZ

T&C File Name: