

Authority: Item 8
Planning Committee
Report: 13-011 (PED13117)
CM: July 9, 2013

Bill No. 183

CITY OF HAMILTON

BY-LAW NO. 13-183

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands Located at 528 Jones 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 8 of Report 13-011 of the Planning Committee, at its meeting held on the 12th day of July, 2013, 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 (the Official Plan of the former City of Stoney Creek);

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 from the Rural Residential "RR" Zone to the Single Residential "R2-62" Zone, Modified, on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Sub-section 6.3.7, "Special Exemptions", of Section 6.3 Single Residential "R2" Zone, of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding Special Exemption "R2-62", as follows:

"R2-62" - 528 Jones Road, Schedule "A", Map No. 2

For the purpose of this By-law, a Common Element Condominium road shall be deemed to be a street.

Notwithstanding the provisions of Paragraphs (a), (b), (d), (e), (f), and (g) of Section 6.3.7 "Zone Regulations", on those lands zoned "R2-62" by this By-law, the following shall apply:

- (a) Minimum Lot Area - 380 sq. m.
- (b) Minimum Lot Frontage - 12m measured 7.5m from the front lot line.
- (d) Minimum Side Yard - 1.25m, except 0.6m where a southerly side yard abuts a common element condominium block that abuts Copes Lane. A 0.6m minimum side yard shall only be permitted on the side of the dwelling that does not contain an attached garage.
- (e) Minimum Rear Yard - 7.5m, except as provided in Clauses 1, 2, and 3 below:
- (1) On a lot that abuts Lake Ontario, a minimum 7.5m setback shall be provided and maintained from a Conservation/Hazard Land (P5) Zone that is not a common element condominium block;
 - (2) On a lot that abuts Lake Ontario and also abuts a common element condominium block along a rear lot line, a minimum rear yard of 1.25m shall be provided and maintained; and,
 - (3) On a lot that does not abut Lake Ontario, but does abut a common element condominium block along a rear lot line, a minimum rear

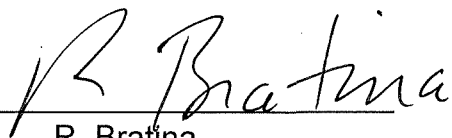
yard of 4.5m shall be provided and maintained.

(f) Maximum Building Height - 11 metres, except on a lot that abuts a common element condominium block that directly abuts Copes Lane to the south, a maximum building height of 11 metres and 2 ½ storeys shall be permitted and on a lot that abuts the easterly limits of the Single Residential "R2-62" Zone and does not abut a common element condominium block that directly abuts Copes Lane, a maximum building height of 9 metres and 2 storeys shall be permitted.

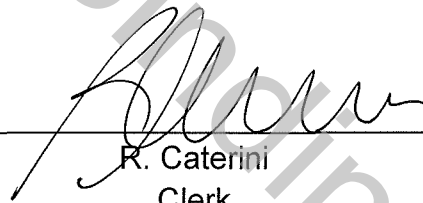
(g) Maximum Lot Coverage - 62 percent.

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 "R2" 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 12th day of July, 2013.

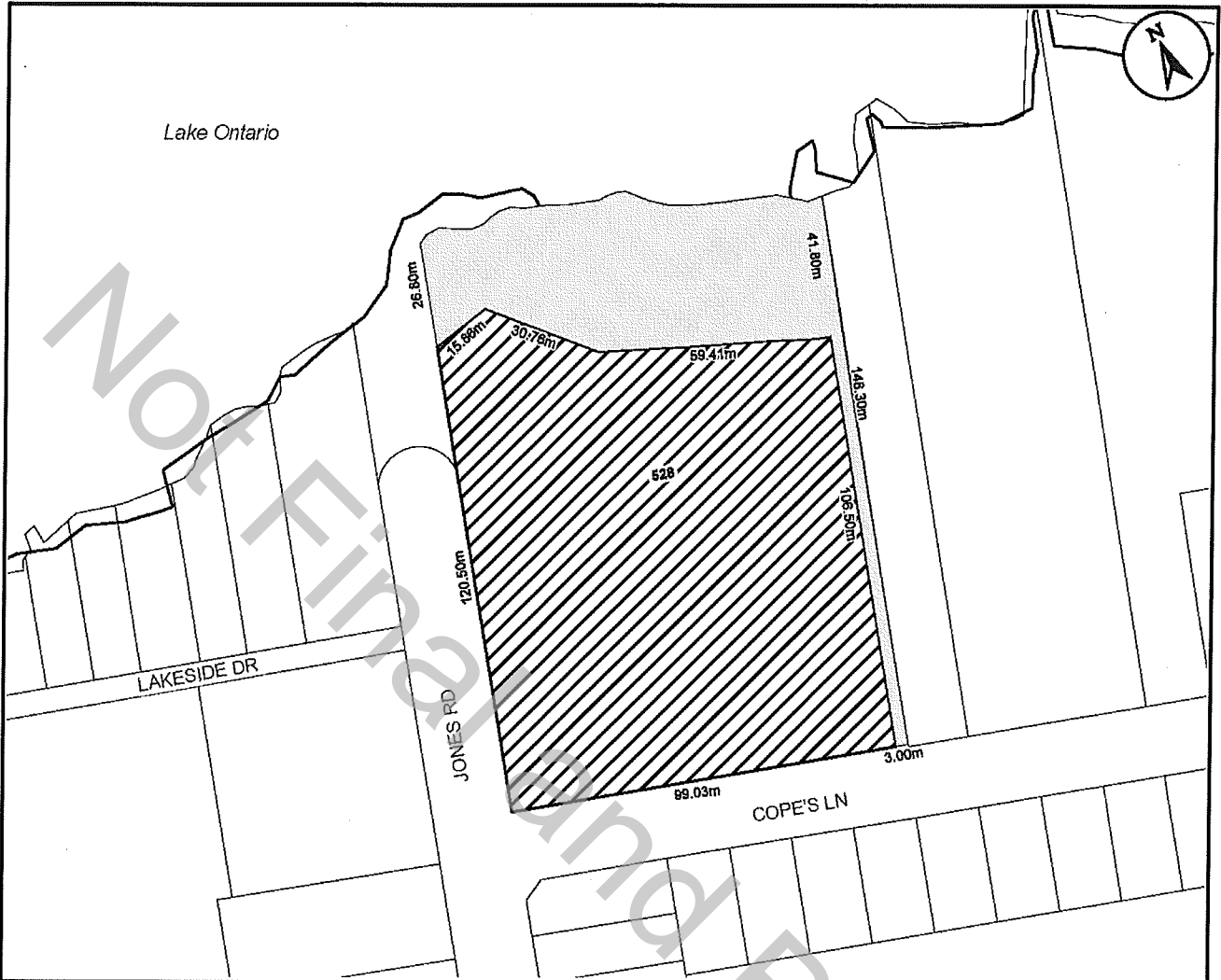


R. Bratina
Mayor



R. Caterini
Clerk

ZAC-11-080 / 25T-201110 / 25CDM-201116



This is Schedule "A" to By-law No. 13- 183
 Passed the 12th day of July, 2013

R. B. B. B. B.
 Mayor

 Clerk


Schedule "A"

Map Forming Part of
 By-law No. 13- 183

to Amend By-law No. 3692-92

Subject Property

528 Jones Road, Stoney Creek

 Change in Zoning from the Rural Residential "RR" Zone to the Single Residential "R2-62" Zone.

 Refer to Zoning By-law No. 05-200

Scale: N.T.S.	File Name/Number: ZAC-11-080, 25T-201110, 25CDM-201116
Date: April 26, 2013	Planner/Technician: GM/DB
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

