

Authority: Item 4, Planning Committee
PED20082
CM: August 21, 2020
Ward: 10

Bill No. 174

CITY OF HAMILTON

BY-LAW NO. 20-174

To Amend Zoning By-law No. 3692-92

Respecting Lands Located at 42, 44, 48, 52 and 54 Lakeshore Drive, 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 4 of Report 20-007 of the Planning Committee at its meeting held on the 21st day of August, 2020, which recommended that Zoning By-law No. 3692-92, be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan.

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 Rural Residential "RR" Zone to the Single Residential "R2-66" Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That Subsection 6.3.7, "Special Exemptions" of Section 6.3, Single Residential "R2" Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption "R2-66", as follows:

"R2-66" 42, 44, 48, 52 and 54 Lakeshore Drive, Schedule "A" Map No. 2

For the purpose of this By-law, a common element condominium road shall be deemed to be a street, a condominium unit shall mean a vacant land condominium unit within a draft approved or registered plan of vacant land condominium, and the rear lot line shall be the northern boundary of the Single Residential "R2-66" Zone, Modified.

No direct access shall be provided to individual dwelling units from Watershore Drive, with the exception of a common element condominium road.

Notwithstanding the provisions of Section 6.3.3 of Zoning By-law 3692-92, the total number of dwelling units permitted on lands zoned "R2-66" shall be 28 single detached dwellings.

Notwithstanding the provisions of Paragraphs (a), (b), (c) and (d) of Subsection 6.3.3 of Section 6.3, Single Residential "R2" Zone, on those lands zoned "R2-66" by this By-law, the following shall apply:

- (a) Minimum Lot Area - 2.4 hectares
- (b) Minimum Lot Frontage - 152.0 metres

- (c) Minimum Front Yard - 3.0 metres
- (d) Minimum Side Yard - 7.5 metres, except for a condominium unit which has a rear lot line abutting Lake Ontario, the minimum side yard shall be 1.25 metres.
- (h) Minimum Setback from a Common Element Condominium Road - 6.0 metres, except:
 - 1. On a corner unit, the minimum side yard abutting the flankage lot line shall be 3.0 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 6.0 metres of the flankage lot line. For the purpose of this subsection only, corner unit shall have the same meaning as a corner lot except that the meaning of street shall only be the common element condominium road.
- (i) Minimum Distance between Buildings on the Same Lot - 2.5 metres, except:
 - 1. 15.0 metres between end walls.
 - 2. 9.0 metres between a side wall and an end wall, except where a dwelling has two façades fronting a common element condominium road but is not a corner unit as defined in (h) above, the other two

façades shall be considered to be side walls with a minimum distance between buildings of 2.5 metres.

Notwithstanding the foregoing, features may project into the minimum distance between buildings in accordance with the provisions of Section 4.19 of this By-law.

For each condominium unit, the following regulations shall apply:

- (j) Unit Area
 - Minimum - 410 square metres
 - Maximum - 2,200 square metres

- (k) Unit Frontage
 - Minimum - 9.8 metres
 - Maximum - 23.2 metres

- (l) Site Plan Approval - The location of a dwelling on each condominium unit shall be within the minimum setbacks and distance between buildings as delineated on the approved Site Plan, pursuant to Section 41 of the Planning Act.

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 Single Residential “R2” Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.

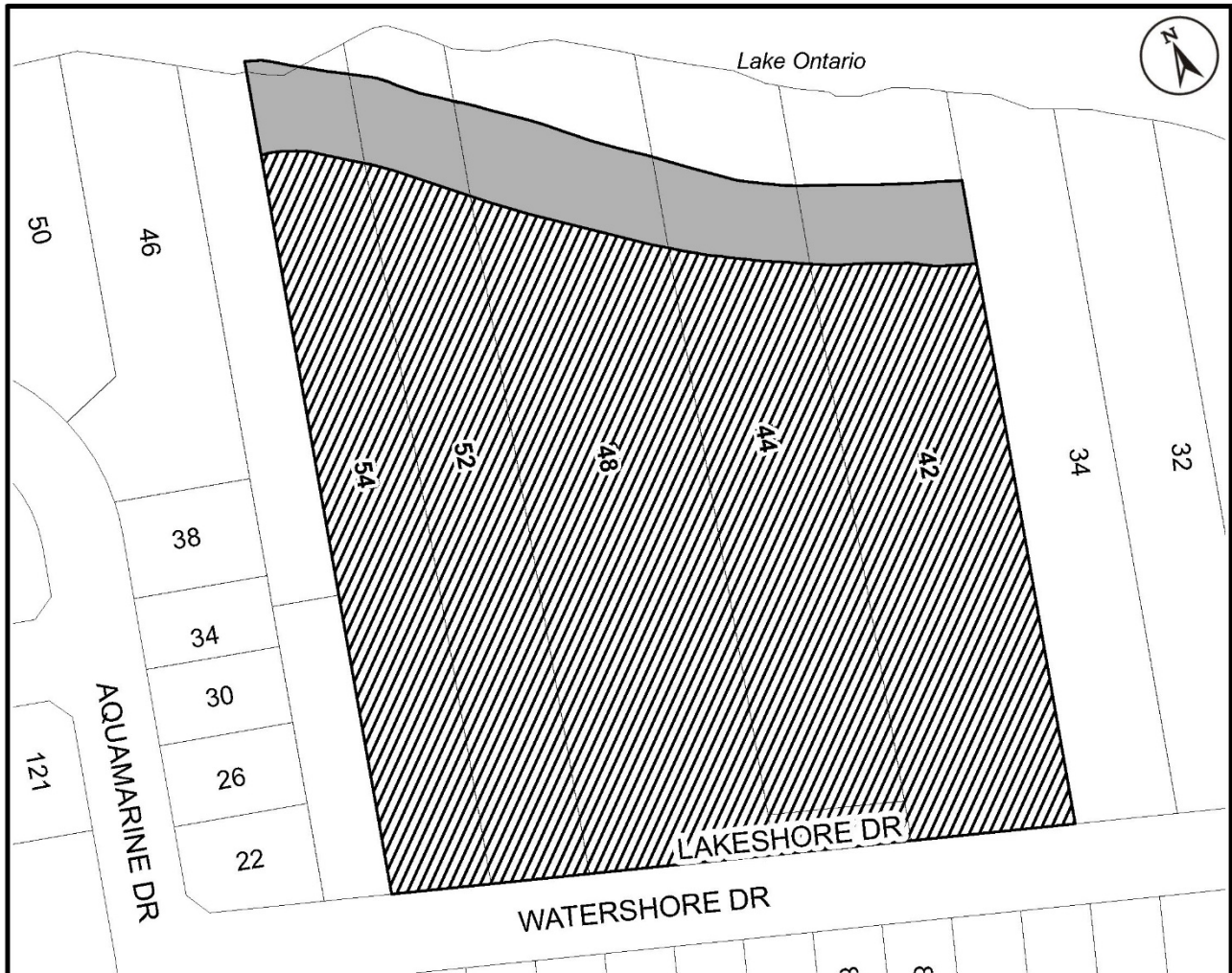
4. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED and ENACTED this 21st day of August, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-18-005




This is Schedule "A" to By-law No. 20-
 Passed the day of, 2020


 Mayor

 Clerk

Schedule "A"
Map forming Part of
By-law No. 20-_____
to Amend By-law No. 3692-92

Subject Property
 42, 44, 48, 52 and 54 Lakeshore Drive

 Change in zoning from the Rural Residential "RR" Zone to the Single Residential "R2-66" Zone, Modified

 Refer to By-law No. 05-200

Scale:
 N.T.S

Date:
 April 15, 2020

File Name/Number:
 ZAC-18-005 / 25CDM-201802

Planner/Technician:
 TV/VS

