

Authority: Item 6, Planning Committee
Report 18-003 (PED18018)
CM: February 28, 2018
Ward: 11

Bill No. 055

CITY OF HAMILTON

BY-LAW NO. 18-055

To Amend Zoning By-law 3692-92 (Stoney Creek) Respecting lands located at 2 Glover Mountain Road (Stoney Creek)

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";

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;

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

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;

WHEREAS the Council of the City of Hamilton, in adopting Item 6 of Report 18-003 of the Planning Committee, at its meeting held on the 28th day of February, 2018, which 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 Urban Hamilton Official Plan.

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 from Neighbourhood Development "ND" Zone to Single Residential "R4-34(H1, H2)" Zone, Modified (Blocks 1 – 4);
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 a new Special Exemption, "R4-34(H1, H2)", as follows:

"R4-34(H1, H2)" 2 Glover Mountain Road, Schedule "A", Map No. 1352

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), (e), (f), and (g) of Section 6.5.3 “Zone Regulations” of the Single Residential “R4” Zone and Section 4.19 “Yard Encroachments”, the regulations of the Single Residential “R4-31” Zone, Modified, as established under By-law No. 14-180, shall apply on those lands zoned “R4-34” by this By-law, and the following shall also apply:

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| (a) Maximum Building Height | 10.3 metres (2 storeys) and the elevation of the peak of the roof shall be a maximum of 196.5 masl. |
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Notwithstanding the provision of Section 3.8 “Holding Zones”, on those lands zoned “R4-34 (H1, H2)” by this By-law, the Holding symbol (H1) may be removed and thereby give effect to the “R4-34” Zone provisions in Section 2 above, upon completion of the following:

- (a) That a visual analysis is finalized including determination of the maximum building height as a Metre Above Sea Level (MASL) to the satisfaction of the Director of Planning and Chief Planner and the Niagara Escarpment Commission.

Notwithstanding the provision of Section 3.8 “Holding Zones”, on those lands zoned “R4-34 (H1, H2)” by this By-law, the Holding symbol (H2) may be removed and thereby give effect to the “R4-34” Zone provisions in Section 2 above, upon completion of the following:

- (a) That the Niagara Escarpment Commission (NEC) issue development permits for the creation of the lots, the road and the outlet / spillway and all conditions of the development permits are cleared to the satisfaction of Manager of Engineering Approvals, Growth Management Division.

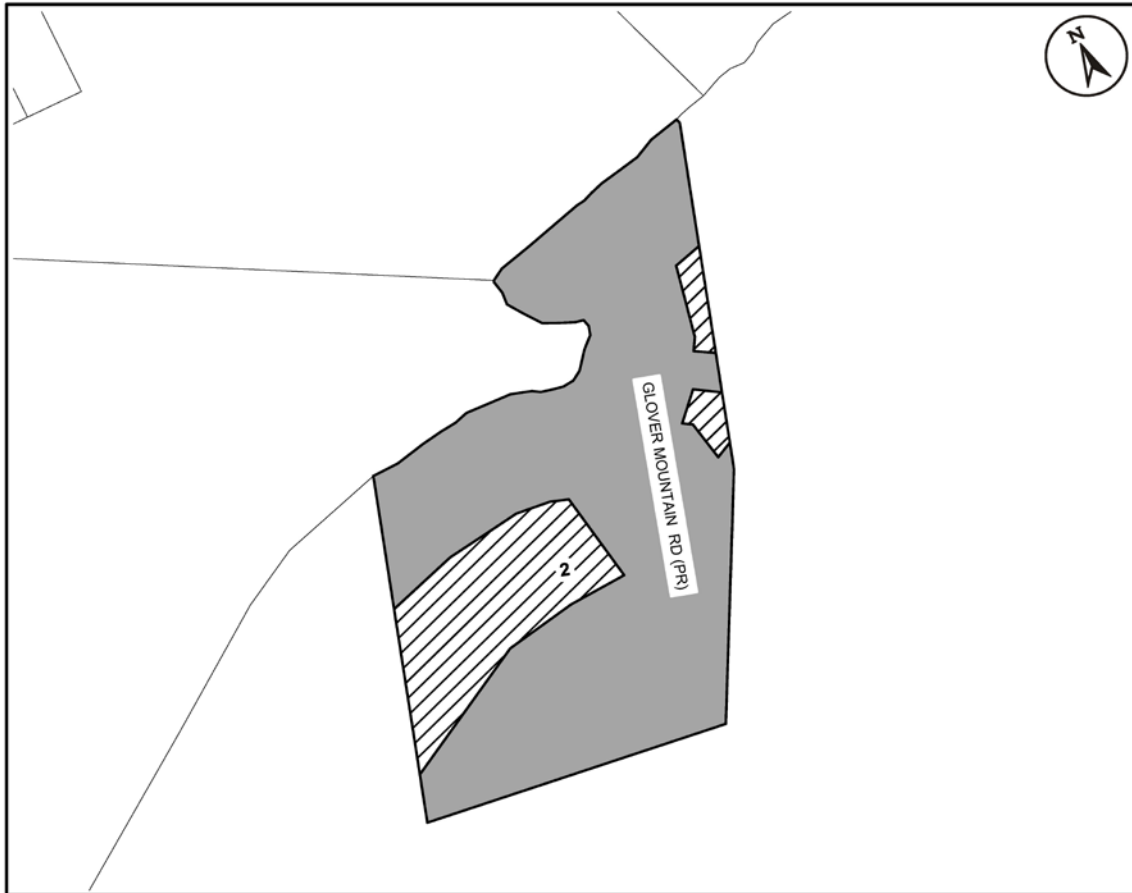
That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 28th day of February, 2018

F. Eisenberger
Mayor

R. Caterini
City Clerk

ZAC-16-001
25T-201601



This is Schedule "A" to By-law No. 18- Passed the day of, 2018	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 18-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 3692-92</p>	<p>Subject Property 2 Glover Mountain Road</p> <p> Change in Zoning from Neighbourhood Development "ND" Zone to the Single Residential "R4-34 (H1, H2, H3)" Zone, Modified</p> <p> Refer to By-law No. 05-200</p>
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Scale: N.T.S.	File Name/Number: ZAC-16-001/25T-201601		Date: Jan. 18, 2018
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT			Planner/Technician: JR/AL