

**Authority:** Item 3  
Planning Committee  
Report: 13-018 (PED13181)  
CM: November 27, 2013

**Bill No. 294**

## **CITY OF HAMILTON**

### **BY-LAW NO. 13-**

#### **To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Property Located at 22 Green Mountain Road West**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1<sup>st</sup>, 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 8<sup>th</sup> day of December, 1992, and approved by the Ontario Municipal Board on the 31<sup>st</sup> day of May, 1994;

**AND WHEREAS** the Planning Act, R.S.O. 1990, provides for Temporary Use By-laws pursuant to Section 39 of the Act;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 3 of Report 13-018 of the Planning Committee, at its meeting held on the 27th day of November, 2013, 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 Urban Hamilton Official Plan, approved by the Minister under the Planning Act on March 16, 2011;

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

1. That Map No. 11 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 Multiple Residential (Holding) “RM3-38(H)” Zone to the Multiple Residential (Holding) (Temporary) “RM3-38(H)(T)” Zone;

on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. That Sub-section 6.10.7, “Special Exemptions”, of Section 6.10 Multiple Residential “RM3” Zone, of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new Special Exemption, “RM3-38(H)(T)”, as follows:

**“RM3-38(H)(T)” 22 Green Mountain Road West, Schedule “A”, Map No. 11**

Notwithstanding the provisions of the Multiple Residential (Holding) “RM3-38(H)” Zone, the temporary use for two single detached model homes, in accordance with Section 39 of the Planning Act, shall also be permitted without a Holding (H) removal on these lands, for a period not exceeding three years from the day of the passing of this By-law, being the 27th day of November, 2013;

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 “RM3-38(H)” Zone, 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** this 27th day of November, 2013.

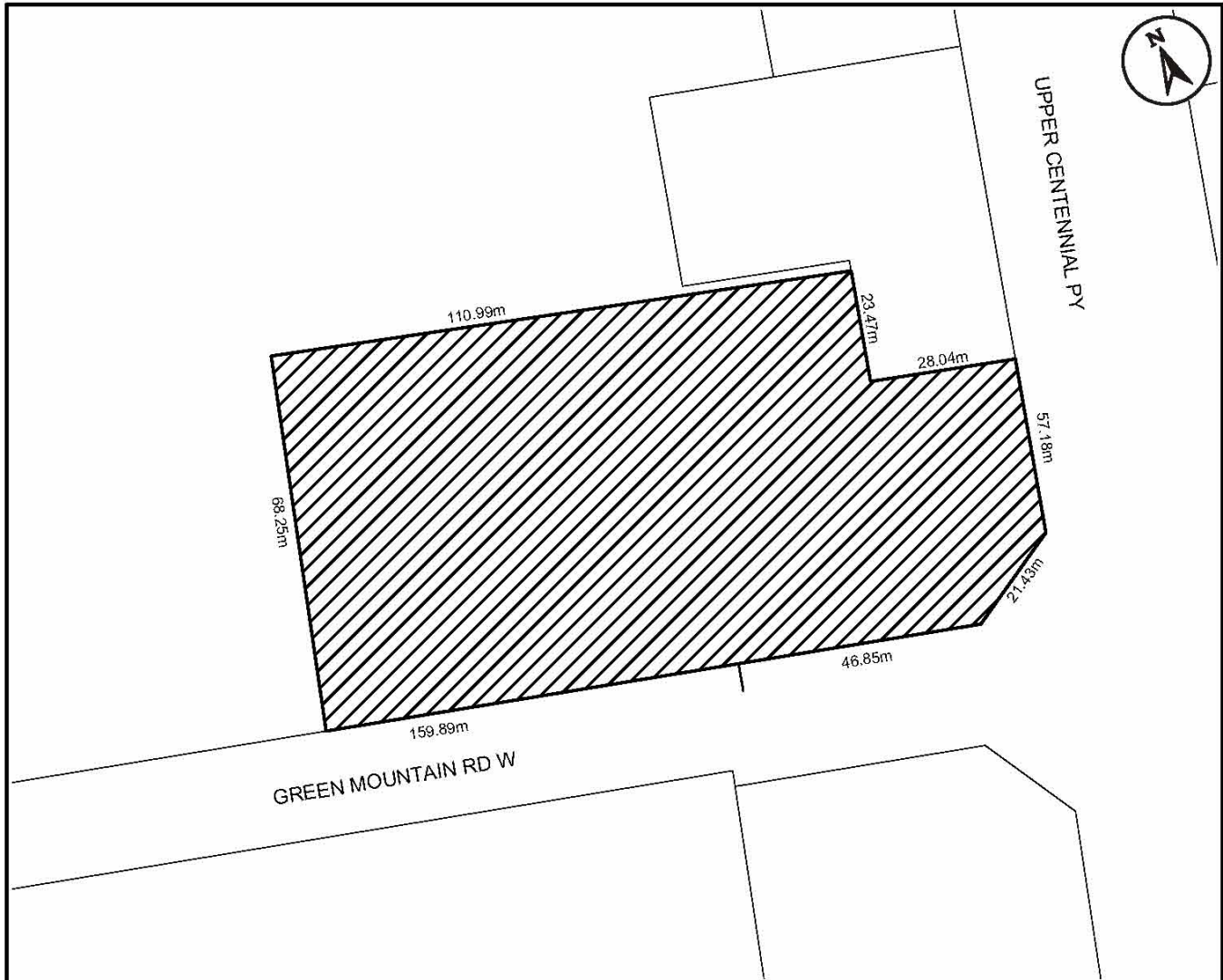
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R. Bratina  
Mayor

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R. Caterini  
Clerk

ZAR-13-025



This is Schedule "A" to By-law No. 13-

Passed the ..... day of ....., 2013

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Mayor

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Clerk

## Schedule "A"

Map Forming Part of  
By-law No. 13-\_\_\_\_\_

to Amend By-law No. 3692-92

### Subject Property



Change in Zoning from the Multiple Residential (Holding) "RM3-38(H)" Zone to the Multiple Residential (Holding) (Temporary) "RM3-38(H)(T)" Zone

Scale:  
N.T.S.

File Name/Number:  
ZAR-13-025

Date:  
Sept. 20, 2013

Planner/Technician:  
JM/AL



**Hamilton**

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT