

Authority: Item _____, Planning Committee
Report
CM:
Ward: 5

Bill No.

CITY OF HAMILTON

BY-LAW NO. _____

To Amend Zoning By-law No. 3692-92 (Stoney Creek)

Respecting Lands located at 19 Dawson Avenue, Stoney Creek

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule 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 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 20-195 of the Planning Committee, at its meeting held on the 3rd day of November 2020, 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 the approval of Official Plan Amendment No. _____.

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 Zoning By-law No. 3692-92 (Stoney Creek), is amended by changing the zoning from Small Scale Institutional "IS" Zone to Multiple Residential "RM2-46" Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Subsection 6.9.6 Special Exemptions of Section 6.9, Multiple Residential "RM2" Zone, of Zoning By-law No. 3692-92 (Stoney Creek) be amended by adding Special Exemption "RM2-46", as follows:

"RM2-46" 19 Dawson Avenue, Schedule "A" Map No. 5

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), and (e) of Subsection 6.9.3 of Section 6.9, Multiple Residential "RM2" Zone, on those lands zoned "RM2-46" by this By-law, the following shall apply:

- (a) Minimum Lot Area:

Interior Unit	123 square metres
End Unit	150 square metres
Corner Unit	158 square metres

- (b) Minimum Lot Frontage:

Interior Unit	6.0 metres
End Unit	8.0 metres
Corner Unit	8.9 metres

- (c) Minimum Front Yard: 3.0 metres to the main wall of building or a porch and 6.0 metres to an attached garage.

- (d) Minimum Side Yard:

End Unit	2.0 metres
Corner Unit	2.28 metres

- (e) Minimum Rear Yard: 5.33 metres

- (h) Maximum Building Height 11 metres and 2½ storeys

Notwithstanding Section 4.13.1, a minimum setback of 1.3 metres from the hypotenuse of the daylight triangle shall be permitted.

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 Multiple Residential "RM2" 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 and ENACTED this day of , 2020.

Fred Eisenberger
Mayor

A. Holland
City Clerk

ZAC-20-012



<p>This is Schedule "A" to By-law No. 20- Passed the day of, 2020</p>	<p>----- Mayor ----- Clerk</p>
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<p>Schedule "A"</p> <p>Map forming Part of By-law No. 20-_____</p> <p>to Amend By-law No. 3692-92</p>	<p>Subject Property 19 Dawson Avenue, Stoney Creek Change in zoning from the Small Scale Institutional "IS" Zone to the Multiple Residential "RM2-46" Zone, Modified</p>
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Scale: N.T.S	File Name/Number: ZAC-20-012/UHOPA-20-007	Hamilton
Date: October 1, 2020	Planner/Technician: SS/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		