

**Authority:** Item 3, Planning Committee  
Report: 23-007 (PED23074)  
CM: May 10, 2023  
Ward: City Wide

**Bill No. 081**

## **CITY OF HAMILTON**

### **BY-LAW NO. 23-**

### **To Amend Zoning By-law No. 3692-92 with Respect to Lands Located at 355 Highland Road West and Directly to the West of 361 Highland Road West, 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 “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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Land Tribunal on the 31<sup>st</sup> day of May, 1994;

**AND WHEREAS** Council approved Item 3 of Report 23-007 of the Planning Committee, at its meeting held on May 2, 2023;

**AND WHEREAS** this By-law conforms to the Urban Hamilton Official Plan;

**NOW THEREFORE** Council amends Zoning By-law No. 3692-92 as follows:

1. That Map No. 15 of Schedule “A” appended to and forming part of Zoning By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from Single Residential “R2-39-H” Zone, Modified, Holding to Single Residential “R2-39” Zone, Modified for the lands located directly to the west of 361 Highland Road West, the extent and boundaries of which are shown on Schedule “A” to this By-law.

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2. That Map No. 15 of Schedule "A" appended to and forming part of Zoning By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the Single Residential "R2-40-H" Zone, Modified, Holding to the Single Residential "R2-40", Zone, Modified for the lands located at 355 Highland Road West, to the extent and boundaries of which are shown on Schedule "A" to this By-law.
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 Single Residential "R2-39" Zone, Modified provisions and the Single Residential "R2-40", Zone, Modified.
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 10<sup>th</sup> day of May, 2023

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A. Horwath  
Mayor

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A. Holland  
City Clerk

CI-23 E

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<p>This is Schedule "A" to By-law No. 23-</p> <p>Passed the ..... day of ....., 2023</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<p><b>Schedule "A"</b></p> <p><b>Map forming Part of</b></p> <p><b>By-law No. 23-_____</b></p> <p><b>to Amend By-law No. 3692-92</b></p>	<p><b>Subject Property</b></p> <p> Zoning to be changed from "R2-39-H" to "R2-39" of Stoney Creek Zoning By-law No. 3692-92</p> <p> Zoning to be changed from "R2-40-H" to "R2-40" of Stoney Creek Zoning By-law No. 3692-92</p>
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<p>Scale: N.T.S</p>	<p>File Name/Number: CI-23-E (Highland Rd W)</p>		<p>Hamilton</p>
<p>Date: March 20, 2023</p>	<p>Planner/Technician: MS/AL</p>		
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>			