

Authority: Item 3, Planning Committee
Report 18-009 (PED 18114)
CM: June 13, 2018
Ward: 9

Bill No. 167

CITY OF HAMILTON

BY-LAW NO. 18-167

To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 15 Picardy 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 18-009 of the Planning Committee at its meeting held on the 13th day of June 2018, which recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided; and,

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan upon adoption of UHOPA No.105;

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 as follows:
 - (a) by changing the zoning from the Neighbourhood Development “ND” Zone to the Multiple Residential (Holding) “RM3-63 (H)” Zone, Modified.
2. 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 a new Special Exemption, “RM3-63 (H)”, as follows:

RM3 – 63 (H)

Notwithstanding the provisions of Paragraphs 6.10.3 “Zone Regulations for Maisonettes”, Paragraphs (a), (b), (c), (d), (f), (i), (j), (k), (l), (m), 6.10.4 “Zone Regulations for Street Townhouses”, Section 6.9.3 “Zone Regulations” (a), (b), (c), (d), (e), (f), (g), (h), (i), Section 4.10.3 a), b), 4.10.4(a), 4.16.1(a), Section 6.1.8 c) and d), and Section 6.10.5 “Regulations for Parking”, Paragraph (a):

REGULATIONS

(a)	Minimum Lot Area:	<u>Street Townhouses</u>	<u>Maisonettes</u>
	Interior Unit	100 square metres	81 square metres
	Corner Unit	140 square metres	105 square metres
	End Unit	130 square metres	105 square metres
(b)	Minimum Lot Frontage:	<u>Street Townhouses</u>	<u>Maisonettes</u>
	Interior Unit	5.5 metres	6.4 metres
	Corner Unit	7.5 metres	8.25 metres
	End Unit	7.1 metres	8.25 metres
(c)	Minimum Front Yard:	<u>Street Townhouses</u>	<u>Maisonettes</u>
		4.4 metres to the dwelling unit, 3.25 metres to the dwelling for an end unit on a private road and 6.0 metres to the attached garage	4.0 metres to the dwelling unit and 6.0 metres to the attached garage
(d)	Minimum Side Yard:	<u>Street Townhouses</u>	<u>Maisonettes</u>
	End Unit	1.5 metres	1.6 metres
	Corner Unit	1.5 metres	1.5 metres
(f)	Minimum Rear Yard:	6.0 metres	0.0 metres
(i)	Maximum Density:	59 units per net hectare	
(j)	Maximum Building Height:	<u>Street Townhouses</u>	<u>Maisonettes</u>

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|--|---|--|
| | 12.25 metres | 12.5 metres |
| (k) Maximum Lot Coverage: | <u>Street Townhouses</u> | <u>Maisonettes</u> |
| | 55% | Shall not apply |
| (l) Minimum Privacy Area: | <u>Street Townhouses</u> | <u>Maisonettes</u> |
| | 34 square metres | 4.0 square metres
to be located on a
balcony or patio in
the front yard |
| (m) Minimum Landscaped
Open Space: | Shall not apply to maisonettes | |
| (n) Minimum Number of
Visitor Parking Spaces: | 26 visitor parking spaces to be
provided | |
| (o) | Notwithstanding Section 4.10.3 a), required parking spaces for 90 degree
perpendicular parking shall have minimum rectangular dimensions of 2.6
metres by 5.5 metres. | |
| (p) | Notwithstanding Section 4.10.4 (a), a minimum of four (4) designated
parking spaces shall be provided with a minimum rectangular dimension
of 2.75 metres and 3.4 metres by 5.5 metres, when adjacent to a 1.5
metre access aisle. | |
| (q) | Notwithstanding Section 4.16.1 (a), unitary equipment may be located not
less than 0.5 metres to any side lot line. | |
| (r) | Notwithstanding Section 6.1.8 c), parking spaces shall be a minimum of
3.1 metres from a dwelling unit. | |
| (s) | Notwithstanding Section 6.1.8 d), parking spaces shall have a width of not
less than 2.6 metres and a length of not less than 5.5 metres and parking
spaces for physically challenged persons all have a width of not less than
2.75 metres and 3.4 metres when adjacent to a 1.5 metre access aisle
and a length of not less than 5.5 metres, exclusive to any land used to
permit ingress or egress to said parking spaces, manoeuvring areas,
driveways or aisles. | |
| (t) | For the purpose of this By-law, a parkette of 618 square metres shall be
provided within the subject development. | |
| (u) | For the purpose of this By-law, maisonettes may front onto a public street. | |

- (v) Notwithstanding any provision to the contrary, prior to the registration of a plan of subdivision or condominium, 28 maisonette units and 43 street townhouse dwelling units, shall be permitted on one parcel of land.
 - (w) For the purpose of this By-law, a Private Common Element Condominium road shall be deemed a street and that landscaping and visitor parking for the dwelling units fronting onto the common element condominium road are permitted within the common element condominium road.
3. Notwithstanding the provisions of Section 3.8 “Holding Zones”, on those lands zoned “RM3-63(H)” of this By-law, the Holding Provision “RM3-63(H)” (Multiple Residential) Zone, Modified, be removed conditional upon:
- a) The owner demonstrating that the existing sanitary sewer on Lormont Boulevard at Picardy Drive can be adequately upsized to provide sufficient capacity to meet City standards and to share in the upgrade costs for development greater than 40 dwelling units, to the satisfaction of the Senior Director, Growth Management.
 - b) City Council may remove the ‘H’ symbol and thereby give effect to the “RM3-63” (Multiple Residential) Zone, as amended by the special requirements of this By-law, by enactment of an amending By-law once the above condition has been fulfilled.
4. 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 of this By-law.
5. 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 27th day of June, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-16-033
UHOPA-16-013



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> <h3 style="margin: 0;">Map Forming Part of By-law No. 18-_____</h3> <p style="margin: 0;">to Amend By-law No. 3692-92</p>	<p>Subject Property 15 Picardy Drive, Stoney Creek</p> <p> Change in Zoning from Neighbourhood Development "ND" Zone to the Multiple Residential Holding "RM3-63(H)" Zone, Modified</p>
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Scale: N.T.S.	File Name/Number: ZAC-16-13 & UHOPA-16-13	<p style="margin: 0;">Hamilton</p>
Date: Jan. 31, 2018	Planner/Technician: GZ/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

To Amend Zoning By-law No. 3692-92
Respecting Lands Located at 15 Picardy Drive (Stoney Creek)