

Authority: Item ,
Report (PED18XXX)
CM:
Ward: 9

Bill No.

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

**To Amend Zoning By-law No. 3692-92
Respecting Lands Located at 121 and 125 Highway 8 (Stoney Creek)**

WHEREAS the *City of Hamilton Act, 1999*, S. O. 1999 Chap. 14, Sch. C did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

WHEREAS; the City of Hamilton is the successor to certain area municipalities, including the former municipality known as "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton –Wentworth";

WHEREAS; the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

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 PED18-_____ of the Planning Committee, at its meeting held on the 14th day of August, 2018, recommended that Zoning By-law No. 3692-92 (Stoney Creek) be amended as hereinafter provided.

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

1. That Map No. 5 of Schedule "A" – appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended as follows:
 - (a) By adding to the Stoney Creek Zoning By-law No. 3692-92, the lands the extent and boundaries of which are shown as "Block 2" on a plan hereto annexed as Schedule "A";

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	Spaces	Parking Spaces
1-14	0.7 per unit	1.25 per unit
15-50	0.85 per unit	1.25 per unit
51+	1 per unit	1.25 per unit

Notwithstanding the provisions of Subsection 6.11.4 (c), at least 45 percent of the required tenant parking shall be underground and/or within the apartment buildings. Underground parking shall not be bound by setback requirements; however, underground parking above grade shall be setback a minimum of 3 metres from any lot line.

In addition to Part 2 "Definitions", the definition of Amenity Area shall also include communal lounges.

In addition to Subsection 4.7.1, the following shall not be included in the determination of the building height as specified for the zone in which the building is located:

- (t) furniture storage area located within a mechanical penthouse; and,
- (u) vestibule connected and providing access to the elevator bulkhead and mechanical penthouse.

Notwithstanding the provisions of Subsection 4.10.3(a), the following regulations shall apply:

- (a) Required parking spaces for 90 degree perpendicular parking shall have minimum rectangular dimensions of 3.0 metres by 5.8 metres.
- (b) Notwithstanding (a) above, where 10 or more parking spaces are required on a lot, the minimum parking space size of not more than 10% of such required parking spaces for 90 degree perpendicular parking shall have minimum rectangular dimensions of 2.6 metres by 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only.

Notwithstanding the provision of Subsection 4.9.1 (c), each loading space shall not be less than 9 metres long and 3.6 metres wide and have a vertical clearance of not less than 4.3 metres.

In addition to the provisions of Subsection 4.19.1(d), the maximum encroachment for a balcony and canopy into any required side yard shall be 1.0 metres.

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All at grade residential units which front a street shall have a principal entrance facing the street and be accessible from the building façade with direct access from the street.

Notwithstanding the provisions of Subsection 6.1.8 (c), where the required minimum number of parking spaces is four or more, no parking shall be provided closer than 1.5 metres to any lot line.

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 "RM4" 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*.

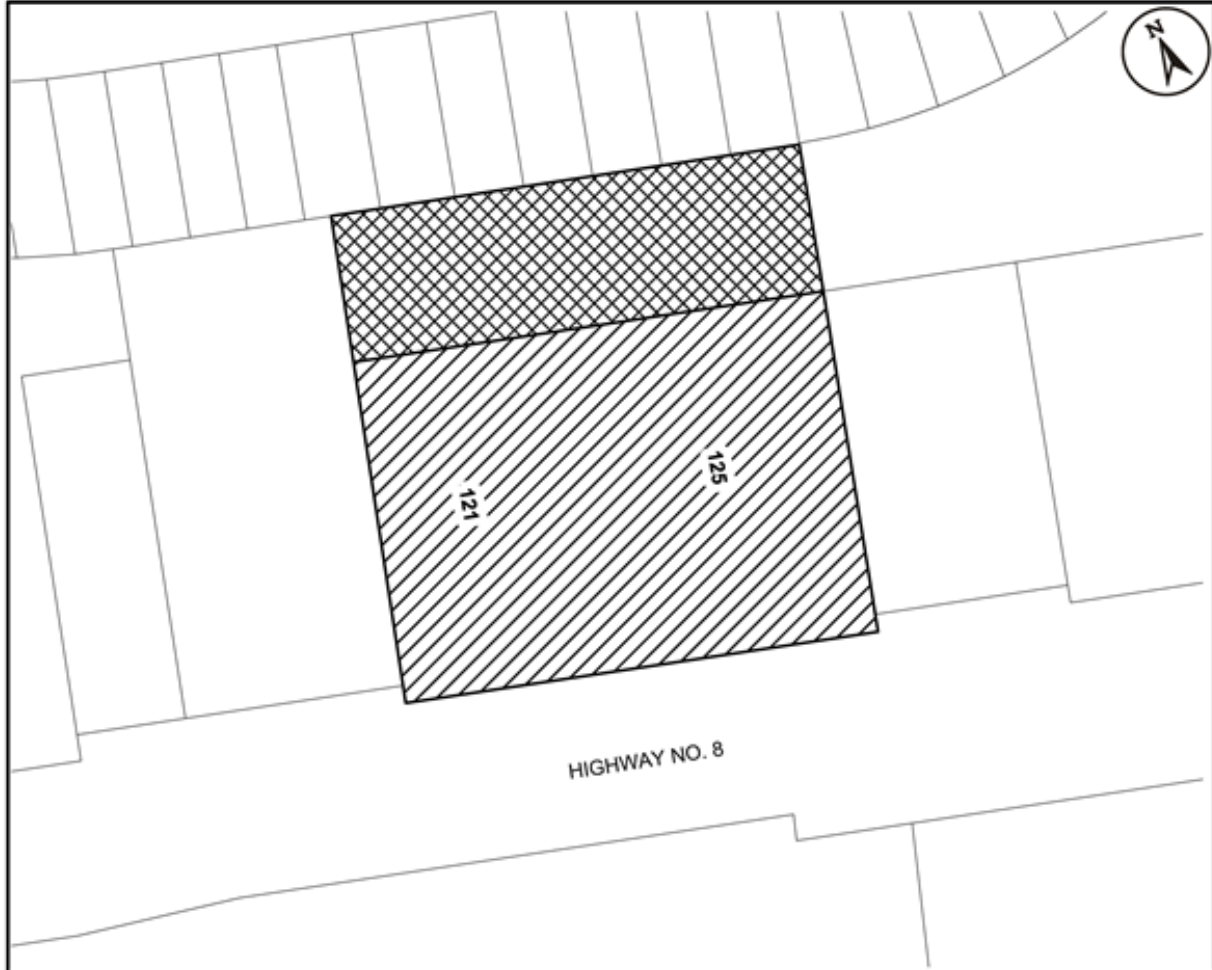
PASSED this _____ day of August, 2018

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-17-085

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<p>This is Schedule "A" to By-law No. 18-</p> <p>Passed the day of, 2018</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. 18-_____</p> <p>to Amend By-law No. 3692-92</p>	<p>Subject Property 121 & 125 Highway No. 8, Stoney Creek</p> <p> Block 1 - Change in zoning from the General Commercial "GC" Zone to the Multiple Residential "RM4-10" Zone, Modified</p> <p> Block 2 - Lands added to By-law No. 3692-92 and zoned Multiple Residential "RM4-10" Zone, Modified</p>
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