

Authority: Item 1
Planning Committee
Report: 13-014 (PED13120)
CM: September 25, 2013

Bill No. 240

CITY OF HAMILTON

BY-LAW NO. 13-240

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands Located at 1297 Baseline 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 1 of Report 13-014 of the Planning Committee, at its meeting held on the 25th day of September, 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 Urban Hamilton Official Plan, approved by the Minister under the Planning Act on March 16, 2011;

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

1. That Map No. 4 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended;
 - (i) by changing from the Neighbourhood Development "ND" Zone to the Single Residential "R2-63" Zone, Modified, the lands identified as "Block 1"; and,
 - (ii) by changing from the Single Residential "R1" Zone to the Single Residential "R2-63" Zone, Modified, the lands identified as "Block 2",

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, "R2-63"; as follows:

"R2-63" - 1297 Baseline Road, Schedule "A", Map No. 4

- (i) That notwithstanding the provisions of Paragraphs (b) and (d) of Section 6.3.3 "Zone Regulations", of Section 6.3, Single Residential "R2" Zone, of Zoning By-law No. 3692-92, on those lands zoned "R2-63" by this By-law, the following shall apply:

- | | |
|--------------------------|--|
| (b) Minimum Lot Frontage | |
| Interior Lot: | 14.9m. |
| | |
| (d) Minimum Side Yard: | 1.2m on the garage side and 0.8m on the non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2m, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.8m into the side yard of the lot adjacent the yard with a side yard setback less than 1.2m, except: |


On a lot where an emergency spillway / overland flow route shall be located or where back-to-front drainage is proposed, a minimum 2.0m side yard separation between buildings shall be provided and maintained between buildings along one common lot line.

- (ii) That notwithstanding the provisions of Paragraph (b) of Section 4.10.3 "Dimensions of Parking Spaces" of Section 4.10, Parking Regulations and Paragraph (d) of Section 6.1.8 "Parking Restrictions in Residential Zones" of Section 6.1, General Provisions for All Residential Zones, of Zoning By-law No. 3692-92, on those lands zoned "R2-63" by this By-law, the following shall apply:

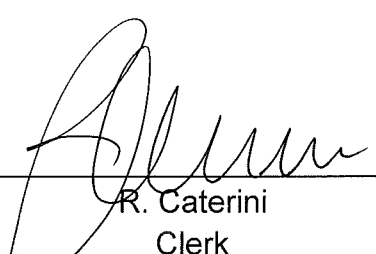
The minimum parking spaces dimension within a garage shall have a width of not less than 5.6m and a length of not less than 6m, exclusive of any land used to permit ingress or egress to said parking spaces, maneuvering areas, driveways, or aisles.

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 Single Residential "R2" Zone provisions, subject to the special requirements referred to in Section 2.
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 25th day of September, 2013.



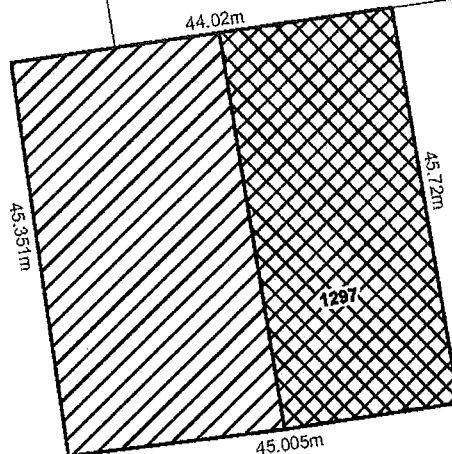
R. Bratina
Mayor



R. Caterini
Clerk



EAST ST



BASELINE RD

This is Schedule "A" to By-law No. 13- 240

Passed the ..25th.. day of ..September....., 2013

R. Bratina
 Mayor
[Signature]
 Clerk

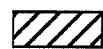
Schedule "A"

Map Forming Part of
By-law No. 13- 240

to Amend By-law No. 3692-92

Subject Property

1297 Baseline Road



Block 1 - Change in Zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R2-63" Zone, Modified.



Block 2 - Change in Zoning from the Single Residential "R1" Zone to the Single Residential "R2-63" Zone, Modified.

Scale:
N.T.S.

File Name/Number:
ZAC-12-048

Date:
Setp. 23, 2013

Planner/Technician:
MP/AL



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT