

**Authority:** Item 10, Planning Committee  
Report 18-004 (PED18038)  
CM: March 28, 2018  
Ward: 12  
**Bill No. 089**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-**

#### **To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 1288 Baseline Road (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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 10 of Report 18-004 of the Planning Committee at its meeting held on the 28<sup>th</sup> day of March 2018, which recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided; and,

**AND WHEREAS** this By-law will be in conformity with the Urban Hamilton Official Plan upon adoption of UHOPA No.100;

**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 adding the subject property to Zoning By-law 3692-92 and zone to the Multiple Residential “RM3-62” Zone, Modified;
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 adding a new Special Exemption, “RM3-62”, as follows:

**RM3 - 62**

Notwithstanding the provisions of Section 6.9.3 “Zone Regulations”, Paragraphs a), (b), (c), (d), (e), 6.10.3 “Zone Regulations for Maisonettes”, Paragraphs (a), (b), (c), (d), (f), (g), (h) and (i) 6.10.4 “Zone Regulations for Street Townhouses” and Section 6.10.5 “Regulations for Parking”, Paragraph (a):

REGULATIONS

|     |                          |  |   |
|-----|--------------------------|--|---|
| (a) | Minimum Lot Area:        | <u>Street Townhouses</u>                                     | <u>Maisonettes</u>  |
|     | Interior Unit            | 170 sq m   | 80 sq m   |
|     | Corner Unit              | 250 sq m   | 118 sq m  |
|     | End Unit                 | 240 sq m   | N/A   |
| (b) | Minimum Lot Frontage:    | <u>Street Townhouses</u>                                     | <u>Maisonettes</u>  |
|     | Interior Unit            | 5.5 m  | 6.45 m  |
|     | Corner Unit              | 8.25 m   | 8.1 m   |
|     | End Unit                 | 7.25 m   | N/A   |
| (c) | Minimum Front Yard:      | <u>Street Townhouses</u>                                     | <u>Maisonettes</u>  |
|     |                          | N/A  | 4.0 m to the dwelling face and 6.0 m to the attached garage |
| (d) | Minimum Side Yard:       | <u>Street Townhouses</u>                                     | <u>Maisonettes</u>  |
|     | End Unit                 | 1.5 m  | N/A   |
|     | Corner Unit              | 1.75 m   | 2.75 m  |
| (e) | Minimum Rear Yard:       | 7.5 m, except 3.0 m to the daylighting triangle              | 0.0 m   |
| (f) | Maximum Density:         | 53 units per net ha  |   |
| (g) | Maximum Building Height: | 12 m (maisonettes)   |   |
| (h) | Maximum Lot Coverage:    | Shall not apply to maisonettes                               |   |
| (i) | Minimum Privacy Area:    | 4.0 sq m for maisonettes to be located on a balcony or patio |   |

- (j) Minimum Landscaped Open Space: Shall not apply to maisonettes
  - (k) Minimum Number of Visitor Parking Spaces: 20 internal visitor parking spaces to be provided
  - (l) Notwithstanding clause (a) of Section 4.16.1, unitary equipment may be located not closer than 0.5 m to any side lot line.
  - (m) Notwithstanding any provision to the contrary, prior to the registration of a plan of subdivision or condominium, 44 maisonette townhouse units and 16 standard townhouses, shall be permitted on one parcel of land.
  - (n) For the purpose of this By-law, maisonettes may front onto a public roadway.
  - (o) For the purpose of this By-law, a Private Common Element Condominium road shall be deemed a street and that landscaping and visitor parking for the dwelling units fronting onto the common element condominium road are permitted within the common element condominium road.
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 of this By-law.
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 11<sup>th</sup> day of April, 2018.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk



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| This is Schedule "A" to By-law No. 18-<br><br>Passed the ..... day of ....., 2018 | -----<br>Mayor<br><br>-----<br>Clerk |
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| <h2 style="margin: 0;">Schedule "A"</h2><br><br><h3 style="margin: 0;">Map Forming Part of<br/>By-law No. 18-_____</h3><br><br><h3 style="margin: 0;">to Amend By-law No. 3692-92</h3> | <p><b>Subject Property</b><br/>                 1288 Baseline Road, Stoney Creek</p> <p> Lands added to By-law 3692-92 and zoned Multiple Residential "RM3-62" Zone, Modified</p> |
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| Scale:<br>N.T.S.                             | File Name/Number:<br>ZAC-17-067/UHOPA-17-29 |  |
| Date:<br>February 12, 2018                   | Planner/Technician:<br>GZ/AL                |  |
| PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT |   |  |