

Authority: Item 5
Planning Committee
Report 14-004 (PED14042)
CM: March 26, 2014

Bill No. 117

CITY OF HAMILTON

BY-LAW NO. 14-117

To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting the Property Located at 257, 259 and 261 Millen 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";

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 5 of Report 14-004 of the Planning Committee, at its meeting held on the 18th day of March, 2014, 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, approved by the Minister under the Planning Act on March 16, 2011, upon approval of OPA No. 16.

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

1. That Map No. 6 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 Single Residential "R2" Zone to the Multiple Residential "RM3-53" Zone, Modified, the lands comprised of "Block 1";
- (b) by adding lands from Zoning By-law No. 05-200 to the Multiple Residential "RM3-53" Zone, Modified, the lands comprised of "Block 2";

on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Sub-section 6.10.7, "Special Exemptions", of Section 6.10 Multiple Residential "RM3" Zone, of Zoning By-law No. 3692-92, be amended by adding a new Special Exemption, "RM3-53", as follows:

"RM3-53" 257, 259 and 261 Millen Road, Schedule "A", Map No. 6

Notwithstanding the provisions of Sub-section 6.10.3, Paragraphs (a), (c), (i) and (m) 2. & 3., of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-53" by this By-law, the following shall apply:

- (a) Minimum Lot Area 3,800 square metres
- (c) Minimum Front Yard: 5.8 m. to the building.
- (i) Maximum Density: 104 units per ha.
- (m) Minimum Landscaped Open Space:
 2. Not less than 22 per cent of the lot area for apartments shall be landscaped with at least 22 per cent of the required area being located in a yard other than the front yard.
 3. Not less than 1.5 metres of landscaped strip, which shall include a minimum 2 metre high fence with trees beside the fence, shall be provided along the north, south and west property lines.

Notwithstanding the provisions of Sub-section 6.10.5, Paragraphs (a)(2.), (b), (d) and (e) of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-53" by this By-law, the following shall apply:

- (a) Minimum Number of Parking Spaces:
 2. 1.0 parking space and 0.35 visitor parking spaces for each one bedroom dwelling unit other than a townhouse or maisonette.
- (b) No common parking space shall be located closer than 1.5 m. from a Zone for single detached, semi-detached or duplex dwellings.
- (d) Where the required minimum number of parking spaces is four or more, no parking space shall be provided closer than 1.5 m. to northerly lot line, and 2.0 m. to the westerly lot line.

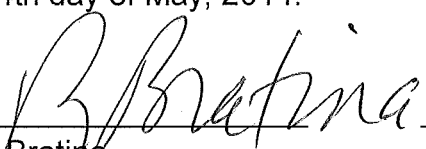
- (e) Where there is a grouping of three or more parking spaces, no parking space shall be provided closer than 1.5 m. to the building on the same lot.

Notwithstanding the Parking Regulations in Section 4.10.3 (a), Dimensions of Parking Spaces, no parking space shall be less than 2.6 m. in width x 5.5 m. in length, unless otherwise provided for in this By-law.

Notwithstanding the Loading Regulations in Section 4.9.2, Schedule of Required Loading Spaces, no loading space shall be required.

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 Multiple Residential "RM3" 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 14th day of May, 2014.



R. Bratina
Mayor



R. Caterini
City Clerk

ZAC-12-001
OPA-12-001



This is Schedule "A" to By-Law No. 14- 117
 Passed the 14th day of May, 2014

R. Bortone
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 14- 117

to Amend By-law No. 3692-92

Subject Property

257, 259, & 261 Millen Road



Block 1: Change in Zoning from the Single Residential "R2" Zone to the Multiple Residential "RM3-53" Zone, Modified



Block 2: Lands to be removed from By-law No. 05-200 and zoned Multiple Residential "RM3-53" Zone, Modified

Scale:
 N.T.S.

File Name/Number:
 ZAC-12-001 & OPA-12-001

Date:
 February 18, 2014

Planner/Technician:
 JM/NB



Hamilton