

Authority: Item 16, Economic Development
and Planning Committee
Report: 09-007 (PED09078)
CM: April 1, 2009

Bill No. 073

CITY OF HAMILTON

BY-LAW NO. 09-073

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands Located at 568 Highway No. 8, 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 16 of Report 09- 007 of the Economic Development and Planning Committee at its meeting held on the 1st day of April, 2009, 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. 146;

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

1. That Map No. 7 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 "R1" Zone to the Multiple Residential "RM2-17" Zone on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That Subsection 6.9.6, "Special Exemptions", of Section 6.9 Multiple Residential "RM2" Zone, of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new special exemption, "RM2-17", as follows"

"RM2-17" - 568 Highway No. 8, Schedule "A", Map No. 7

For the purposes of this by-law, a common element condominium road shall be deemed to be a street.

Notwithstanding the provisions of Paragraphs (a), (b), (c) and (d) of Section 6.9.3 "Zone Regulations" of Zoning By-law No. 3692-92, on those lands zoned "RM2-17" by this by-law, the following shall apply:

- | | | | |
|-----|----------------------|---|--|
| (a) | Minimum Lot Area | | |
| | Interior Unit | - | 165 square metres |
| | End Unit | - | 200 square metres |
| (b) | Minimum Lot Frontage | | |
| | End Unit | - | 7.5 metres |
| (c) | Minimum Front Yard | - | 4.5 metres, except 5.8 metres to an attached garage or carport |
| (d) | Minimum Side Yard | | |
| | End Unit | - | 1.2 metres |

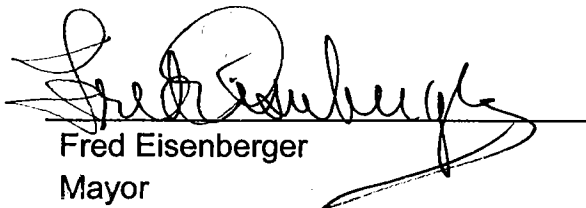
In addition to the regulations of Section 4.19 "Yard Encroachments", alcoves may project into any required rear yard and/or side yard of an end unit, a distance of not more than 0.5 metres.

In addition to the regulations of Section 6.9.3 "Zone Regulations", a landscape strip having a minimum width of 2.5 metres shall be provided and thereafter be maintained along the entire frontage of Highway No. 8, except for points of ingress and egress. An ornamental/decorative entry feature(s) may also be permitted within the required landscape strip.

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3. That 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, subject to the special requirements referred to in Section 2.
4. That 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 15th day of April, 2009.



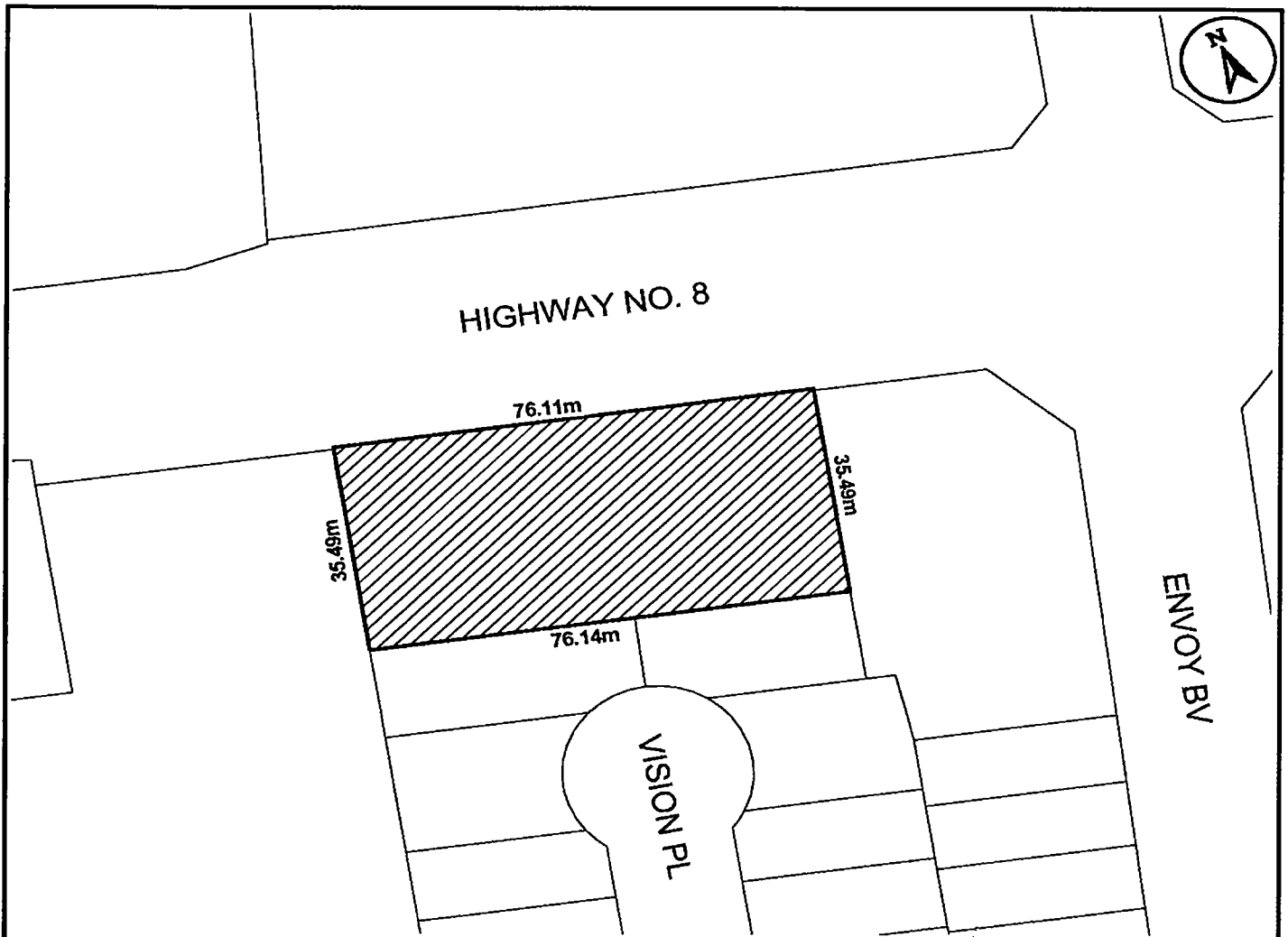
Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk

ZAC-08-047

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This is Schedule "A" to By-Law No. 09-073

Passed the ..15th.. day of ..April....., 2009

~~_____~~
 Clerk
Frederick ...
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 09- 073

to Amend By-law No. 3692-92

Subject Property

568 Highway No. 8



Change in Zoning from Single Residential "R1" Zone to Multiple Residential "RM2-17" Zone.

Scale: N.T.S.	File Name/Number: ZAC-08-047 / OPA-08-11
Date: August 28, 2008	Planner/Technician: JD / NH
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

