

**Authority:** Item 4, Planning Committee  
Report: 13-002 (PED13014)  
CM: February 13, 2013

**Bill No. 048**

## **CITY OF HAMILTON**

### **BY-LAW NO. 13-048**

#### **To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands Located at 2 Oceanic Drive**

**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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Council of the City of Hamilton, in adopting Item 4 of Report 13-002 of the Planning Committee, at its meeting held on the 5<sup>th</sup> day of February, 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 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. 1 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended by changing from the Local Commercial "LC" Zone to the Multiple Residential "RM2-36" Zone, Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That Sub-section 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 Special Exemption, "RM2-36"; as follows:

**"RM2-36" – 2 Oceanic Drive, Schedule "A", Map No. 1**

Notwithstanding the provisions of Paragraph (h), of Section 6.9.3 "Zone Regulations", of Section 6.9, Multiple Residential "RM2" Zone, of Zoning By-law No. 3692-92, on those lands zoned "RM2-36" by this By-law, the following shall apply:

- (h) Maximum Building Height: 11 metres or 2 storeys.
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 requirement 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 13<sup>th</sup> day of February, 2013.

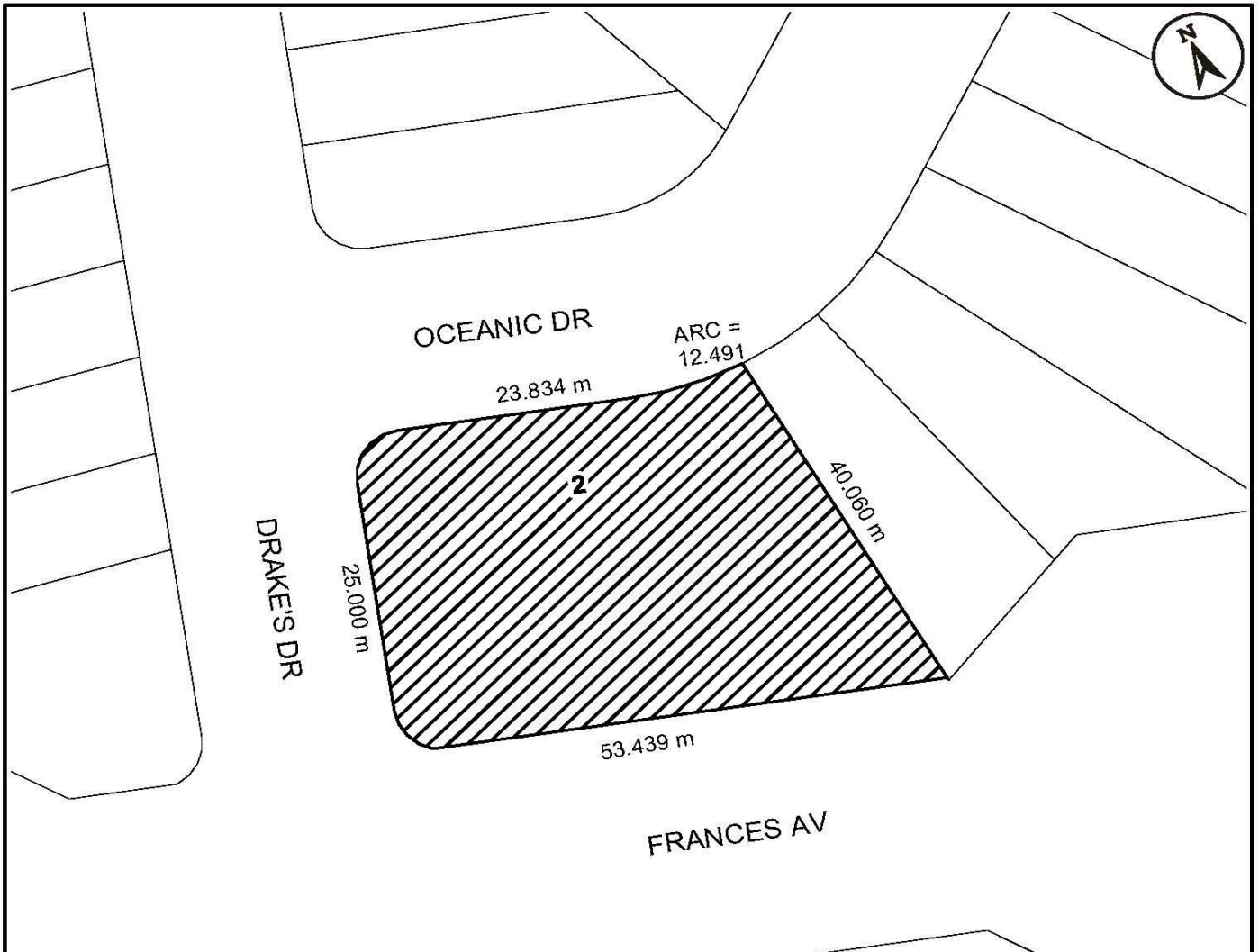
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R. Bratina  
Mayor

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R. Caterini  
City Clerk

ZAC-12-010



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

2 Oceanic Drive



Change in Zoning from the Local Commercial "LC" Zone to the Multiple Residential "RM2-36" Zone, Modified

Scale:  
 N.T.S.

File Name/Number:  
 ZAC-12-010

Date:  
 February 7, 2013

Planner/Technician:  
 AC/NB



**Hamilton**