

Authority: Item 17, Planning and Economic
Development Committee
Report; 05-014(PED05022)
CM: June 29,2005

Bill No. 187

CITY OF HAMILTON

BY-LAW NO. 05-187

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located at 711 North Service Road

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 17 of Report 05-014 of the Planning and Economic Development Committee at its meeting held on the 29th day of June, 2005, 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 Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

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 by changing the zoning from the Multiple Residential "RM5-5" Zone to the Multiple Residential (Holding) "RM5-8(H)" Zone, the lands comprised of 711 North Service Road, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

By-law respecting Lands located at 711 North Service Road

(Page 2 of 3)

2. That Subsection 6.12.6, "Special Exemptions" of Section 6.12, Multiple Residential "RM5" Zone, of Zoning By-law No. 3692-92, be amended by adding a new special exemption, "RM5-8", as follows:

RM5-8(H) 711 North Service Road, Schedule "A" ,Map No. 2

In addition to the uses permitted in Section 6.12.2 of the Multiple Residential "RM5" Zone, those lands zoned "RM5-8(H)" by this By-law may also be used for a clubhouse for a private marina, and associated marina parking.

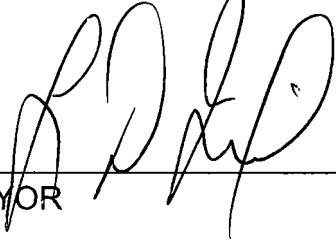
Notwithstanding the provisions of Section 6.12.3 of the Multiple Residential "RM5" Zone, the following provisions shall apply to those lands used for a clubhouse for a private marina; the total lot coverage for a clubhouse for a private marina shall not exceed 10 percent of the total lot area, but in no case shall the total lot coverage of all buildings on a lot exceed the maximum lot coverage permitted in the zone; the minimum setback from the top of bank of the marina basin shall be 6 metres; the minimum front yard setback shall be 8 metres and 0.5 metres from any other lot line; the maximum building height shall be 14.0 metres; a landscape strip having a minimum width of 4.5 metres shall be provided adjacent to every portion of any lot line that abuts a street, except for points of ingress and egress; a landscape strip having a minimum width of 3.0 metres shall be provided adjacent to the north property line; and a landscape strip having a minimum width of 1.5 metres shall be provided adjacent to the east property line.

The (H) symbol may be removed at such time as the owner receives site plan approval for the expansion of the associated marina parking. The (H) symbol shall not apply to the lands when developed for residential purposes.


All other provisions of the Multiple Residential "RM5-5" Zone shall apply.

3. 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 29th day of June, 2005.

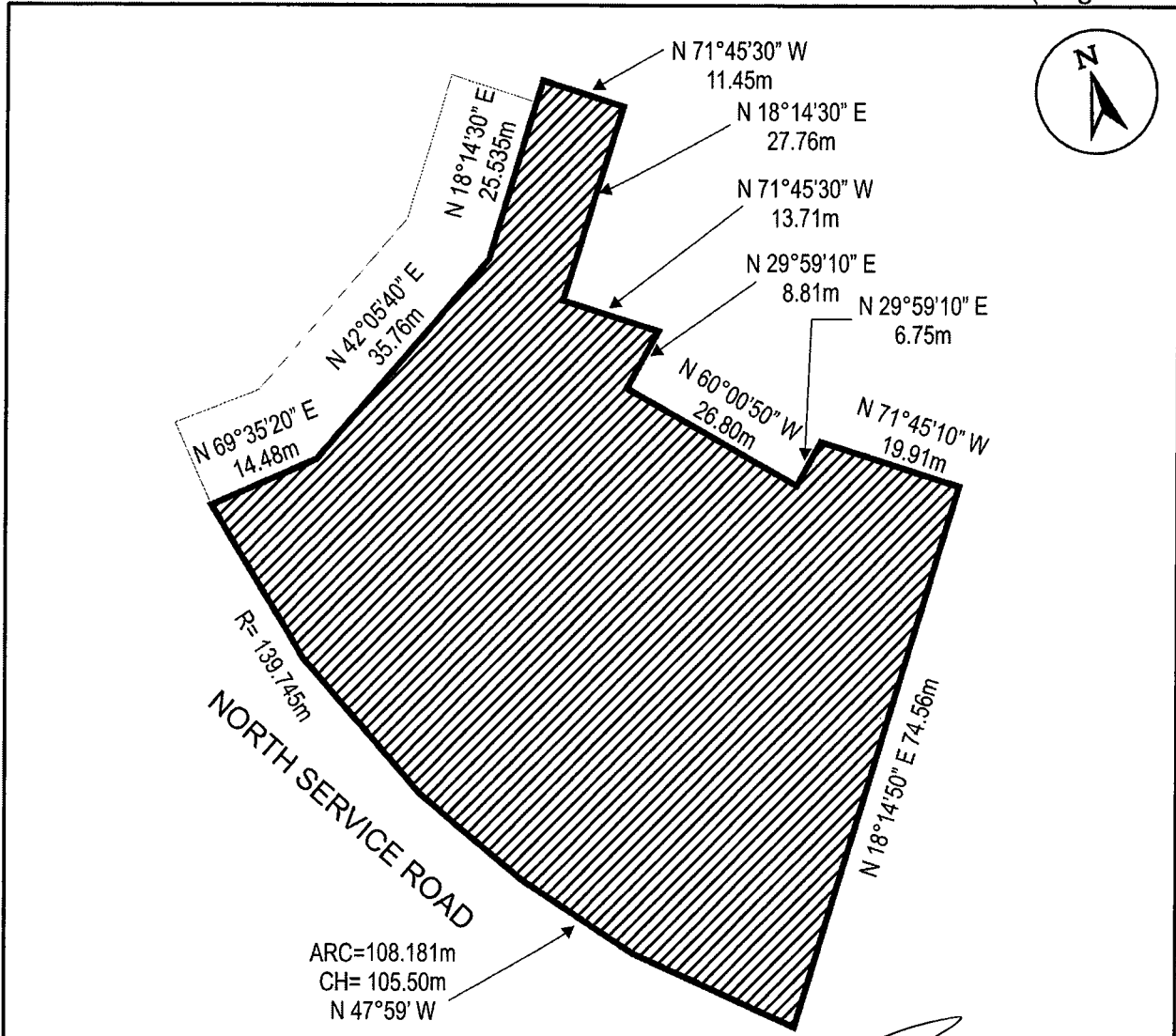


MAYOR



CLERK

ZAR-05-19



This is Schedule "A" to By-Law No. 05-187

Passed the 29th day of June, 2005

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 05-187
to Amend By-Law No. 3692-92



Hamilton

Subject Property

711 North Service Road



Change from the Multiple Residential "RM5-5" Zone to the Multiple Residential (Holding) "RM5-8(H)" Zone.

North



Scale:
Not to Scale

Date:
February 2005

File Name/Number:
ZAR-05-19

Planner/Technician:
MJ/LC