

Authority: Item 5, Planning Committee
Report 16- 016 (PED16181)
CM: September 28, 2016

Bill No. 257

CITY OF HAMILTON

BY-LAW NO. 16-

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located at 16 Second Road West, 262 Eringate Court, 2079, 2081, 2083, 2085, and 2095 Rymal Road East (Stoney Creek)

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 5 of Report 16-016 of the Planning Committee at its meeting held on the 28th day of September 2016, which 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;

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

1. That Map No. 16 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 Neighbourhood Development "ND" Zone to the Single Residential "R3-42" Zone, Modified, for the lands comprised in "Block 1"; and,

- (b) by changing the zoning from the Single Residential "R1" Zone to the Single Residential "R3-42" Zone, Modified, for the lands comprised in "Block 2";

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

2. That Subsection 6.4.7, "Special Exemptions", of Section 6.4 Single Residential "R3" Zone, of Zoning By-law No. 3692-92, be amended by adding a new Special Exemption, "R3-42", as follows:

"R3-42" 16 Second Road West, 262 Eringate Court, 2079, 2081, 2083, 2085, and 2095 Rymal Road East, Schedule "A", Map No. 16

Notwithstanding the provisions of Paragraphs (a) of Subsection 6.4.3 of the Single Residential "R3" Zone, the following regulations shall apply:

- | | | | |
|-----|-------------------|--------------|----------|
| (a) | Minimum Lot Area: | Interior Lot | 350 sq m |
|-----|-------------------|--------------|----------|

For the purposes of this By-law, accessory buildings, swimming pools and hot tubs shall be permitted on the lots with dual frontage to Eringate Court (Lots 24 and 25) and Rymal Road East and Eringate Court (Lots 8 – 15).

6. 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 Single Residential "R3" Zone, subject to the special requirements referred to in Section 2 of this By-law.
7. 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 28th day of September , 2016.




F. Eisenberger
Mayor

R. Caterini
City Clerk

ZAC-15-050

To Amend Zoning By-law No. 3692-92 (Stoney Creek)
 Respecting Lands located at 16 Second Road West, 262 Eringate Court, 2079, 2081,
 2083, 2085, and 2095 Rymal Road East (Stoney Creek)

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<p>This is Schedule "A" to By-law No. 16-</p> <p>Passed the day of, 2016</p>	
<p>----- Mayor</p> <p>----- Clerk</p>	
<p>Schedule "A"</p> <p>Map Forming Part of By-law No. 16-_____</p> <p>to Amend By-law No. 3692-92</p>	
<p>Subject Property 16 Second Road West, 262 Eringate Court & 2079, 2081, 2083, 2085 & 2095 Rymal Road East</p>	
<p> Block 1 - Change in Zoning from Neighbourhood Development "ND" Zone to the Single Residential "R3-42" Zone, Modified</p>	
<p> Block 2 - Change in Zoning from Single Residential "R1" Zone to the Single Residential "R3-42" Zone, Modified</p>	
<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAC-15-050/25T-201509</p>
<p>Date: June 21, 2016</p>	<p>Planner/Technician: RC/VS</p>
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>	
