

Authority: Item _____, Planning Committee
Report PED22150
CM:
Ward: 10

Bill No.

CITY OF HAMILTON

BY-LAW NO. 22-_____

**To Amend Zoning By-law No. 3692-92
Respecting Lands Located at 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81
Waterford Crescent, 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Municipal Board on the 31st day of May, 1994;

AND WHEREAS the Council of the City of Hamilton, in adopting Item X of Report PED22150 of the Planning Committee at its meeting held on the ____ day of _____, 2022, which recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No. XX.

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

1. That Map No. 2 of Schedule "A", appended to and forming part of 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 "R3-46" Zone, Modified, the extent and

boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 1);

- (b) by changing the zoning from the Single Residential “R2” Zone to the Single Residential “R3-46” Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 2);
- (c) by changing the zoning from the Single Residential “R3-4” Zone, Modified to the Single Residential “R3-46” Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 3);
- (d) by changing the zoning from the Neighbourhood Development “ND” Zone to the Single Residential “R3-47” Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 4);
- (e) by changing the zoning from the Single Residential “R3” Zone to the Single Residential “R3-47” Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 5);
- (f) by changing the zoning from the Single Residential “R3-4” Zone, Modified to the Single Residential “R3-47” Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 6);
- (g) by changing the zoning from the Neighbourhood Development “ND” Zone to the Single Residential “R3-48” Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 7);
- (h) by changing the zoning from the Neighbourhood Development “ND” Zone to the Single Residential “R3-48(H)” Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 8);
- (i) by changing the zoning from the Single Residential “R3” Zone to the Single Residential “R3-49” Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 9);
- (j) by changing the zoning from the Neighbourhood Development “ND” Zone to the Single Residential “R4-38” Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 10); and,
- (k) by changing the zoning from the Single Residential “R3-4” Zone, Modified to the Single Residential “R4-38” Zone, Modified, the extent and

boundaries of which are shown on a plan hereto annexed as Schedule "A" (Block 11).

2. That Subsection 6.4.7, "Special Exemptions" of Section 6.4, Single Residential "R3" Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption "R3-46", as follows:

"R3-46" 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Schedule "A" Map No. 2 (Blocks 1, 2, and 3)

Notwithstanding the provisions of Paragraphs (a), (c), (d), (e), and (g) of Subsection 6.4.3 of Section 6.4, Single Residential "R3" Zone, on those lands zoned "R3-46" by this By-law, the following shall apply:

- | | | |
|-----|------------------------|--|
| (a) | Minimum Lot Area | |
| | Interior Lot - | 370 square metres |
| | Corner Lot - | 400 square metres |
| (c) | Minimum Front Yard - | 3.5 metres to the dwelling, except 6.0 metres to an attached garage. |
| (d) | Minimum Side Yard | |
| | Interior Lot - | 1.2 metres on the side with the garage and 0.6 metres on the other side. |
| | Corner Lot - | 1.2 metres on the side with the garage and 2.3 metres on the flankage yard, except that an attached garage or attached carport fronting the flankage lot line shall not be located within 5.5 metres of the flankage lot line. |
| (e) | Minimum Rear Yard - | 6.0 metres |
| (g) | Maximum Lot Coverage - | 62 percent |

3. That Subsection 6.4.7, "Special Exemptions" of Section 6.4, Single Residential "R3" Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption "R3-47", as follows:

"R3-47" 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Schedule "A" Map No. 2 (Blocks 4, 5, and 6)

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), and (g) of Subsection 6.4.3 of Section 6.4, Single Residential "R3" Zone, on those lands zoned "R3-47" by this By-law, the following shall apply:

- | | | |
|-----|------------------------|-------------------|
| (a) | Minimum Lot Area - | 355 square metres |
| (b) | Minimum Lot Frontage - | 11.0 metres |

- (c) Minimum Front Yard - 3.5 metres to the dwelling, except 6.0 metres to an attached garage.
- (d) Minimum Side Yard - 1.2 metres on the side with the garage and 0.6 metres on the other side.
- (e) Minimum Rear Yard - 6.0 metres
- (g) Maximum Lot Coverage - 62 percent

In addition to Subsection 6.4.3 of Section 6.4, Single Residential "R3" Zone, those lands zoned "R3-47" by this By-law shall not apply to corner lots.

4. That Subsection 6.4.7, "Special Exemptions" of Section 6.4, Single Residential "R3" Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption "R3-48", as follows:

"R3-48" 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Schedule "A" Map No. 2 (Block 7)

Notwithstanding the provisions of Paragraphs (a), (c), (d), (e), and (g) of Subsection 6.4.3 of Section 6.4, Single Residential "R3" Zone, on those lands zoned "R3-48" by this By-law, the following shall apply:

- (a) Minimum Lot Area
 - Interior Lot - 330 square metres
 - Corner Lot - 370 square metres
 - (c) Minimum Front Yard - 3.5 metres to the dwelling, except 6.0 metres to an attached garage.
 - (d) Minimum Side Yard
 - Interior Lot - 1.2 metres on the side with the garage and 0.6 metres on the other side.
 - Corner Lot - 1.2 metres on the side with the garage and 2.3 metres on the flankage yard, except that an attached garage or attached carport fronting the flankage lot line shall not be located within 5.5 metres of the flankage lot line.
 - (e) Minimum Rear Yard - 6.0 metres
 - (g) Maximum Lot Coverage - 62 percent
5. That Subsection 6.4.7, "Special Exemptions" of Section 6.4, Single Residential "R3" Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption "R3-48(H)", as follows:

"R3-48(H)" 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Schedule "A" Map No. 2 (Block 8)

Notwithstanding the provision of Section 3.8 "Holding Zones", on those lands zoned "R3-48(H)" by this By-law, the Holding (H) symbol may be removed and thereby give effect to the "R3-48" Zone provisions in Section 4 above, upon completion of the following:

- (a) That the final grading on Lot 35 has been approved and it can be clearly demonstrated how the turning movements can be successfully managed, to the satisfaction of the Director, Growth Management.
6. That Subsection 6.4.7, "Special Exemptions" of Section 6.4, Single Residential "R3" Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption "R3-49", as follows:

"R3-49" 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Schedule "A" Map No. 2 (Block 9)

Notwithstanding the provisions of Paragraphs (c), (d), (e), and (g) of Subsection 6.4.3 of Section 6.4, Single Residential "R3" Zone, on those lands zoned "R3-49" by this By-law, the following shall apply:

- (c) Minimum Front Yard - 3.5 metres to the dwelling, except 6.0 metres to an attached garage.
- (d) Minimum Side Yard - 1.2 metres on the east side and 2.2 metres on the west side.
- (e) Minimum Rear Yard - 6.0 metres
- (g) Maximum Lot Coverage - 62 percent

In addition to Subsection 6.4.3 of Section 6.4, Single Residential "R3" Zone, those lands zoned "R3-49" by this By-law shall not apply to corner lots.

7. That Subsection 6.5.7, "Special Exemptions" of Section 6.5, Single Residential "R4" Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption "R4-38", as follows:

"R4-38" 11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent, Schedule "A" Map No. 2 (Blocks 10 and 11)

Notwithstanding the provisions of Paragraphs (c), (d), (e), and (g) of Subsection 6.5.3 of Section 6.5, Single Residential "R4" Zone, on those lands zoned "R4-38" by this By-law, the following shall apply:

- (c) Minimum Front Yard - 3.5 metres to the dwelling, except 6.0 metres to an attached garage.
- (d) Minimum Side Yard - 1.2 metres on the side with the garage and 0.6 metres on the other side.
- (e) Minimum Rear Yard - 6.0 metres
- (g) Maximum Lot Coverage - 62 percent

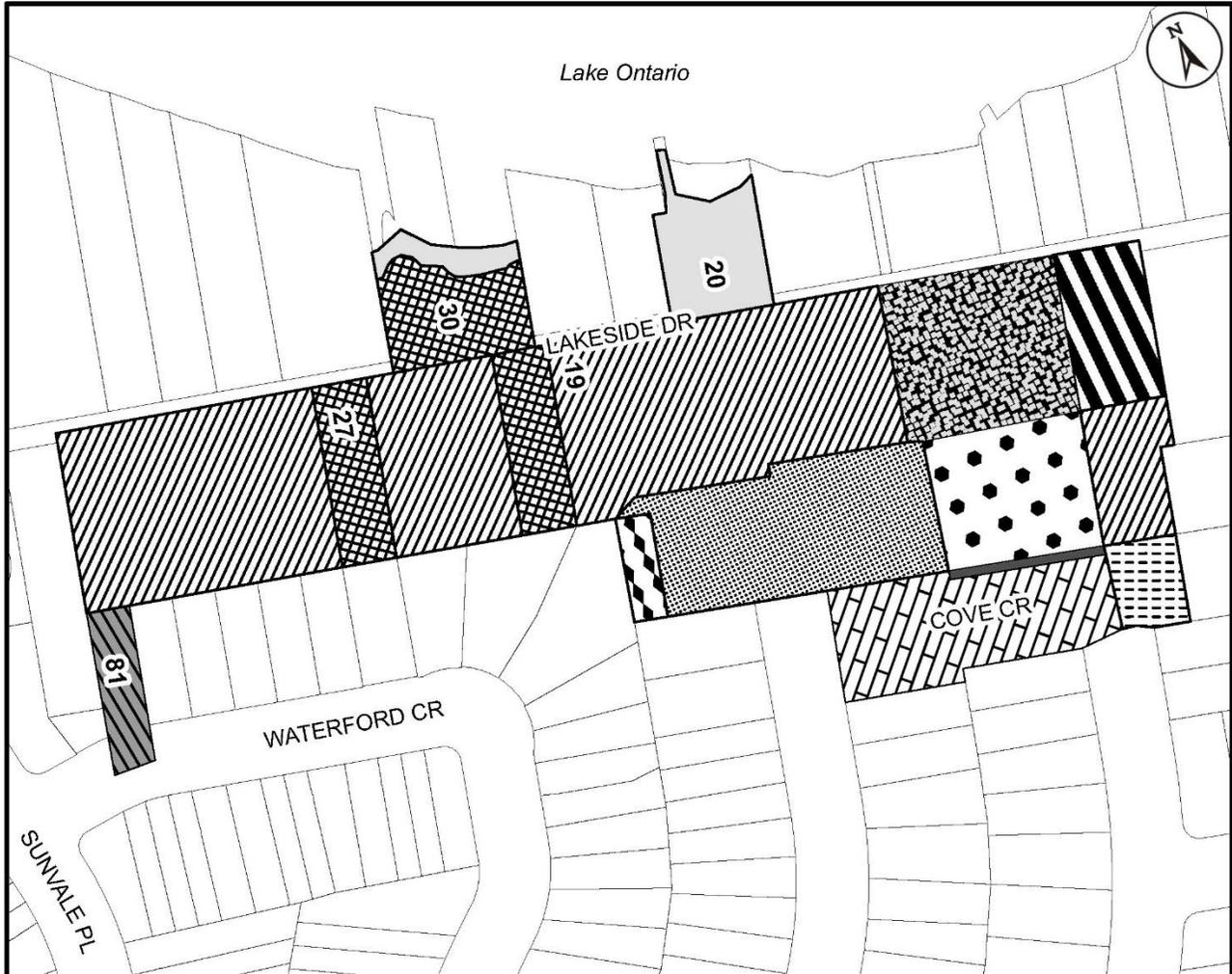
In addition to Subsection 6.5.3 of Section 6.5, Single Residential "R4" Zone, those lands zoned "R4-38" by this By-law shall not apply to corner lots.

- 8. 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 Single Residential "R3" Zone and the Single Residential "R4" Zone, subject to the special requirements referred to in Sections 2 through 7 of this By-law.
- 9. 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 ___, 2022.

Fred Eisenberger
Mayor

A. Holland
City Clerk



This is Schedule "A" to By-law No. 22-
Passed the day of, 2022

Mayor

Clerk

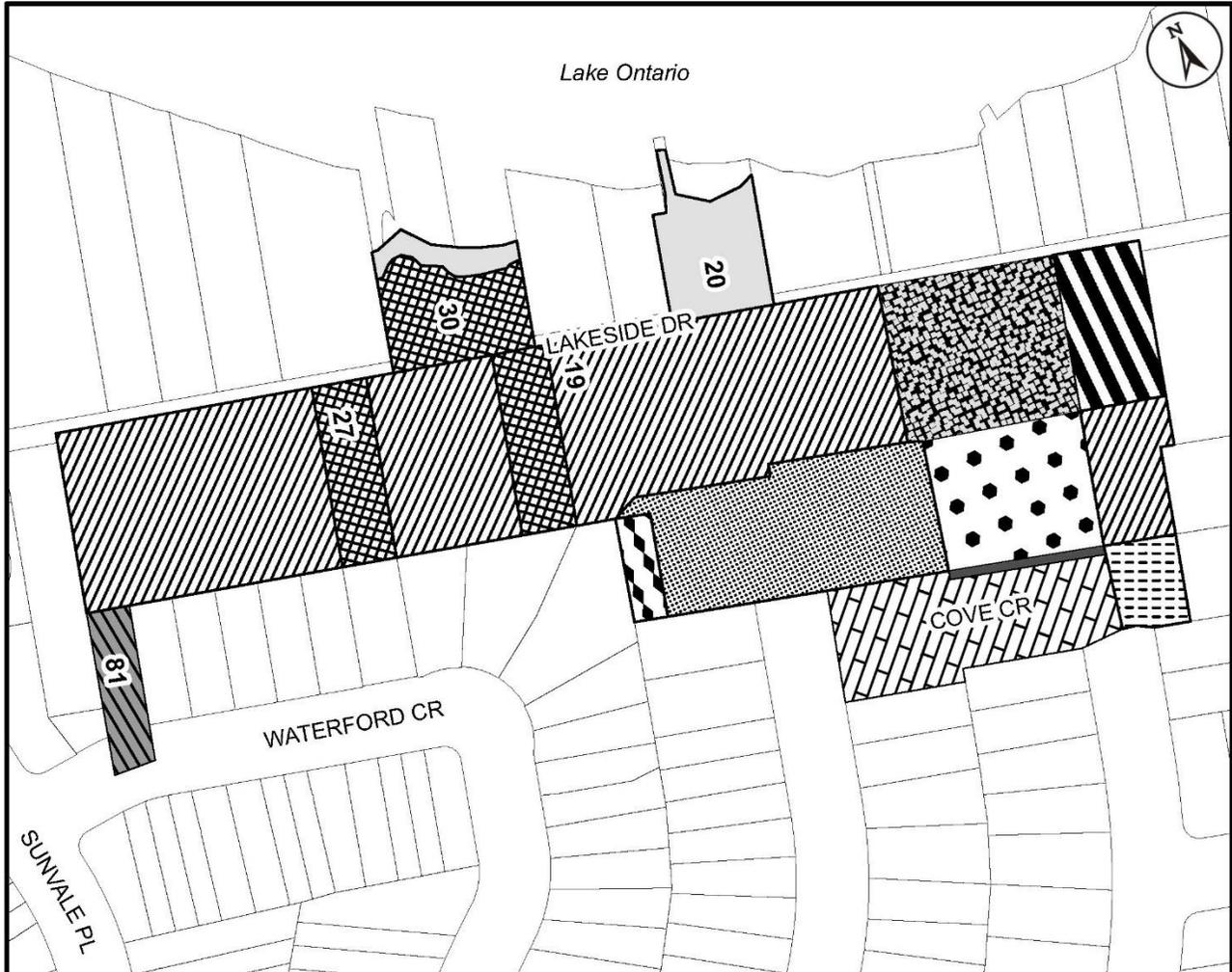
Schedule "A"
Map forming Part of
By-law No. 22- _____
to Amend By-law No. 3692-92
Map 1 of 2

- Subject Property**
11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent
-  Block 1 – Change in zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R3-46" Zone, Modified
 -  Block 2 – Change in zoning from the Single Residential "R2" Zone to the Single Residential "R3-46" Zone, Modified
 -  Block 3 – Change in zoning from the Single Residential "R3-4" Zone, Modified to the Single Residential "R3-46" Zone, Modified
 -  Block 4 – Change in zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R3-47" Zone, Modified
 -  Block 5 – Change in zoning from the Single Residential "R3" Zone, Modified to the Single Residential "R3-47" Zone, Modified
 -  Block 6 – Change in zoning from the Single Residential "R3-4" Zone, Modified to the Single Residential "R3-47" Zone, Modified

Scale:
N.T.S.
Date:
June 9, 2022

File Name/Number:
ZAC-17-015 & 251-201703
& UHOPA-17-005
Planner/Technician:
TV/VS





This is Schedule "A" to By-law No. 22-
Passed the day of, 2022

Mayor

Clerk

Schedule "A"
Map forming Part of
By-law No. 22- _____
to Amend By-law No. 3692-92
Map 2 of 2

- Subject Property**
11, 19, 20, 21, 23, 27 and 30 Lakeside Drive and 81 Waterford Crescent
-  Block 7 – Change in zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R3-48" Zone, Modified
 -  Block 8 – Change in zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R3-48(H)" Zone, Modified
 -  Block 9 – Change in zoning from the Single Residential "R3" Zone to the Single Residential "R3-49" Zone, Modified
 -  Block 10 – Change in zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R4-38" Zone, Modified
 -  Block 11 – Change in zoning from the Single Residential "R3-4" Zone, Modified to the Single Residential "R4-38" Zone, Modified
 -  Refer to By-law 05-200

Scale:
N.T.S.
Date:
June 9, 2022

File Name/Number:
ZAC-17-015 & 25T-201703
& UHOPA-17-005
Planner/Technician:
TV/VJS

