

Authority: Item
Planning Committee
Report: 16- (PED16010)
CM:

Bill No.

CITY OF HAMILTON

BY-LAW NO.

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands Located at 101 Shoreview Place

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 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 of Report 16- of the Planning Committee, at its meeting held on the day of , 2015, 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 upon approval of Official Plan Amendment No. .;

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

1. That Map No. 1 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended as follows: by changing from the Multiple Residential "RM3-40" Zone, Modified to a Multiple Residential "RM3-55(H)" Zone,

Modified – Holding, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Subsection 6.10.7, "Special Exemptions" of Section 6.10, Multiple Residential "RM3" Zone, of Zoning By-law No. 3692-92, be amended by deleting Special Exemption "RM3-40" for lands located at 101 Shoreview Place, Stoney Creek, and by adding Special Exemption "RM3-55(H)", as follows:

"RM3-55(H)" 101 Shoreview Place, Schedule "A" Map No. 1

That notwithstanding the provisions of Paragraphs (c), (e), (g), (i), (j), (l) and (m) of Subsection 6.10.3 "Zone Regulations" of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-55(H)" by this By-law, the following shall apply:

- | | | | |
|-----|---|---|------------|
| (c) | Minimum Front Yard for Townhouses | - | 4.0 metres |
| (e) | Minimum Side Yard for Apartment Buildings | - | 8.0 metres |
| (g) | Minimum Rear Yard for Apartment Buildings | - | 14 metres |
| (i) | Minimum Density | - | 188 uph |
| (j) | Maximum Building Height | - | 24 metres |

(l) Privacy Area – Notwithstanding any provisions or definitions to the contrary, each townhouse dwelling unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit and shall have a minimum depth of 2.5 metres measured from the façade abutting Shoreview Place.

(m) Minimum Landscaped Open Space

1. Not less than 45 percent of the entire lot shall be landscaped open space.
2. A landscaped strip having a minimum width of 4.0 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street except for points of ingress and egress.
3. Notwithstanding Section (m)(2) within this amending By-law, for those lands between any privacy area for townhouse dwelling units and any lot line abutting a street, not less than 1.5 metres of landscape strip shall be provided and thereafter maintained.

Notwithstanding the provisions of Paragraph (a) of Subsection 6.10.5 "Regulations for Parking" of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-55(H)" by this By-law, the following shall apply:

(a) Minimum Number of Parking Spaces

1. 1 parking space and 0.3 visitor parking spaces for each townhouse dwelling unit; and,
2. 1 parking space and 0.25 visitor parking spaces per unit for apartment buildings.

The (H) symbol may be removed by further amendment to this By-law at such time as the following conditions have been satisfied:

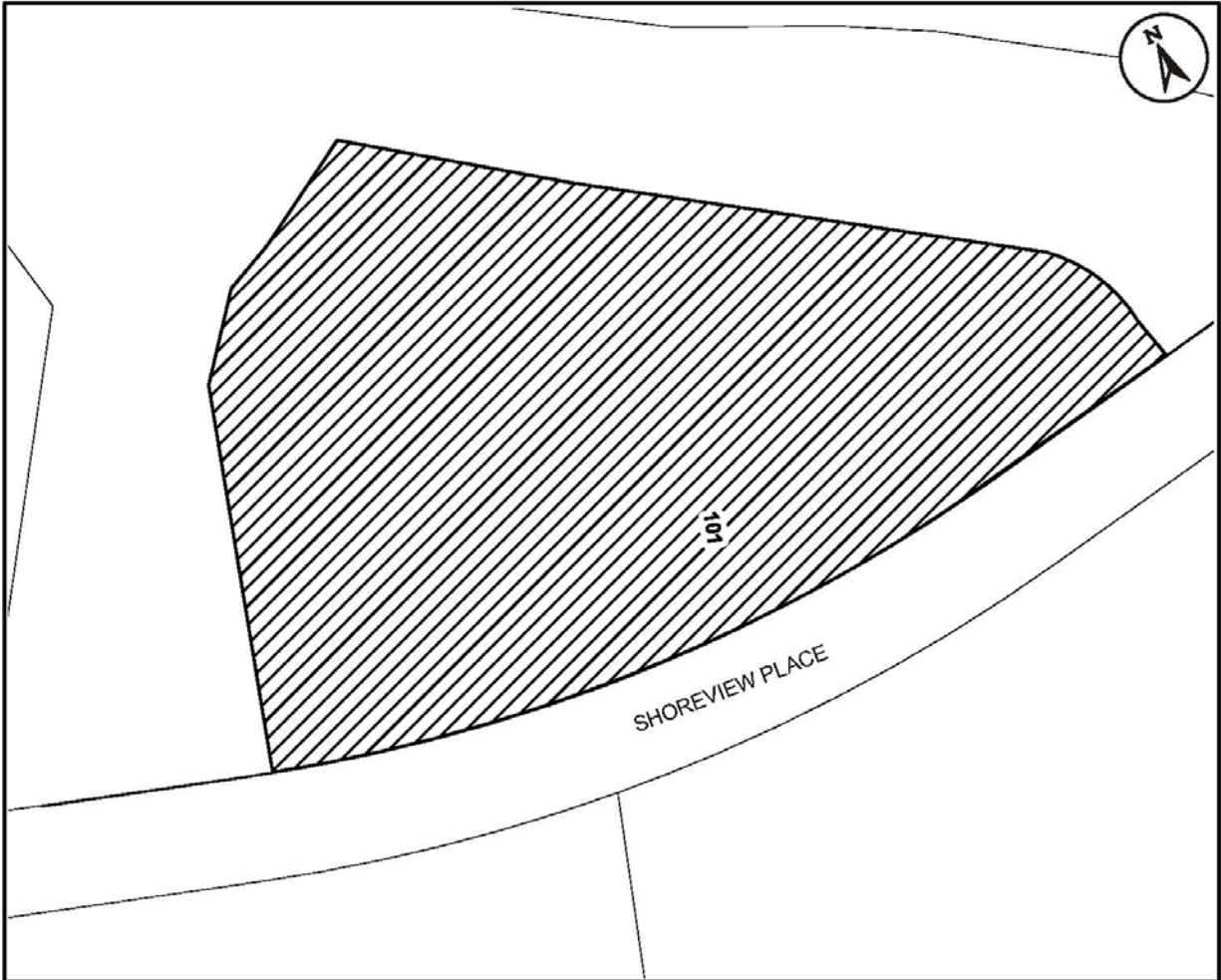
- i) That the owner / applicant submit and receive approval of a Traffic Impact Study Addendum which must include all of the developments approved / proposed for Shoreview Place, east of the Environmentally Significant Area lands and including the build-out of 311 Frances Avenue, to the satisfaction of the Director of Engineering Services, Public Works Department.
 - ii) That the owner / applicant demonstrate, through an Environmental Impact Statement Addendum, that the Core Area (Community Beach Ponds Environmentally Significant Area and Lake Ontario) and the Migratory Bird Stopover Functions will not be negatively impacted by development, to the satisfaction of the Director of Planning and Chief Planner.
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 Multiple Residential "RM3" Zone provisions, subject to the special requirements referred to in Section 2.
 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 and ENACTED this day of , 2016.

Fred Eisenberger
Mayor

Rose Caterini
Clerk

Schedule "A"



This is Schedule "A" to By-law No. 16- Passed the day of, 2016	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <h3 style="margin: 0;">Map Forming Part of By-law No. 16-_____</h3> <h3 style="margin: 0;">to Amend By-law No. 3692-92</h3>	<p>Subject Property 101 Shoreview Place</p> <p> Change in zoning from the Multiple Residential "RM3-40" Zone, Modified to the Multiple Residential - Holding "RM3-55(H)" Zone, Modified</p>
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Scale: N.T.S.	File Name/Number: ZAR-15-020	 Hamilton
Date: December 4, 2015	Planner/Technician: MG/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		