

Authority: Item 6, Planning Committee Report 24-011 (PED24133)

CM: August 16, 2024 Ward: 10

Written approval for this by-law is given by Mayoral Decision MDE-2024-17

Dated August 16, 2024

Bill No. 152

CITY OF HAMILTON

BY-LAW NO. 24-152

To Amend Zoning By-law No. 3692-92 with Respect to Lands Located at 32 Sandbeach Drive, 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Land Tribunal on the 31st day of May, 1994;

AND WHEREAS Council approved Item 6 of Report 24-011 of the Planning Committee, at its meeting held on August 16, 2024;

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

1. That Map No. 4 of Schedule “A”, appended to and forming part of Zoning 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 “R2” Zone, the extent and boundaries of which are shown as Block 1 on a plan hereto annexed as Schedule “A”.
 - b) By changing the zoning from the Neighbourhood Development “ND” Zone to the Single Residential “R1” Zone, the extent and boundaries of which are shown as Block 2 on a plan hereto annexed as Schedule “A”.

- c) By changing the zoning from the Neighbourhood Development “ND” Zone to the Single Residential “R3-12” Zone, Modified, the extent and boundaries of which are shown as Block 3 on a plan hereto annexed as Schedule “A”.
2. That Subsection 6.4.7, “Special Exemptions” of Section 6.4, Single Residential “R3” Zone, be amended by further amending Special Exemption “R3-12”, as follows:
 - a) By deleting the text “The Holding “H” Zone provision may be removed upon approval of the draft plan of subdivision.” and replacing it with the following:

“Notwithstanding the provision of Section 3.8 “Holding Zones”, on those lands zoned “R3-12(H)” by this By-law, the Holding ‘(H)’ symbol may be removed and thereby give effect to the “R3-12” Zone provisions, upon completion of the following:

 - (a) That the subject lands identified as Block 3 on Schedule “A” be consolidated with abutting lands described as Blocks 187, 188 and 189, Plan 62M-987, to the satisfaction of the Director of Planning and Chief Planner.”
3. 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 Single Residential “R1” Zone, the Single Residential “R2” Zone, and the Single Residential “R3-12(H)” Zone, Modified, Holding.
 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 16th day of August, 2024.

A. Horwath
Mayor

M. Trennum
City Clerk

ZAC-24-017



<p>This is Schedule "A" to By-law No. 24-</p> <p>Passed the day of, 2024</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<h2>Schedule "A"</h2> <p>Map forming Part of By-law No. 24-_____</p> <p>to Amend By-law No. 3692-92</p>	<p>Subject Property 32 Sandbeach Drive, Stoney Creek</p> <ul style="list-style-type: none"> Block 1 – Change in zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R2" Zone Block 2 – Change in zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R1" Zone Block 3 – Change in zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R3-12-(H)" Zone, Modified, Holding
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Scale: N.T.S	File Name/Number: ZAC-24-017	
Date: July 10, 2024	Planner/Technician: DM/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		