

Authority: Item 3, Planning Committee
Report 23-001 (PED23003)
CM: January 25, 2023
Ward: 9

Bill No. 017

CITY OF HAMILTON

BY-LAW NO. 23-017

To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 15 Ridgeview 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 3 of Report 23-001 of the Planning Committee at its meeting held on the 25th day of January, 2023, 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. 180.

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

1. That Map No. 11 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 “R4(H1)” Zone, Holding (Block 1), the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”;
 - (b) by changing the zoning from the Neighbourhood Development “ND” Zone to the Single Residential “R4-39(H1)” Zone, Modified, Holding (Block 2), the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”;

- (c) by changing the zoning from the Neighbourhood Development “ND” Zone to the Multiple Residential “RM2-47(H1)” Zone, Modified, Holding (Block 3), the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”; and,
 - (d) by changing the zoning from the Neighbourhood Development “ND” Zone to the Multiple Residential “RM3-72(H1, H2)” Zone, Modified, Holding (Block 4), the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. 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(H1)”, as follows:

“R4(H1)” 15 Ridgeview Drive, Schedule “A”, Map No. 11 (Block 1)

On those lands zoned “R4(H1)” by this By-law, the Holding (H) symbol may be removed and thereby give effect to the “R4” Zone provisions, upon completion of the following:

- (H1) That Niagara Escarpment Commission (NEC) Development Permit W/R/2021-2022/203, become Final and Binding and all conditions are cleared to the satisfaction of the Niagara Escarpment Commission.

3. 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 “R4-39(H1)”, as follows:

“R4-39(H1)” 15 Ridgeview Drive, Schedule “A”, Map No. 11 (Block 2)

Notwithstanding the provisions of Paragraph (b) Corner Lot of Subsection 6.5.3 of Section 6.5, Single Residential “R4” Zone, on those lands zoned “R4-39(H1)” by this By-law, the following shall apply:

- (b) Minimum Lot Frontage
Corner Lot – 12.5 metres

On those lands zoned “R4-39(H1)” by this By-law, the Holding (H) symbol may be removed and thereby give effect to the “R4-39” Zone provisions, upon completion of the following:

- (H1) That Niagara Escarpment Commission (NEC) Development Permit W/R/2021-2022/203, become Final and Binding and all conditions are cleared to the satisfaction of the Niagara Escarpment Commission.

4. That Subsection 6.9.6, "Special Exemptions" of Section 6.9, Multiple Residential “RM2” Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption “RM2-47(H1)”, as follows:

“RM2-47(H1)” 15 Ridgeview Drive, Schedule “A” Map No. 11 (Block 3)

Notwithstanding the provisions of Paragraph (d) Corner Lot and (h) of Subsection 6.9.3 of Section 6.9, Multiple Residential “RM2” Zone, on those lands zoned “RM2-47(H1)” by this By-law, the following shall apply:

- (d) Minimum Side Yard
End Unit – 1.5 metres
- (h) Maximum Building Height - 11.0 metres and the elevation of the peak of the roof shall be a maximum of 198.30 masl.

On those lands zoned “RM2-47(H1)” by this By-law, the Holding (H) symbol may be removed and thereby give effect to the “RM2-47” Zone provisions, upon completion of the following:

- (H1) That Niagara Escarpment Commission (NEC) Development Permit W/R/2021-2022/203, become Final and Binding and all conditions are cleared to the satisfaction of the Niagara Escarpment Commission.
5. That Subsection 6.10.7, "Special Exemptions" of Section 6.10, Multiple Residential “RM3” Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption “RM3-72(H1, H2)”, as follows:

“RM3-72(H1, H2)” 15 Ridgeview Drive, Schedule “A”, Map No. 11 (Block 4)

Notwithstanding Part 2 - Definitions, as it relates to the definition of Landscape Strip an Entry Feature Wall shall be permitted within the landscaped strip provided and thereafter maintained adjacent to every portion of any lot that abuts a street except for points of ingress and egress.

In addition to 6.10.4 and notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), (g) and (i) of Section 6.9.3, on those lands zoned “RM3-72(H1, H2)” by this By-law, the following shall apply:

- (a) Minimum Lot Area
 - Interior Unit – 160 square metres
 - End Unit – 200 square metres
 - Corner Unit – 200 square metres
- (b) Minimum Lot Frontage
 - Interior Unit – 6.5 metres
 - End Unit – 7.4 metres
 - Corner Unit – 7.4 metres
- (c) Minimum Front Yard – 5 metres, except that a minimum

- setback of 6 metres shall be provided between the streetline and an attached garage.
- Corner Unit – 4.20 metres, except that a minimum setback of 6 metres shall be provided between the streetline and an attached garage.
- (d) Minimum Side Yard
End Unit – 1.25 metres for end units, except 1.5 metres where an end wall abuts the wall of another townhouse.
Corner Unit – 1.25 metres
- (e) Minimum Rear Yard – 6.0 metres, except 3.0 metres abutting a zone which permits single detached dwellings
- (g) Minimum Landscaped Open Space – Not less than 35 percent of the lot area for maisonettes townhouses and dwelling groups shall be landscaped, including privacy areas.
- (i) Maximum Lot Coverage – 52%

In addition to the provisions of Section 6.9.4 “Regulations for Parking” of Zoning By-law No. 3692-92, on those lands zoned “RM3-72(H1, H2)” by this By-law, the following additional requirement shall apply:

- (c) That a minimum of 0.5 visitor parking spaces per unit shall be provided and maintained within the common element condominium.

On those lands zoned “RM3-72(H1, H2)” by this By-law, the Holding (H) symbol may be removed and thereby give effect to the “RM3-72” Zone provisions, upon completion of the following:

- (H1) That Niagara Escarpment Commission (NEC) Development Permit W/R/2021-2022/203, become Final and Binding and all conditions are cleared to the satisfaction of the Niagara Escarpment Commission.
- (H2) That the owner demonstrates the following:
- i. That the storm conveyance Block 37 has been adequately sized and designed to accommodate a storm sewer outlet and overland drainages from both Blocks 27 and 28 including Street ‘A’ in line with a low point on Street ‘A’ without having any impact on Block 27 and 28;

- ii. That Blocks 27 and 28 top of grate (TOG) elevations for all rear yard catch basins (RYCB's) along the south limit on both Blocks 27 and 28 are set a minimum of 0.3 m above the maximum water elevation on the emergency spillway of the Stormwater Management (SWM) pond on the abutting land to the south. All RYCB's shall be designed considering 50% blockage conditions;
- iii. That the 5-year hydraulic grade line (HGL) considering 5-year operating level in the abutting pond (Nash 3 pond) is below obvert of the proposed storm sewer on Street 'A' and Block 37; and,
- iv. Blocks 27 and 28 shall remain undevelopable until such time as the ultimate storm water management pond facility is approved by all approval agencies with jurisdiction (City of Hamilton, Ministry of the Environment, Conservation and Parks, Niagara Escarpment Commission, Hamilton Conservation Authority),

all to the satisfaction of the satisfaction of Manager of Engineering Approvals, Growth Management Division.

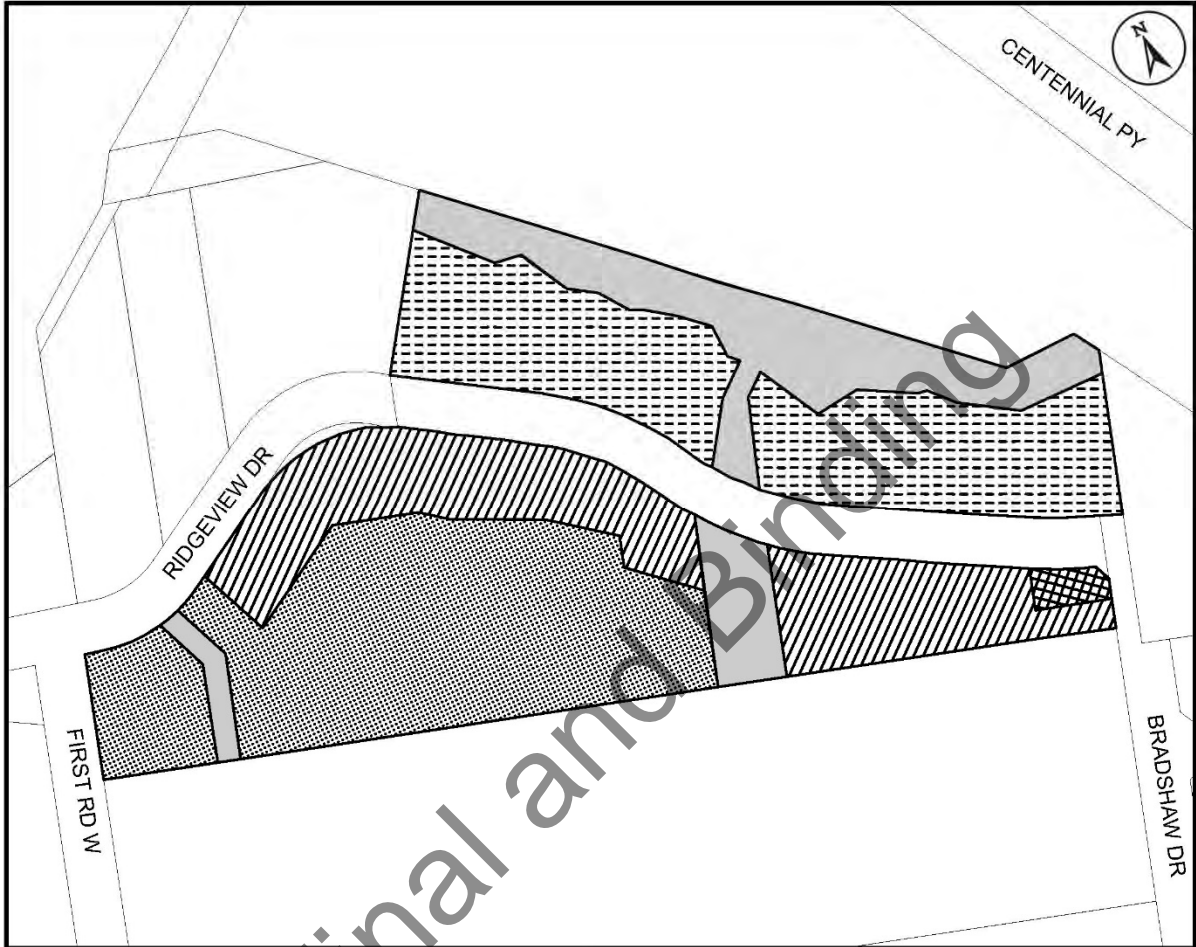
6. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Single Residential "R4" Zone and the Multiple Residential "RM2" and the Multiple Residential "RM3" Zone, subject to the special requirements referred to in Sections 2 through 5 of this By-law.
7. 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 8th day of February, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

ZAC-17-001/25T-201701/UHOPA-17-001



This is Schedule "A" to By-law No. 23-

Passed the day of, 2023

 Mayor

 Clerk






Schedule "A"

Map forming Part of
 By-law No. 23-_____

to Amend By-law No. 3692-92

Subject Property

15 Ridgeview Drive, Stoney Creek

-  Block 1 - Change in zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R4(H1)" Zone, Holding
-  Block 2 - Change in zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R4-39(H1)" Zone, Modified, Holding
-  Block 3 - Change in the zoning from the Neighbourhood Development "ND" Zone to the Multiple Residential "RM2-47(H1)" Zone, Modified, Holding
-  Block 4 - Change in zoning from the Neighbourhood Development "ND" Zone to the Multiple Residential "RM3-72(H1, H2)" Zone, Modified, Holding
-  Refer to By-law No. 05-200

Scale: N.T.S	File Name/Number: ZAC-17-001 & 251-201701 & UHOPA-17-001
Date: January 6, 2023	Planner/Technician: MF/VS
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

