

Authority: Item 13, Economic Development
& Planning Committee
Report: 08-008 (PED08107)
CM: May 14, 2008

Bill No. 115

CITY OF HAMILTON

BY-LAW NO. 08-115

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands Located at 61-65 King Street West, Stoney Creek

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 13 of Report 08-008 of the Economic Development and Planning Committee at its meeting held on the 14th day of May, 2008, 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. 5 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended as follows:

Zoning By-law respecting
61-65 King Street West, Stoney Creek

- (a) by changing the zoning from the Central Area Commercial "CA1-1" Zone to the Single Residential "R2-59" Zone, the land comprised in Block "1";
- (b) by incorporating lands into By-law No. 3692-92 and zoning the lands Single Residential "R2-59" Zone, the land comprised in Block "2"; and,
- (c) by changing the zoning from the Central Area Commercial "CA1-1" Zone to the Central Area Commercial "CA1-9" Zone, the land comprised in Block "3";

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. 3692-92 (Stoney Creek), be amended by adding a new special exemption, "R2-59", as follows"

"R2-59" - 61 – 65 King Street West, Schedule "A", Map No. 5

In addition to the provisions of Section 6.3.3 of the Single Residential "R2" Zone, on those lands zoned "R2-59" by this by-law, the following shall apply:

- (h) Garage Projections and Coverage
 - 1. The front face of a garage may not project beyond the front face of the main building. For the purpose of this exemption, "front face of the main building" means the wall of the dwelling nearest to the front lot line.
 - 2. The garage shall not exceed a maximum coverage of 40% of the front façade of the dwelling.
- 3. That Subsection 8.5.5, "Special Exemptions", of Section 8.5 Central Area Commercial "CA1" Zone, of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new special exemption, "CA1-9", as follows:

"CA1-9" - 61 – 65 King Street West, Schedule "A", Map No. 5

In addition to the provisions of Subsection 8.5.5 of the Central Area Commercial CA1-1" Zone, on those lands zoned "CA1-9" of this by-law, the two single-detached dwellings existing on the date of the passing of this by-law, being the 14th day of May, 2008, shall be permitted to remain on one lot.

Zoning By-law respecting
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4. 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, and the Central Area Commercial "CA1" Zone provisions, subject to the special requirements referred to in Section 3.
5. 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 14th day of May, 2008.



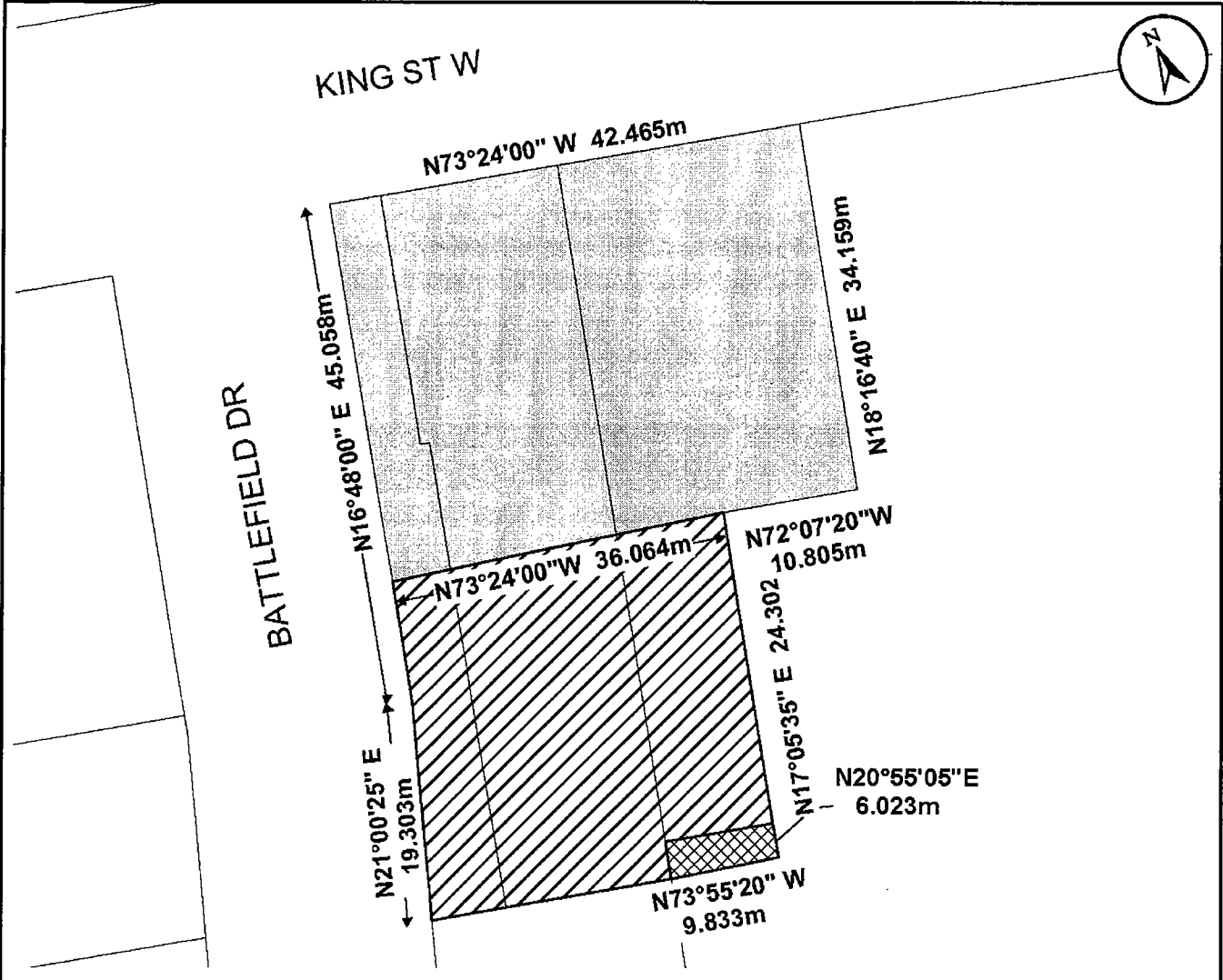
FRED EISENBERGER
MAYOR



KEVIN C. CHRISTENSON
CLERK

ZAR-07-108

Zoning By-law respecting
61-65 King Street West, Stoney Creek



This is Schedule "A" to By-Law No. 08- 115

Passed the ...14th day ofMay....., 2008

[Signature]
Clerk
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 08- 115

to Amend By-law No.3692-92

Subject Property

61 to 65 King Street West, Stoney Creek



Block 1: Change in Zoning from the Central Area Commercial "CA1-1" Zone to the Single Residential "R2-59" Zone.



Block 2: Incorporate Lands into By-law No. 3692-92, and Zone Lands Single Residential "R2-59" Zone.



Block 3: Change in Zoning from the Central Area Commercial "CA1-1" Zone to the Central Area Commercial "CA1-9" Zone.

Scale: N.T.S.	File Name/Number: ZAC-07-108
Date: Jan. 29, 2008	Planner/Technician: Jd'A/MB

