

**Authority:** Item 8, Planning Committee  
Report 19-001 (PED19024)  
CM: January 23, 2019  
Ward: 10

**Bill No. 011**

**CITY OF HAMILTON**  
**BY-LAW NO. 19-**

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)**  
**Respecting Lands Located at 90 Creanona Boulevard**

**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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 8 of Report 19-001 of the Planning Committee, at its meeting held on the 23<sup>rd</sup> day of January, 2019, 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. 4 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 Neighbourhood Development "ND" Zone and Single Residential "R2" Zone to the Single Residential "R3-43" Zone, Modified (Block 1) and Single Residential "R2-65" Zone, Modified (Blocks 3 and 4), on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

2. That Subsections 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, “R3-43”, as follows:

**“R3-43” 90 Creanona Boulevard, Schedule “A” Map No. 4**

- (i) Notwithstanding the provisions of Paragraphs (c), (d) and (g) of Subsection 6.4.3 of the Single Residential “R3” Zone, on those lands zoned “R3-43” Zone, Modified (Block 1) by this By-law, the following shall apply:

- |     |                      |  |
|-----|----------------------|--|
| (c) | Minimum Front Yard   | 3.0 m to the face of the dwelling and 5.8 metres to the face of the garage.  |
| (d) | Minimum Side Yard    | No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except 0.6 metres on the side of the dwelling not containing an attached garage or attached carport provided that a maintenance easement is entered into between the owners of the abutting lands and properly registered on title of each of the abutting lots. |
| (g) | Maximum Lot Coverage | 40%, except 45% for a one storey single detached dwelling.   |

3. That Subsection 6.3.7, “Special Exemptions” of Section 6.3, Single Residential “R2” Zone, of Zoning By-law No. 3692-92, be amended by adding a new Special Exemption, “R2-65”, as follows:

**“R2-65” 90 Creanona Boulevard, Schedule “A” Map No. 4**

- (i) Notwithstanding the provisions of Subsections 6.3.2 and 6.3.5 “Zone Regulations” of the Single Residential “R2” Zone, on those lands zoned Single Residential “R2-65” Zone, Modified (Block 3), only the accessory building existing on the date of the passing of the By-law shall be permitted.
- (ii) Notwithstanding the provisions of Paragraph (e) of Subsection 6.3.3 of the Single Residential “R2” Zone on those lands zoned Single Residential “R2-65” Zone, Modified (Block 4), the single detached dwelling existing on the date of the passing of the By-law shall be permitted.

4. 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 "R2" Zone and Single Residential "R3" Zone provisions, subject to the special requirements referred to in Section 2.
5. 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 23rd day of January, 2019.



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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

ZAC-17-033

		
<p>This is Schedule "A" to By-law No. 19-</p> <p>Passed the ..... day of ....., 2019</p>		<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 19-_____</p> <p style="margin: 0 0 0 0;">to Amend By-law No. 3692-92</p>		<p><b>Subject Property</b></p> <p>90 Creanona Boulevard</p> <div style="display: flex; align-items: flex-start;"> <div style="width: 20px; height: 15px; border: 1px solid black; margin-right: 5px; margin-bottom: 5px;"></div> <div style="flex-grow: 1;"> <p><b>Block 1</b> - Change in zoning from Neighbourhood Development "ND" Zone to the Single Residential "R3-43" Zone, Modified</p> </div> </div> <div style="display: flex; align-items: flex-start;"> <div style="width: 20px; height: 15px; border: 1px solid black; margin-right: 5px; margin-bottom: 5px;"></div> <div style="flex-grow: 1;"> <p><b>Block 2</b> - Lands to be added to the Hamilton Zoning By-law 05-200 and zoned Conservation / Hazard Lands (P5, 717) Zone</p> </div> </div> <div style="display: flex; align-items: flex-start;"> <div style="width: 20px; height: 15px; border: 1px solid black; margin-right: 5px; margin-bottom: 5px;"></div> <div style="flex-grow: 1;"> <p><b>Block 3</b> - Change in zoning from the Neighbourhood Development "ND" Zone and Single Residential "R2" Zone, to the Single Residential "R2-65" Zone, Modified</p> </div> </div> <div style="display: flex; align-items: flex-start;"> <div style="width: 20px; height: 15px; border: 1px solid black; margin-right: 5px; margin-bottom: 5px;"></div> <div style="flex-grow: 1;"> <p><b>Block 4</b> - Change in zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R2-65" Zone, Modified</p> </div> </div>
<p><b>Scale:</b> N.T.S.</p>	<p><b>File Name/Number:</b> ZAR-17-035</p>	 <b>Hamilton</b> <small>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</small>
<p><b>Date:</b> Dec. 3, 2018</p>	<p><b>Planner/Technician:</b> MF/AL</p>	