

Authority: Item 11, Planning and Economic
Development Committee
Report: 06-014 (PED06334)
CM: August 9, 2006

Bill No. 242

CITY OF HAMILTON

BY-LAW NO. 06-242

**To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting the Properties
Located at 145 to 151 Green 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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Item 11 of Report 06-014 of the Planning and Economic Development Committee at its meeting held on the 9th day of August, 2006, 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.129 proposed by the Corporation of the City of Hamilton as By-law No. 06-241, but not yet approved in accordance with the provisions of the Planning Act.

**By-law respecting 145 to 151 Green Road
(Page 2 of 3)**

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

1. That 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 Multiple Residential "RM3-25" Zone, the lands comprised of Block "1", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That Subsection 6.10.7, "Special Exemptions", of Zoning By-law No. 3692-92 (Stoney Creek), be amended by modifying the special requirements of the "RM3-25" Zone by including 151 Green Road in the description of the subject lands and by introducing a provision to permit a Maximum Density of 42 units per hectare by revising the text of the "RM3-25" Zone so that it shall read as follows:

"Notwithstanding the provisions of Paragraphs (b), (d), (i) and (m) of Section 6.10.3 and Paragraph (d) of Section 6.10.5 of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-25" by this By-law, the minimum lot frontage shall be 46 metres, the minimum easterly and southerly side yards shall be 3 metres, the minimum landscaped open space shall be 41%, the maximum density shall be 42 units per hectare, and parking spaces shall be provided no closer than 0.5 metres from the rear lot line and 2.2 metres from the northerly side lot line. In addition, vehicular access to the lands to the south shall not be permitted."

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 "RM3-25" Zone provisions, subject to 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 9th day of August, 2006.

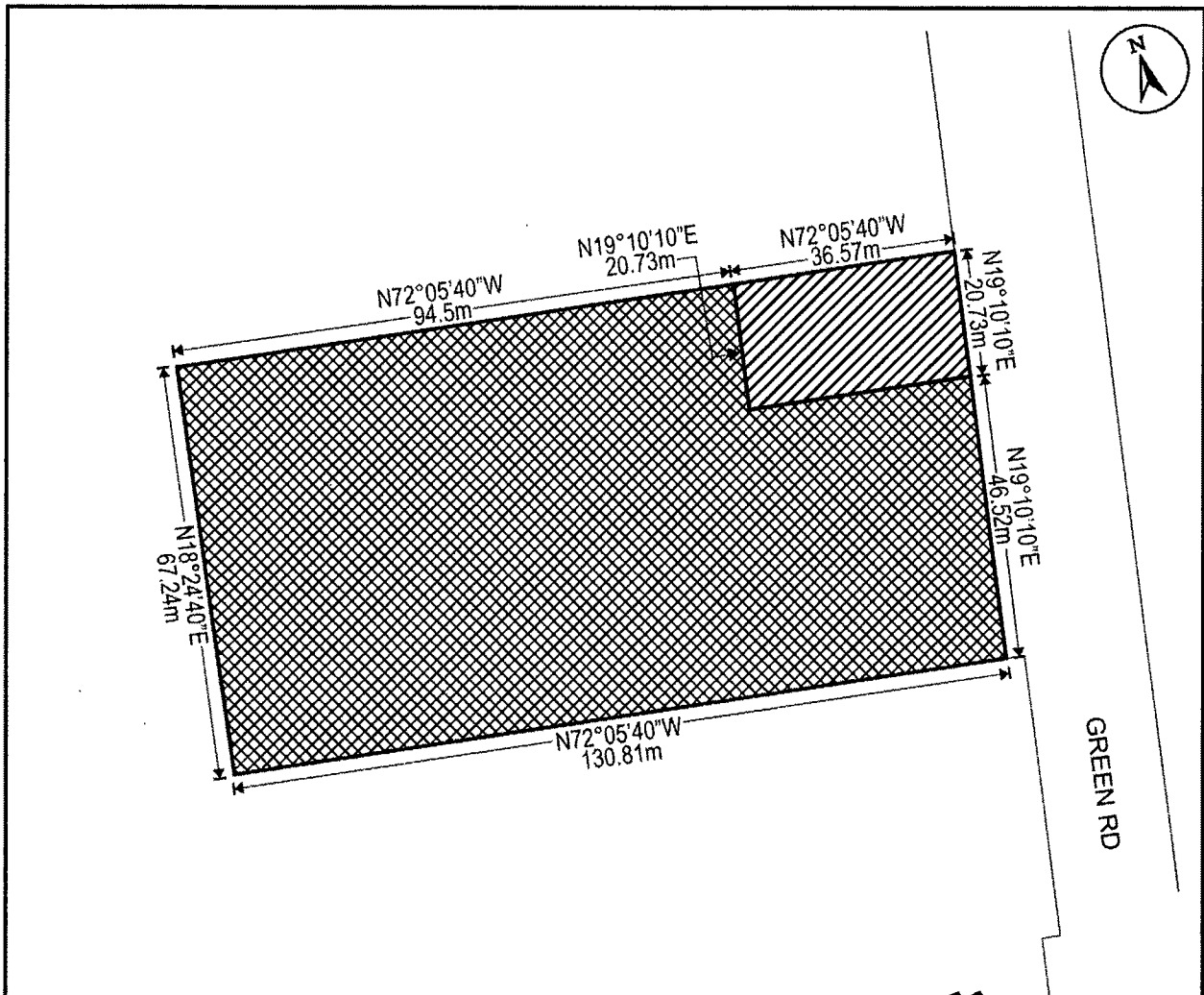


MAYOR



CLERK

ZAC-06-35/OPA-06-06



This is Schedule "A" to By-Law No. 06— 242

Passed the 9th day of August, 2006

[Signature]

 Clerk

 Mayor



Schedule "A"

Map Forming Part of
By-law No. 06- 242

to Amend By-law No. 3692-92

Subject Property

145-151 Green Road, Stoney Creek

-  Block 1 - Change in Zoning from the Single Residential "R2" Zone to the Multiple Residential "RM3-25" Zone
-  Block 2 - Further modification to the Multiple Residential "RM3-25" Zone

Scale: Not to Scale	File Name/Number: ZAC-06-35 / OPA-06-06
Date: July 2006	Planner/Technician: GM/MF

