

Authority: Item 8, Economic Development &
Planning Committee
Report: 07-011 (PED07167)
CM: June 13, 2007

Bill No. 180

CITY OF HAMILTON

BY-LAW NO. 07-180

To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting the Property Located at 17 Shoreline Drive

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 8 of Report 07-011 of the Economic Development & Planning Committee at its meeting held on the 13th day of June, 2007, 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 Map No. 3 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended as follows:
 - (a) by changing the zoning from the Rural Residential "RR" Zone to the Single Residential "R2-55" Zone, the land comprised in Block "1"; and,
 - (b) by changing the zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R2-55" Zone, the land comprised in Block "2";

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

2. That Subsection 6.3.7, "Special Exemptions", of Section 6.3 Single Residential "R2" Zone, of Zoning By-law No. 3692 (Stoney Creek), be amended by adding a new special exemption, "R2-55", as follows:

"R2-55 17 Shoreline Drive, Schedule "A", Map No. 3.

Notwithstanding the provisions of paragraphs (b) and (d) of Subsection 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-55" by this By-law, the following shall apply:

- (b) Minimum lot frontage shall be 14.7 metres;
- (d) Minimum Side Yard – No part of any dwelling shall be located closer than 1.5 metres, except as provided in clauses 1, 2, and 3 below:
 1. No part of any dwelling shall be located closer than 1.25 metres from the easterly and westerly boundary of Blocks "1" and "2";
 2. An attached garage or attached carport may be erected at a distance of not less than 1 metre from the easterly and westerly boundary of Blocks "1" and "2"; and,
 3. Where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres.

Notwithstanding the provision of Section 4.14 "Swimming Pools and Hot Tubs", on those lands zoned "R2-55" by this By-law, the following shall apply:

Above ground pool – 1.5 metres from the outside edge of the pool wall or deck to a lot line; except 1.25 metres from the outside edge of the pool wall or deck to the easterly and westerly boundary of Blocks "1" and "2";

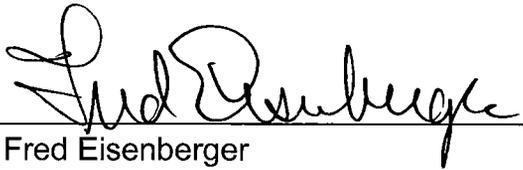
Inground pool – 1.5 metres from the water's edge to a lot line; except 1.25 metres from the water's edge to the easterly and westerly boundary of Blocks "1" and "2".

Notwithstanding the provisions of paragraphs (a), (c), (d), (e), (f), (g), (h), and (i) of Subsection 4.19.1 of "Yard Encroachments" Section 4.19, on those lands zoned "R2-55" by this By-law, every part of any required yard shall be open and unobstructed by any structure from the ground to the sky, except for the side yards adjacent to the easterly and westerly boundary of Blocks "1" and "2", which shall adhere to the provisions of paragraphs (a), (b), (c), (d), (e), (f), (g), (h), and (i) of Subsection 4.19.1 of "Yard Encroachments" Section 4.19.

Notwithstanding the provision of paragraph (a) of Subsection 6.1.4 "Accessory Buildings in Residential Zones", on those lands zoned "R2-55" by this By-law, the following shall apply:

- (a) An accessory building may be located in any yard except the front yard, and shall be located a minimum of 8 metres from the front lot line, 1.5 metres from any side lot line, and the maximum building height shall be 4.5 metres; except that an accessory building may be erected at a distance of not less than 0.5 metres from the easterly and westerly boundary of Blocks "1" and "2."
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 "R2" 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 13th day of June, 2007.

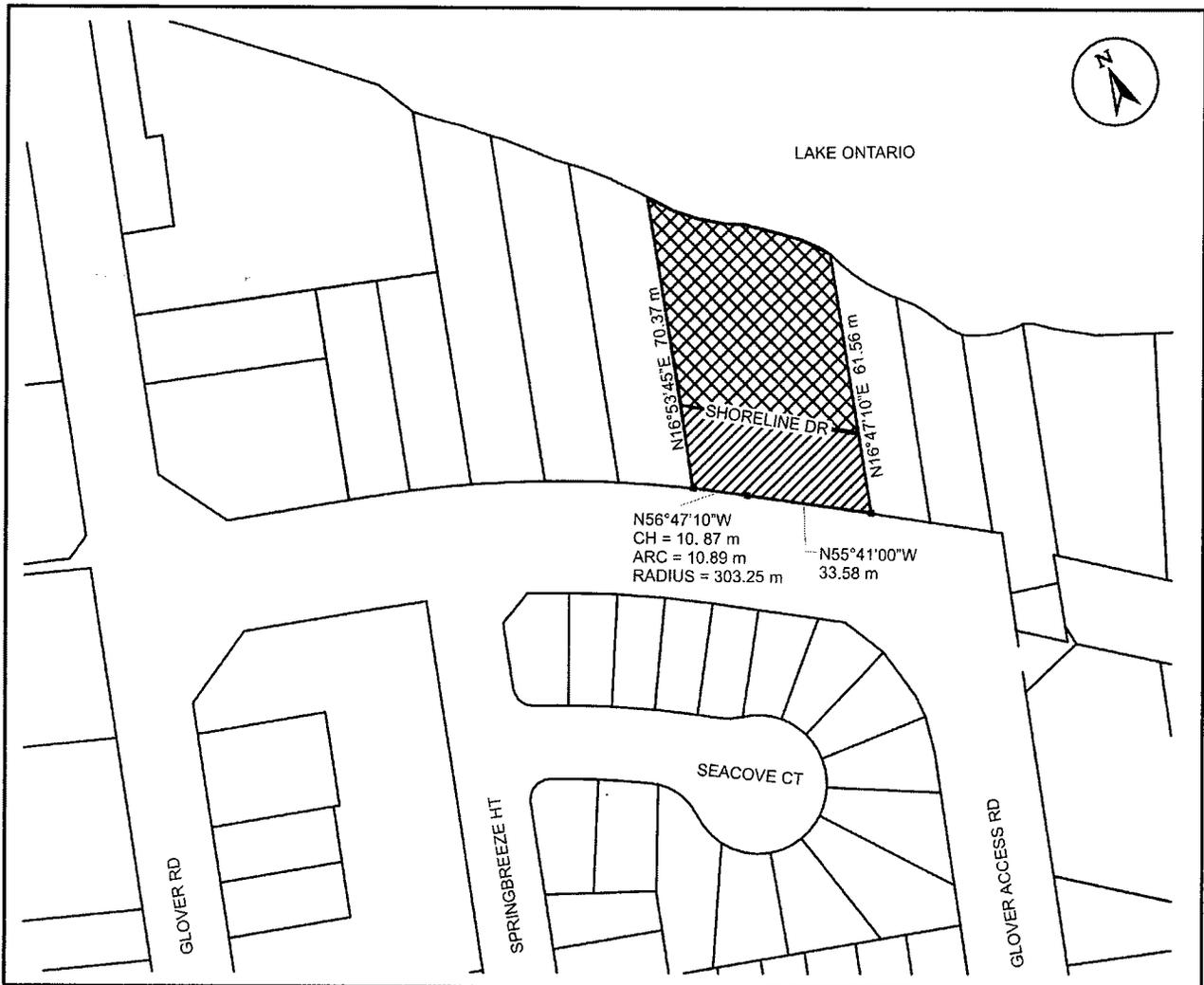


Fred Eisenberger
Mayor



Rose Caterini
Acting City Clerk

ZAC-07-009



This is Schedule "A" to By-Law No. 07-180

Passed the 13th day of June, 2007

[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 07-180

to Amend By-law No. 3692-92

SUBJECT LANDS: 17 Shoreline Drive, Stoney Creek



Block 1 - Change in zoning from the Rural Residential "RR" Zone to the Single Residential "R2-55" Zone.



Block 2 - Change in zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R2-55" Zone.

Scale: N.T.S.	File Name/Number: ZAR-07-009
Date: May 14, 2007	Planner/Technician: TH/KA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

