

Authority: Item,
Report (PED24177)
CM:
Ward: 06

Bill No.

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

**To Amend Zoning By-law No. 05-200 Respecting Lands Located at
760 Stone Church Road East, 153 and 224 Eaglewood Drive, and 49 Eleanor
Avenue, Hamilton**

WHEREAS Council approved Item ____ of Report ____ of the Planning Committee, at its meeting held on _____, 2024;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan;

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Map Nos. 1397 and 1398 of Schedule “A” – Zoning Maps are amended by:
 - a) Changing the zoning from the Low Density Residential (R1) Zone to the Low Density Residential – Small Lot (R1a, 918) Zone, for the lands described as 224 Eaglewood Drive, and identified as Block 1, the extent and boundaries of which are shown on Schedule “A” attached to and forming part of this By-law;
 - b) Adding the Low Density Residential – Small Lot (R1a, 918) Zone for the lands described as 760 Stone Church Road East, 153 Eaglewood Drive, and 49 Eleanor Avenue, and identified as Block 2, the extent and boundaries of which are shown on Schedule “A” attached to and forming part of this By-law;
 - c) Adding the Low Density Residential (R1, H188) Zone, for the lands described as 760 Stone Church Road East, and identified as Block 3, the extent and boundaries of which are shown on Schedule “A” attached to and forming part of this By-law; and,
 - d) Adding the Low Density Residential (R1a, 921) Zone for the lands described as 153 Eaglewood Drive, and identified as Block 4, the extent and boundaries of which are shown on Schedule “A” attached to and forming part of this By-law.

2. That Schedule “C” – Special Exceptions is amended by adding the following new Special Exceptions:

“918. For the lands zoned Low Density Residential – Small Lot (R1a, 918) Zone, on Map Nos. 1397 and 1398 of Schedule “A” – Zoning Maps and described as 760 Stone Church Road East, 153 and 224 Eaglewood Drive, and 49 Eleanor Avenue, the following special provisions shall apply:

- a) Notwithstanding Section 15.2.2.1 a) d), and e), the following regulations shall apply:

Minimum Lot Area	260.0 square metres
Minimum Setback from a Side Lot Line	1.2 metres for a Single Detached Dwelling, except that the minimum interior side yard may be reduced to 0.6 metres on one side of the lot provided the abutting lot has a minimum side yard of 1.2 metres and the appropriate easements for access are created.
Minimum Setback from a Flankage Lot Line	1.5 metres”

“921. For the lands zoned Low Density Residential – Small Lot (R1a, 921) Zone, on Map Nos. 1397 and 1398 of Schedule “A” – Zoning Maps and described as 153 Eaglewood Drive, the following special provisions shall apply:

- a) Notwithstanding Section 15.2.2.1 d), the following regulations shall apply:

Minimum Setback from a Side Lot Line	1.8 metres from the westerly lot line.
	0.6 metres for the easterly lot line provided the abutting lot has a minimum side yard of 1.2 metres and the appropriate easements for access are created.”

3. That Schedule “D” – Holding Provisions, of By-law No. 05-200, be amended by adding the additional Holding Provision as follows:

“H188. Notwithstanding Section 15.1 of this By-law, within lands zoned Low Density Residential (R1, H188) Zone on Maps No. 1397 and 1398 on Schedule “A” – Zoning Maps, and municipally described as 760 Stone Church Road East, no development shall be permitted until such time as:
 - a) Land consolidation with the adjacent lands to the east, known municipally as 738 Stone Church Road East, has occurred to ensure comprehensive development, to the satisfaction of the Director of Development Planning.”

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 provisions of the Low Density Residential – Small Lot (R1a, 918) Zone, the Low Density Residential – Small Lot (R1a, 921) Zone and the Low Density Residential (R1, H188) Zone, subject to the special requirements referred to in Section No. 2 of this By-law.

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 and ENACTED this ____ day of _____, 2024.

A. Horwath
Mayor

M. Trennum
City Clerk

ZAC-23-016



This is Schedule "A" to By-law No. 24-
Passed the day of, 2024





Mayor

Clerk

Schedule "A"
Map forming Part of
By-law No. 24-_____
to Amend By-law No. 05-200
Maps 1397 & 1398

Subject Property
760 Stone Church Road East, 153 & 224 Eaglewood Drive and
49 Eleanor Avenue

Scale: N.T.S	File Name/Number: ZAC-23-016	 Hamilton
Date: November 11, 2024	Planner/Technician: SG/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

-  Block 1 - Change in zoning from the Low Density Residential (R1) Zone to the Low Density Residential - Small Lot (R1a, 918) Zone
-  Block 2 - Lands to be added to Zoning By-law No. 05-200 as the Low Density Residential - Small Lot (R1a, 918) Zone
-  Block 3 - Lands to be added to Zoning By-law No. 05-200 as the Low Density Residential (R1, H188) Zone
-  Block 4 - Lands to be added to Zoning By-law No. 05-200 as the Low Density Residential - Small Lot (R1a, 921) Zone