

Authority: Item 9, Planning and Economic
Development Committee
Report: 06-004(PED06070)
CM: March 22, 2006

Bill No. 067

CITY OF HAMILTON

BY-LAW NO. 06-067

**To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting the Property
located at 4 Bridgewater Court**

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 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 6 of Report 06-004 of the Planning and Economic Development Committee at its meeting held on the 22nd day of March, 2006, 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. 10 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" Zone to the Multiple Residential "RM3-29" Zone, the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

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2. That Section 6.10.7, “Special Exemptions”, of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new special provision “RM3-29”, to include the following:

“RM3-29 4 Bridgewater Court, Schedule “A”, Map No. 10

Notwithstanding the permitted uses in Subsection 6.10 of the Multiple Residential “RM3” Zone, those lands zoned “RM3-29” by this By-law may only be used for multiple dwellings and uses, buildings or structures accessory thereto. For purposes of the “RM3-29” Zone, a multiple dwelling is defined as a “building or part thereof containing two or more dwelling units, but shall not include a semi-detached dwelling”.

Notwithstanding Subsections 6.1.4(a) and 6.1.8(c), no parking space shall be provided closer than 3 metres to any lot line, except for 2 parking spaces that are permitted to be located 0.0m to a side lot line, and one garbage enclosure is permitted to be located 0.0 metres from a rear lot line. Notwithstanding any of the Zone Regulations of Subsection 6.10.3 and Regulations for Parking of Subsection 6.10.5 of Zoning By-law No. 3692-92, for those lands zoned “RM3-29” by this By-law, the following shall apply:

Zone Regulations

- | | | |
|-----|--|---|
| (a) | Minimum Lot Area | - 4,000 square metres |
| (b) | Minimum Lot Frontage | - 50 metres |
| (c) | Minimum Front Yard | - 7.2 metres |
| (d) | Minimum Side Yard | - 4.8 metres to the westerly side lot line and 6.0 metres to all other side lot lines |
| (e) | Minimum Rear Yard | - 6.0 metres |
| (f) | Minimum Distance Between Buildings on the Same Lot | - 2.6 metres between end walls and 7.45 metres between all other walls |
| (g) | Maximum Density | - 62 dwelling units |
| (h) | Maximum Building Height | - 12 metres |
| (i) | Maximum Lot Coverage | - 35 percent |
| (j) | Minimum Landscaped Open Space | - Not less than 45 percent of the lot area for shall be landscaped |

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including privacy areas, and a minimum 4.5 metre landscaped strip shall be provided adjacent to any lot line abutting a street (except for ingress and egress). Privacy areas, a mail box area, and hydro transformer are permitted within the landscape strip.

Regulations For Parking

- (a) Minimum Number of Parking Spaces - 82 parking spaces
 - (b) 1 parking space is permitted within the required front yard no closer than 6 metres from the front property line.
 - (c) No parking space shall be located closer than 1.5 metres to any lot line or closer than 5 metres to any dwelling unit located on a lot other than the said lot, except that one parking space is permitted to be located 0.0 metres from the westerly side lot line, and one parking space is permitted to be located 0.0 metres from the northerly side lot line.
 - (d) Where there is a grouping of three or more parking spaces, no parking space shall be provided closer than 1.0 metre to any dwelling unit located on the same lot.”
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 Multiple Residential "RM3" Zone provisions, subject to the special requirements referred to in Section 2.
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 22nd day of March, 2006.



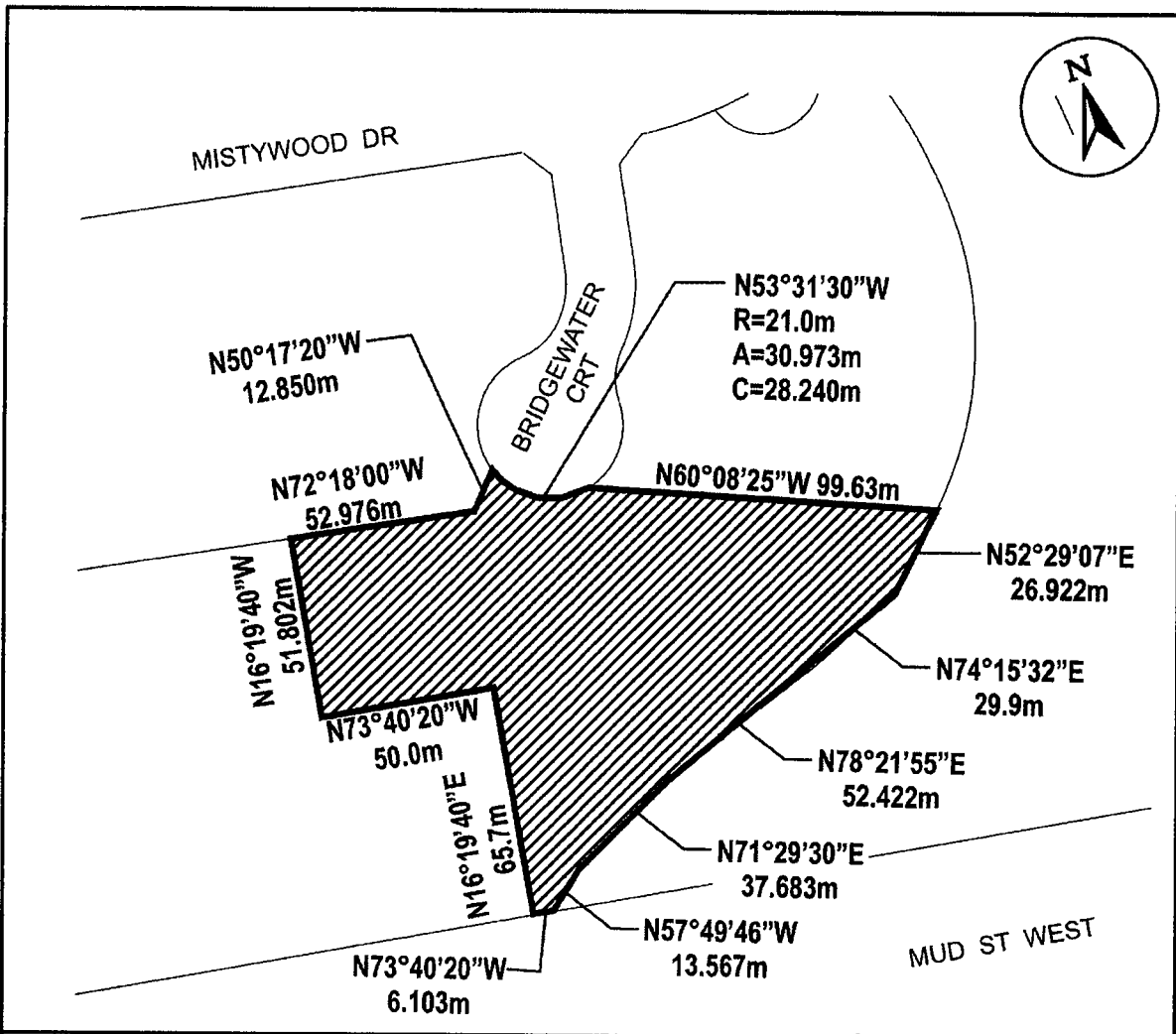
MAYOR



CLERK


ZAC-05-106

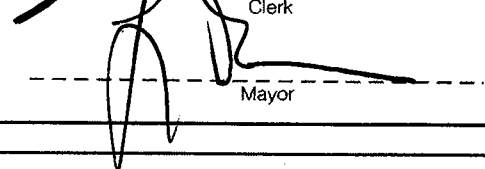
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This is Schedule "A" to By-Law No. 06-067

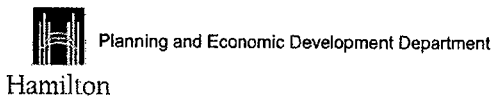
Passed the 22nd day of March, 2006


Clerk


Mayor

Schedule "A"

Map Forming Part of
By-Law No. 06-067
to Amend By-Law No. 3692-92




Subject Property

4 Bridgewater Court, Stoney Creek



Change in Zoning from the Multiple Residential "RM5" Zone to the Multiple Residential "RM3-29" Zone

N 	Scale: Not to Scale	File Name/Number: ZAC-05-106
	Date: February 2006	Planner/Technician: GM/LM

T&C File Name: