



## **Planning and Development Services**

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### **Via Email Only**

September 1, 2021

File No.: D.18.12.ZA-21-0089

Mr. Gerrit Boerema  
Planner II  
Township of West Lincoln  
318 Canborough Street  
Smithville, ON L0R 2A0

Dear Mr. Boerema:

**Re: Provincial and Regional Comments  
Township-Initiated Housekeeping Amendments No. 5  
Township File No.: 1601-0012-21 (ZBA)  
Township of West Lincoln**

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Thank you for providing Regional Planning and Development Services staff with an opportunity to review and comment on the Township of West Lincoln Housekeeping Amendments No. 5. As described in the Notice of Public Meeting, the purpose of the amendment is to update the Township of West Lincoln Zoning By-law 2017-70 to permit new residential unit types, including back-to-back townhouses, stacked townhouse units, and stacked back-to-back townhouse units. The amendment will also introduce zoning provisions to regulate the unit types listed above.

Regional staff reviewed the information circulated with the Notice of Public Meeting and offer the following comments from a Provincial and Regional perspective for the Township's consideration.

### **Provincial and Regional Policies**

The Provincial Policy Statement, 2020 (PPS) directs planning authorities to provide for an appropriate range and mix of housing options and densities to meet the projected market-based and affordable housing needs of current and future residents. To achieve this, Section 1.4.3 PPS directs planning authorities to permit all housing options and types of residential intensification. Similarly, the policies of A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan) promote the achievement of complete communities that provide a diverse range and mix of housing options. As proposed, the Zoning By-law Amendment will permit back-to-back townhouses, stacked townhouse units, and stacked back-to-back townhouse units. Consistent with

the PPS direction, the proposed Zoning By-law Amendment will also establish associated provisions regulating the development of the above noted unit types. Regional staff is satisfied that the objectives of the proposed Zoning By-law Amendment are consistent with the PPS and conform with the policies of the Growth Plan as the amendment will facilitate residential intensification, promote densities for new housing, and establish development standards for new residential development.

The Regional Official Plan, 2014 (ROP) supports development that contributes to a range of housing types, including housing that is affordable, accessible, and suited to the needs of different household and income groups. The housing policies of the ROP are set out in Chapter 11 – Housing and Community Services, and Policy 11.A.1 specifically outlines that the Region encourages the provision of a variety of housing types within urban communities and neighbourhoods.

As proposed, the Zoning By-law Amendment will apply to lands zoned for residential development and will permit additional unit types, contributing to the intensification and diversification of the Township's housing stock. The Township of West Lincoln Zoning By-law 2017-70 establishes eleven (11) residential zones, which include rural residential, low density residential, medium density residential, and high density residential zones. Regional staff note that the policies of the ROP support all types of residential intensification; however, the proposed unit types may not be suitable for the rural residential zone. The ROP only permits low intensity non-farm residential uses in the Rural Area; however, this is subject to meeting all of the provisions contained in Chapter 5.C and the criteria outlined in Policy 5.C.2. Based on Regional staff's review of the information circulated with the amendment, Regional staff are not satisfied that the proposed unit types, which include back-to-back townhouses, stacked townhouse units, and stacked back-to-back townhouse units, constitute a low-intensity residential use. Accordingly, Regional staff recommend that the Township identify specific urban residential zones where the proposed unit types will be permitted. Subject to the above comment concerning the Rural Area, Regional staff is satisfied that the proposed Zoning By-law Amendment conforms with the intent of the ROP to facilitate the development of a range of housing types and densities in the Township.

## **Conclusion**

Regional Planning and Development Services staff commend the Township for its ongoing efforts to update the Township of West Lincoln Zoning By-law 2017-70. To confirm that the amendment is consistent with the PPS and conforms with Provincial and Regional policies, Regional staff request that the Township circulate a copy of the Zoning By-law Amendment once drafted.

Should you have any questions or wish to discuss these comments, please contact the undersigned at [siobhan.kelly@niagararegion.ca](mailto:siobhan.kelly@niagararegion.ca) or Aimee Alderman, MCIP, RPP, Senior Development Planner, at [aimee.alderman@niagararegion.ca](mailto:aimee.alderman@niagararegion.ca)

Kind regards,

D.18.12.ZA-21-0089

September 1, 2021

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A handwritten signature in cursive script, reading "Siobhan Kelly".

Siobhan Kelly  
Development Planning Student

cc: Aimee Alderman, MCIP, RPP, Senior Development Planner, Niagara Region



KITCHENER  
WOODBRIDGE  
LONDON  
KINGSTON  
BARRIE  
BURLINGTON

August 25, 2021

Brian Treble, Director of Planning & Building  
Township of West Lincoln  
318 Canborough Street  
Smithville, ON L0R 2A0

Dear Mr. Treble:

**RE: TOWNSHIP-INITIATED ZONING BY-LAW AMENDMENT #5 – INTRODUCTION OF NEW HOUSING TYPES**  
**Township File: 1601-0012-21 (ZBA)**  
**Impacts to Station Meadows West Subdivision**  
**OUR FILE: 19112A**

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MacNaughton Hermesen Britton and Clarkson ('MHBC') are retained by P. Budd Developments Inc., with respect to their Station Meadows West Subdivision located east of South Grimsby Road 5, west of Las Road and north of the CP Rail corridor of the Township of West Lincoln. These lands were recently the subject of applications for Draft Plan of Subdivision and a Zoning By-law Amendment (Township File Nos. 2000-089-19 / 1601-21-19 / 2100-089-19).

We understand the Township has initiated a Zoning By-law Amendment (ZBA) regarding townhouse regulations which has been identified as a 'housekeeping' amendment to address 'new housing types.' The Township has determined that the housing type, "back-to-back townhouse", is currently not a permitted use in any zone in the By-law and requires 'additional regulations.' Another matter pertaining to this type of dwelling unit that is noted by the Township is that this form of dwelling unit does not provide rear yards which, it is assumed, results in reduced minimum lots sizes and amenity areas per dwelling unit or lot. While back-to-back townhouse units appear to be the focus of the Amendment, the Township has stated in its Public Notice that it will undertake a 'general review' of stacked townhouse and stacked back-to-back townhouse dwelling unit typologies.

In terms of public engagement, the Township has noted one formal engagement activity to be undertaken, the Statutory Public Meeting. This meeting is to be held on September 13, 2021 as noted in the Township's Public Meeting Notice. This Notice indicates the following:

*The Township of West Lincoln is undertaking amendments to the Township zoning bylaw to include new housing unit types including back-to-back townhouses, stacked townhouse units and stacked back-to-back townhouse units. Currently these units are defined in the zoning bylaw but do not have any regulations regarding setbacks, height*



*and lot coverage. The Township is proposing to introduce new zoning regulations for these units, as well as permit them in certain residential zones.*

The staff report indicated that Town staff would confer with two recent developers regarding the proposed Zoning By-law Amendment. The report was unclear as to the transparency of such discussions and the manner in which the discussion or decisions would be made publicly available.

The following provides our understanding of the Township's existing Zoning By-law regulations as they pertain to the townhouse dwelling unit typologies and the back-to-back zoning regulations that remain applicable to the Station Meadows West Subdivision.

### **ASSESSMENT OF ZONING BY-LAW 2017-70 REGULATIONS IN EFFECT**

#### **Zoning By-law 2017-70: Part 2 Definitions**

Based on the Staff Report PDS-81-2021 and the Public Meeting Notice, it is important to note Zoning By-law regulations as they pertain to townhouse dwelling units.

The in effect Township's Zoning By-law 2017-70 currently regulates back-to-back townhouse developments as this dwelling unit type is defined in the By-law's Part 2, Definitions section through two definitions. As noted in the Township's Planning Staff Report PD-81-2021, the definition of "back-to-back" townhouse is:

##### **DWELLING, BACK-TO-BACK TOWNHOUSE**

means a dwelling divided by common walls, including a common rear wall, into four (4) or more attached dwelling units, to a maximum of eight (8) dwelling units, each having a separate entrance from the exterior of the dwelling.

Back-to-Back Townhouse is then regulated under the definition of 'Townhouse', which specifically states that the definition 'includes' 'back-to-back' townhouse as follows:

##### **DWELLING, TOWNHOUSE**

means a dwelling divided by common walls into three (3) or more attached dwelling units, to a maximum of eight (8) dwelling units, each having a separate entrance from the exterior of the dwelling, and includes a back-to-back townhouse dwelling.

This signifies that the regulations for setbacks, building height, lot coverage and of 'townhouse dwelling' units apply to back-to-back townhouse dwelling units. See footnote 4 of Table 15 Regulations for Permitted Uses in Medium and High Density Residential Zones that states the following:

(4) No rear yard is required for a back-to-back townhouse dwelling.

It should also be noted, that because 'back-to-back' townhouse is defined in Zoning By-law 2017-70, this indicates that it is not a new 'type' of townhouse dwelling unit. Similarly, 'Stacked Townhouse' is also defined in the Zoning By-law:

**DWELLING, STACKED TOWNHOUSE**

means a dwelling containing four (4), six (6) or eight (8) attached dwelling units and wherein pairs of dwelling units are stacked and divided vertically and each pair of dwelling units is divided horizontally from the next attached pair, and each dwelling unit has an independent entrance from the exterior of the dwelling to the interior of the dwelling unit.

**Back-to-Back & Stacked Back-to-Back Townhouse: Applicable Regulations**

Utilizing the Township's current definitions in the Zoning By-law 2017-70, and given that back-to-back townhouses are identified as a 'townhouse', and that 'townhouse' may be applicable to stacked back-to-back townhouse dwelling units, the use is permitted in the RM2 and RM3 zones. The regulations for setbacks, building height, and lot coverage (and other regulations) in the RM2 and RM3 zones are as follows:

<b>Zoning By-law 2017-70: Table 15: Regulations for Permitted Uses in Medium and High Density Residential Zones (Excerpt of Regulations for Townhouse Dwellings (that includes back-to-back townhouse))</b>		
<b>Regulation</b>	<b>RM2</b>	<b>RM3</b>
Minimum lot area per dwelling unit	200 m <sup>2</sup>	180 m <sup>2</sup>
Minimum lot frontage*	30 m	30 m
Minimum front yard	4.5 m	4.5.m
<b>Minimum rear yard**</b> - Adjoining a lot in a low density residential zones	7.5 m	
<b>Minimum rear yard**</b> - Adjoining a lot in any other zone	6 m	
Minimum exterior side yard	3 m	3 m
Maximum lot coverage	50%	50%
Maximum height	12 m	12 m
Minimum landscaped open space	25%	
Amenity Area – 3 or 4 dwelling units on one lot	20 m <sup>2</sup> per dwelling unit	
Amenity Area – 5 to 8 dwelling units on one lot	40 m <sup>2</sup> plus 10 m <sup>2</sup> per dwelling unit	
Amenity Area – with 9 or more dwelling units on one lot	-	80 m <sup>2</sup> plus 5.5 m <sup>2</sup> per dwelling unit

\* (2) Where multiple attached dwellings are located on the same lot in the RM2 or RM3 Zone, including more than one type of attached dwelling, the minimum lot frontage requirement of the RM2 or RM3 zone, as applicable, shall be 30 metres in the case of a lot that contains one or more fourplex and/or townhouse dwelling and/or stacked townhouse dwelling, and 20 metres in all other cases, and shall apply to the entire lot. For semi-detached dwellings where each unit is located on a separate lot, and for street townhouse dwellings, each lot shall meet the prescribed minimum lot frontage.

\*\* **No rear yard is required for a back-to-back townhouse dwelling.**

## Attachment 1 to PD-94-2021

The Staff Report PD-81-2021 claimed the following:

Back-to-back Townhouse dwellings need special zoning consideration as they do not have rear yards as typical townhouses do. This results in reduced minimum lot sizes and amenity areas per dwelling unit/lot.

As noted above, and in Table 15 of Zoning By-law 2017-70, back-to-back townhouse dwelling units are already regulated and do not need special zoning consideration. Similarly, the RM2 and RM3 regulations for 'amenity areas' identify area requirements based on a per dwelling unit calculation. This means that the amenity space area is increased when there is an increased provision of dwelling units. In the RM3 zone, a townhouse with greater than 9 units requires even greater amenity area per dwelling unit than a 3-unit townhouse.

Given the definition of 'townhouse dwelling' in the Zoning By-law, the regulations for 'townhouse dwelling' would apply to a site plan application for a stacked back-to-back townhouse. Municipalities generally apply the stricter regulations of the applicable permitted use. It should also be noted that for each definition of townhouse unit (e.g. townhouse, back-to-back and stacked) there is a common and applicable regulation, that being that each dwelling unit must have "a separate entrance from the exterior of the dwelling".

### **Key Concerns with Township-Initiated Zoning By-law Amendment**

Based on Staff Report 81-2021 and the Public Meeting Notice regarding the Township-initiated Zoning By-law Amendment, and given the existing definitions for townhouse dwellings in Zoning By-law 2017-70, several concerns are raised:

- Recent applications requesting approval of medium density residential dwelling units does not constitute a 'new issue' but rather a matter wherein they are applications for permissible uses already contained within the current Zoning By-law;
- The proposed amendment is not a 'housekeeping' amendment, given that in Report PD-81-2021 staff stated that "a general review of all housing types" would be undertaken. This may represent a comprehensive review and such an amendment may affect all residential dwelling unit types; and
- In context of Council's conditional approval of the Station Meadows West subdivision plan, which was designed based on back-to-back and stacked townhouses under the Town's existing Zoning By-law regulations pertaining to same, it is of concern that the Town may introduce alternative regulations that affect the calculated densities as approved.

### **Conclusion**

Given that Zoning By-law 2017-70 contains regulations for all types of townhouse dwelling units, it is unclear as to the purpose of Amendment No. 5 as proposed. Council recently conditionally approved the Station Meadows West subdivision plan with the proposed medium residential densities and dwelling unit types, as well as the correlated site specific zoning by-law amendment for the subdivision.

## Attachment 1 to PD-94-2021

As noted in Staff Report PD 81-2021, that the "Township will also consult the development community including two developers who have recently proposed to develop back-to-back townhouse dwelling units," we hope that P. Budd Developments Inc. is one of the two developers to be consulted.

Yours Truly,

**MHBC**



Oz Kemal, BES, MCIP, RPP  
Partner



Tamara Tannis, MCP, MCIP, RPP  
Associate

cc. *P. Budd*  
*Bev Hendry, CAO*  
*Gerrit Boerema, Planner*

**Gerrit Boerema**

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**From:** Jared Marcus <Jared.Marcus@IBIGroup.com>  
**Sent:** August 31, 2021 12:31 PM  
**To:** Gerrit Boerema  
**Subject:** RE: Back-to-back housing units

Hi Gerrit,

Here are some comments I have on the draft regulations:

1. Lot Area: Most of these Back to Back developments will feature freehold lots, so If the intention is that this area applies to an individual lot then it might not be realistic. However, if the idea is that you're dealing with a block development that incorporates lot area as a density type of metric it might work. For example, the individual lots in Blocks 80 & 84 in Thrive have Back to Back lots that are  $13.36\text{m} \times 6.38\text{m} = 85.2\text{m}^2$ . However, if you were to look at one of the concepts we did for Block 80 that featured all Back to Back units you would have had a block of  $8,774\text{m}^2 / 52 \text{ units} = 168.7\text{m}^2/\text{unit}$ . Some of the more recent developments we have worked on in the area had individual lot size in the 78-84 $\text{m}^2$  range:
  - a. DeSantis, Stoney Creek Myst development – Back to Back design has a lot that is  $12.89\text{m} \times 6.22\text{m} = 80.1\text{m}^2$ ;
  - b. DeSantis, Beamsville Centre Square development - Back to Back design has a lot that is  $12.62\text{m} \times 6.22\text{m} = 78.5\text{m}^2$ ;
  - c. DiCarlo Homes, Burlington LIV development – Back to Back design has a lot that is  $13.11\text{m} \times 6.40\text{m} = 83.9\text{m}^2$ ;
  - d. New Horizon Development Group, Stoney Creek Waterfront Trails development – Back to Back design has a lot that is  $12.77\text{m} \times 6.45\text{m} = 82.3\text{m}^2$ ;
  - e. Branthaven Homes, Grimsby Bravo development – Back to Back design has a lot that is  $12.54\text{m} \times 6.40\text{m} = 80.2\text{m}^2$ .
2. Lot Frontage: Is there a need to include a per lot width like what is done with Street Townhouse instead of Townhouse? Similar to the previous comment, a lot of these are going to be freehold lots.
3. Rear Yard Setback: Obviously these units don't have rear yards, but in the same way as a Block Townhouse development you might want to keep a rear yard setback to ensure appropriate interface with other zones/housing types. Maybe a clause for rear yards can be used that is similar to subscript 3 that deals with the Semi-Detached side yards?
4. Min. Balcony size appears to work.

I can't remember where I left off in this review as I forgot about it on Friday.

Jared

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**From:** Gerrit Boerema <gboerema@westlincoln.ca>  
**Sent:** Friday, August 13, 2021 11:00 AM  
**To:** Jared Marcus <Jared.Marcus@IBIGroup.com>  
**Subject:** Back-to-back housing units

Hi Jared,

Sorry I missed the meeting yesterday – Brian says it was a good meeting and we plan on debriefing sometime next week.

Did you ever send me anything on general back-to-back townhouse dwelling zoning provisions? I thought you did but when I looked through my email I could not find anything. Below is what I have drafted so far. There are still some gaps and formatting issues and this still needs to be reviewed by Brian. Interested in your thoughts and how this would fit in with the back to back units in the Thrive development.

Highlighted and bold identify the changes.

## PART 6 RESIDENTIAL ZONES

### A. APPLICABLE ZONES

The permitted *uses* and regulations of Part 6 apply to land within the following *zones*:

Zone	Symbol
Rural Residential	RuR
Residential Low Density	– Type 1A R1A – Type 1B R1B – Type 1C R1C – Type 1D R1D – Type 2 R2 – Type 3 R3
Residential Medium Density	– Type 1 RM1 – Type 2 RM2 – Type 3 RM3 – <b>Type 4 RM4</b>
Residential High Density	RH

These *zones* apply to land identified with the corresponding *zone* symbol as shown in Schedule “A”.

### PERMITTED USES

In the *zones* identified in Section 6.1, no *person* shall *use* or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* for any purpose except in accordance with the permitted *uses* in Table 13.

**Table 13: Permitted Uses in Residential Zones**

Uses	Zones where Permitted											
<b>Principal Uses</b>												
<i>Apartment dwelling</i>										RM3	<b>RM4</b>	RH
<i>Duplex dwelling</i>									RM2			
<i>Fourplex dwelling</i>									RM2	RM3		
<i>Retirement home</i>												RH
<i>Semi-detached dwelling</i>						R2	R3	RM1	RM2	RM3		
<i>Single detached dwelling</i>	RuR	R1A	R1B	R1C	R1D	R2	R3					
<i>Stacked townhouse dwelling</i>										RM3		
<i>Street townhouse dwelling</i>								RM1	RM2	RM3		
<i>Back to Back townhouse dwelling</i>											<b>RM4</b>	
<i>Stacked townhouse dwelling</i>											<b>RM4</b>	
<i>Townhouse dwelling</i>									RM2	RM3		

# Attachment 1 to PD-94-2021

Uses		Zones where Permitted											
<i>Triplex dwelling</i>										RM2	RM3		
<b>Accessory Uses <sup>(1)</sup></b>													
<i>Accessory buildings or structures and accessory uses</i> (see s. 3.1)		RuR <sup>(1)</sup>	R1A <sup>(1)</sup>	R1B <sup>(1)</sup>	R1C <sup>(1)</sup>	R1D <sup>(1)</sup>	R2 <sup>(1)</sup>	R3 <sup>(1)</sup>	RM1 <sup>(1)</sup>	RM2 <sup>(1)</sup>	RM3 <sup>(1)</sup>	RM4 <sup>(1)</sup>	RH <sup>(1)</sup>
<i>Accessory dwelling unit</i> (see s. 3.2)		RuR <sup>(1)</sup>	R1A <sup>(1)</sup>	R1B <sup>(1)</sup>	R1C <sup>(1)</sup>	R1D <sup>(1)</sup>	R2 <sup>(1)</sup>	R3 <sup>(1)</sup>					
<i>Bed and breakfast establishment</i> (see s. 3.4)		RuR <sup>(1)</sup>	R1A <sup>(1)</sup>	R1B <sup>(1)</sup>	R1C <sup>(1)</sup>	R1D <sup>(1)</sup>							
<i>Boarding or rooming house</i>		RuR <sup>(1)</sup>	R1A <sup>(1)</sup>	R1B <sup>(1)</sup>	R1C <sup>(1)</sup>	R1D <sup>(1)</sup>					RM3 <sup>(1)</sup>		
<i>Garden suite</i> (see s. 3.2)		RuR <sup>(1)</sup>	R1A <sup>(1)</sup>	R1B <sup>(1)</sup>	R1C <sup>(1)</sup>	R1D <sup>(1)</sup>							
<i>Group home</i> (see s. 3.6)		RuR <sup>(1)</sup>	R1A <sup>(1)</sup>	R1B <sup>(1)</sup>	R1C <sup>(1)</sup>	R1D <sup>(1)</sup>	R2 <sup>(1)</sup>	R3 <sup>(1)</sup>					
<i>Home occupation</i> (see s. 3.7)		RuR <sup>(1)</sup>	R1A <sup>(1)</sup>	R1B <sup>(1)</sup>	R1C <sup>(1)</sup>	R1D <sup>(1)</sup>	R2 <sup>(1)</sup>	R3 <sup>(1)</sup>					
<i>Renewable energy system</i> (see s. 3.15)		RuR <sup>(1)</sup>	R1A <sup>(1)</sup>	R1B <sup>(1)</sup>	R1C <sup>(1)</sup>	R1D <sup>(1)</sup>	R2 <sup>(1)</sup>	R3 <sup>(1)</sup>	RM1 <sup>(1)</sup>	RM2 <sup>(1)</sup>	RM3 <sup>(1)</sup>		RH <sup>(1)</sup>

Denotes *uses* that are only permitted accessory to or in conjunction with a permitted *principal use*.

## REGULATIONS

In the *zones* identified in Section 6.1, no *person* shall *use* or permit the *use* of any *lot* or *erect*, *alter* or *use* any *building* or *structure* for any purpose except in accordance with the regulations in Tables 14 and 15.

Attachment 1 to PD-94-2021

Table 15: Regulations for Permitted Uses in Medium and High Density Residential Zones

Regulation				Zone Requirements		
		RM1	RM2	RM3	RM4	RH
Minimum lot area (per dwelling unit)	Apartment dwelling	-		160m <sup>2</sup>		120m <sup>2</sup>
	Duplex dwelling	-	250m <sup>2</sup>		-	
	Fourplex dwelling	-		180m <sup>2</sup>	-	-
	Retirement home	-				120m <sup>2</sup>
	Semi-detached dwelling <sup>(1)</sup>	270m <sup>2</sup>	200 m <sup>2</sup>		-	-
	Stacked townhouse dwelling	-	-	160m <sup>2</sup>		-
	<b>Back to back townhouse dwelling</b>	-	-	-	110m <sup>2</sup>	
	Street townhouse dwelling	225m <sup>2</sup>	180m <sup>2</sup>			
	Townhouse dwelling	-	200m <sup>2</sup>	180m <sup>2</sup>		-
	Triplex dwelling	-	250m <sup>2</sup>	200m <sup>2</sup>		-
Minimum lot frontage <sup>(2)</sup>	Apartment dwelling	-			30m	
	Duplex dwelling	-	20m		-	
	Fourplex dwelling	-	30m			-
	Retirement home	-				30m
	Semi-detached dwelling <sup>(1)</sup>	9m/unit	8m/unit			-
	Stacked townhouse dwelling	-	-	30m		-
	<b>Back to back townhouse dwelling</b>	-	-	-	30m	
	Street townhouse dwelling	7.5m/unit	6m/unit			-
	Townhouse dwelling	-	30m			-
	Triplex dwelling	-	20m	18m		-
Minimum front yard	Dwelling	4.5m				7.5m
	Private garage	6m				
Minimum exterior side yard		3m				Greater of 50% of building height or 3m
Minimum interior side yard	Adjoining a lot in a low density residential zone	3m <sup>(3)</sup>				
	Adjoining a lot in any other zone	1.2m <sup>(3)</sup>				3m
Minimum rear yard <sup>(4)</sup>	Adjoining a lot in a low density residential zone	7.5m			-	7.5m
	Adjoining a lot in any other zone	6m			-	6m
Maximum lot coverage		45%		50%		
Minimum separation distance between dwellings on the same lot	Between exterior side walls	-		3m		
	Between exterior front or rear walls			12m		
	Between exterior front or rear walls and side walls		7.5m			
Maximum height		10m	12m			15m
Minimum landscaped open space				25%		
Minimum amenity area <sup>(5)(6)</sup>	Dwelling with 3 or 4 dwelling units on one lot	-	20m <sup>2</sup> per dwelling unit			
	Dwelling with 5 to 8 dwelling units on one lot		40m <sup>2</sup> plus 10m <sup>2</sup> per dwelling unit			
	Dwelling with 9 or more dwelling units on one lot		-	40m <sup>2</sup> plus 15m <sup>2</sup> per dwelling unit	80m <sup>2</sup> plus 5.5m <sup>2</sup> per dwelling unit	



## Attachment 1 to PD-94-2021

Regulation	Zone Requirements				
	RM1	RM2	RM3	RM4	RH

- (1) Where *semi-detached dwellings* are located in the RM2 or RM3 zone, the *dwelling units* shall be located on lands within a Registered Plan of Condominium or shall be tied to a common elements condominium *private street*.
- (2) Where multiple attached *dwellings* are located on the same *lot* in the RM2 or RM3 Zone, including more than one type of attached *dwelling*, the minimum *lot frontage* requirement of the RM2 or RM3 *zone*, as applicable, shall be 30 metres in the case of a *lot* that contains one or more *fourplex* and/or *townhouse dwelling* and/or *stacked townhouse dwelling*, **45 metres in the case of back-to-back townhouse dwelling**, and 20 metres in all other cases, and shall apply to the entire *lot*. For *semi-detached dwellings* where each unit is located on a separate *lot*, and for *street townhouse dwellings*, each *lot* shall meet the prescribed minimum *lot frontage*.
- (3) Where each *dwelling unit* of a *semi-detached dwelling* is located on a separate *lot*, and for *street townhouse dwellings*, no *interior side yard* shall be required along the common *lot line* of the attached wall joining two *dwelling units*.
- (4) No rear yard is required for a *back-to-back townhouse dwelling*.
- (5) No common outdoor *amenity area* provided at grade shall have an area less than **60m<sup>2</sup>**.
- (6) **Each unit in a back to back townhouse development shall contain an individual balcony with an area of 5.5 m<sup>2</sup>, separated from adjoining units by a wall or privacy screen and with a maximum projection of 1.8m from the front wall of the back to back townhouse building.**



### Gerrit Boerema

#### Planner II

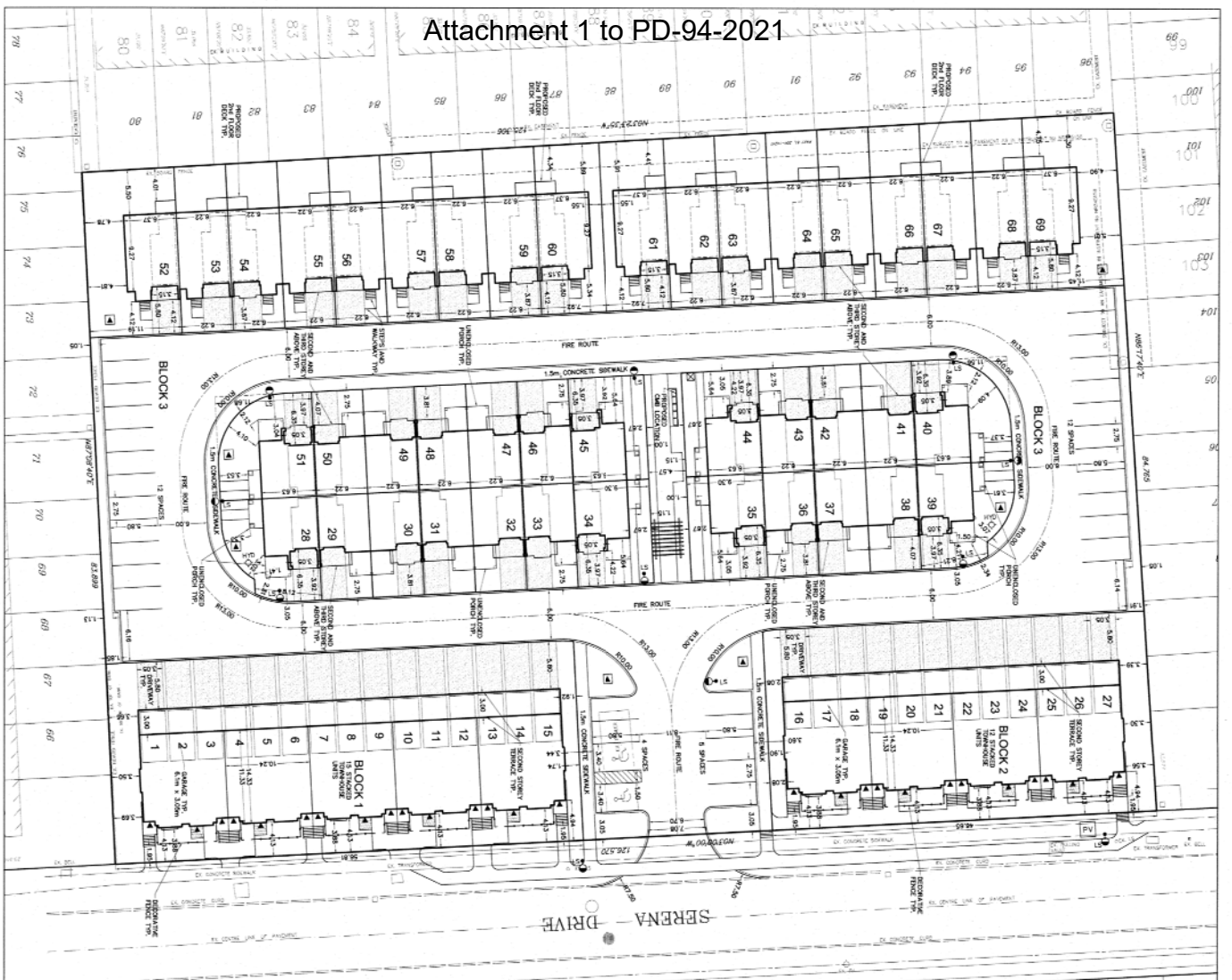
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Web: [www.westlincoln.ca](http://www.westlincoln.ca)





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COVID 19 Update July 15, 2021 – As Ontario enters Step Three of the Roadmap to Reopen, the Township will continue to offer select services by appointment only. Full information available in the latest [press release](#). Staff are available to assist the public, Monday - Friday, 9:00 am - 4:30 pm by phone at 905-957-3346, or by email. The best source of information is our [website](#) where you can also find specific email address and phone extensions.



DEVELOPMENT DETAILS.			
LOT	AREA	FRONTAGE	AREA
24	127.58m <sup>2</sup>	107.45	128.13m <sup>2</sup>
25	78.58m <sup>2</sup>	107.46	128.66m <sup>2</sup>
26	78.58m <sup>2</sup>	107.47	128.66m <sup>2</sup>
27	78.58m <sup>2</sup>	107.48	128.66m <sup>2</sup>
28	78.58m <sup>2</sup>	107.49	128.66m <sup>2</sup>
29	78.58m <sup>2</sup>	107.50	128.66m <sup>2</sup>
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34	78.58m <sup>2</sup>	107.55	128.66m <sup>2</sup>
35	78.58m <sup>2</sup>	107.56	128.66m <sup>2</sup>
36	78.58m <sup>2</sup>	107.57	128.66m <sup>2</sup>
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42	78.58m <sup>2</sup>	107.63	128.66m <sup>2</sup>
43	78.58m <sup>2</sup>	107.64	128.66m <sup>2</sup>
44	78.58m <sup>2</sup>	107.65	128.66m <sup>2</sup>

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**NOT FOR CONSTRUCTION**

THIS DRAWING IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION. IT IS SUBJECT TO CHANGE WITHOUT NOTICE.

DATE: 2021-11-15

DRAWING ISSUE RECORD

SCALE: 1" = 10'

DESIGNED BY: J. L. LAMOND

CHECKED BY: J. L. LAMOND

DATE: 2021-11-15

**LEGEND**

PROPOSED LIGHT STANDARD

PROPOSED HYDRANT

PROPOSED TRANSFORMER

**APPROVALS**

**IBI GROUP**

300 JAMES STREET NORTH

WILLOWDALE, ONTARIO

(905) 266-9110

www.ibigroup.com

**HOMES BY DESANTIS**

**CENTRE**

BLOCK 114, 304-430

TOWN OF LINCOLN

SITE PLAN

36646

SP1

THE CORPORATION OF THE TOWN OF LINCOLN

COUNCIL

**A G E N D A**

March 21, 2016  
Council Chambers  
7:00 p.m.

Page

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. DECLARATIONS OF INTEREST**

**4. ADOPTION OF PREVIOUS COUNCIL MINUTES**

3-6 (a) Minutes of Council's Regular Meeting of March 7, 2016.

**5. BUSINESS ARISING FROM THE MINUTES**

**6. MAYOR'S REPORT**

**7. REGIONAL COUNCILLOR'S REPORT**

**8. COUNCILLOR REPORTS**

**9. DELEGATIONS**

**10. CORRESPONDENCE**

**11. REPORTS**

7-9 (a) Infrastructure Committee, minutes of March 9.  
10-13 (b) Public Meeting, minutes of March 14.  
14-19 (c) Economic Development and Planning Committee, minutes of March 14.  
20 (d) Briefing Note from Director of Finance, re: Canada 150 Community  
Infrastructure Program.

Page

**12. CONFIRMATION OF COMPLIANCE WITH S.34 OF THE PLANNING ACT**

**13. BY-LAWS**

- (a) No. 2016-17, To Authorize the Execution of a Water Supply and Monitoring Agreement with the Owners of the Vineland West Private Water System.
- (b) No. 2016-18, To Authorize the Execution of a Contribution Agreement Under the Canada 150 Community Infrastructure Program.
- (c) No. 2016-19-Z470, To Amend Zoning By-law No. 93-14-Z1, as amended, of the Town of Lincoln (1419406 Ontario Inc., 1419405 Ontario Inc. & 2252620 Ontario Limited).
- (d) No. 2016-20-Z471, To Amend Zoning By-law No. 93-14-Z1, as amended, of the Town of Lincoln (Mowat Properties Inc.).
- (e) No. 2016-21-Z472, To Amend Zoning By-law No. 93-14-Z1, as amended, of the Town of Lincoln (2465989 Ontario Inc.).

**14. NOTICE OF MOTION**

**15. ANNOUNCEMENTS**

**16. CLOSED SESSION**

- (a) A proposed or pending acquisition or disposition of land by the municipality or local board (a matter pertaining to a stormwater management facility).

**17. BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL**

- (a) No. 2016-22, To adopt, confirm and ratify matters dealt with by Council resolution.

**18. ADJOURNMENT**

**THE CORPORATION OF THE TOWN OF LINCOLN**

**BY-LAW NO. 2016-19-Z470**

**A BY-LAW TO AMEND ZONING BY-LAW NO. 93-14-Z1,  
AS AMENDED, OF THE TOWN OF LINCOLN  
(BLOCK 114, LINCOLN SQUARE)**

WHEREAS THE TOWN OF LINCOLN COUNCIL IS EMPOWERED TO ENACT THIS BY-LAW BY VIRTUE OF THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, 1990:

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF LINCOLN HEREBY ENACTS AS FOLLOWS:

1. THAT Section 15.3 to Zoning By-law No. 93-14-Z1, as amended, of the Town of Lincoln, is hereby amended by deleting subsection 15.3.2 in its entirety and replacing it with the following subsection:

**"15.3.2      RM3-2 (LINCOLN SQUARE)**

Notwithstanding the provisions of the Residential Multiple 3 (RM3) Zone the following provisions shall apply to the lands zoned RM3-2 on Schedule 'A2':

**15.3.2.1      PERMITTED USES**

- (a) Apartment building
- (b) Townhouse dwelling

**15.3.2.2      APARTMENT DWELLING**

In accordance with the RM3 Zone, except as follows:

- (a) Minimum Lot Area Per Unit              85 square metres
- (b) Maximum Density                              115 units per hectare

**15.3.2.3      TOWNHOUSE DWELLING**

Notwithstanding any provision to the contrary, the minimum density for townhouse dwellings shall be 65 units per hectare and development shall be in accordance with the following provisions:

**15.3.2.3.1    STACKED TOWNHOUSES**

- |     |                           |                     |
|-----|---------------------------|---------------------|
| (a) | Minimum Number of Units   | 27                  |
| (b) | Minimum Lot Area          | 1,125 square metres |
| (c) | Minimum Lot Frontage      | 45 metres           |
| (d) | Minimum Yard Requirements |                     |
|     | (i) Front Yard            | 1.9 metres          |
|     | (ii) Side Yard            | 1.7 metres          |
|     | (iii) Rear Yard           | 5.8 metres          |
| (e) | Maximum Building Height   | 13 metres           |

**15.3.2.3.2    MAISONETTE DWELLINGS**

- |     |                                   |  |
|-----|-----------------------------------|--|
| (a) | Minimum Number of Units           | 24   |
| (b) | Minimum Lot Area Per Unit         | 75 square metres   |
| (c) | Minimum Lot Frontage Per Unit     | 6 metres on a private street   |
| (d) | Minimum Yard Requirements         |  |
|     | (i) Setback from a Private Street | 3 metres for a dwelling and 6 metres for a garage  |
|     | (ii) Interior Side Yard           | 0.9 metres for end units. No interior side yard is required between the common vertical wall dividing one unit from another. |
|     | (iii) Rear Yard                   | 0 metres   |
| (e) | Maximum Building Height           | 13 metres  |

**15.3.2.3.3 STREET TOWNHOUSES**

- (a) Notwithstanding any provision to the contrary, a street townhouse may include more than 8 attached units.
- (b) Minimum Number of Units 18
- (c) Minimum Lot Area Per Unit 120 square metres
- (d) Minimum Lot Frontage Per Unit 6 metres on a private street
- (e) Minimum Yard Requirements
  - (i) Setback from a Private Street 3 metres for a dwelling and 5.8 metres for a garage
  - (ii) Interior Side Yard 1.5 metres
  - (iii) Rear Yard 5.4 metres
- (f) Maximum Building Height 13 metres

2. AND THAT this By-law shall become effective from and after the date of passing thereof.

READ A FIRST TIME THIS 21<sup>ST</sup> DAY OF MARCH, 2016

READ A SECOND TIME THIS 21<sup>ST</sup> DAY OF MARCH, 2016

READ A THIRD TIME AND FINALLY PASSED THIS 21<sup>ST</sup> DAY OF MARCH, 2016

---

MAYOR: SANDRA EASTON

---

CLERK: WILLIAM J. KOLASA

**EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW NO. 2016-19-Z470**

This By-law involves a parcel of land located on the west side of Serena Drive, lying South of Alyssa Drive in Beamsville. The lands are legally described as Block 114, Registered Plan No. 30M-420.

This By-law amends the Residential Multiple 3 (RM3-2) Zone to permit 27 stacked townhouse units, 24 back-to-back townhouse units and 18 traditional townhouse units. The RM3-2 Zone also establishes site specific provisions to accommodate the proposed development.

The applicant will be required to enter into a Site Plan Agreement. The Agreement will be registered on-title and the Town will collect sufficient securities relating to the Site Plan Agreement.

File: PLZBA20150124

OWNER: 1419408 Ontario Inc., 1419405 Ontario Inc. and 2252820 Ontario Limited

Roll #2822-010-021-20036

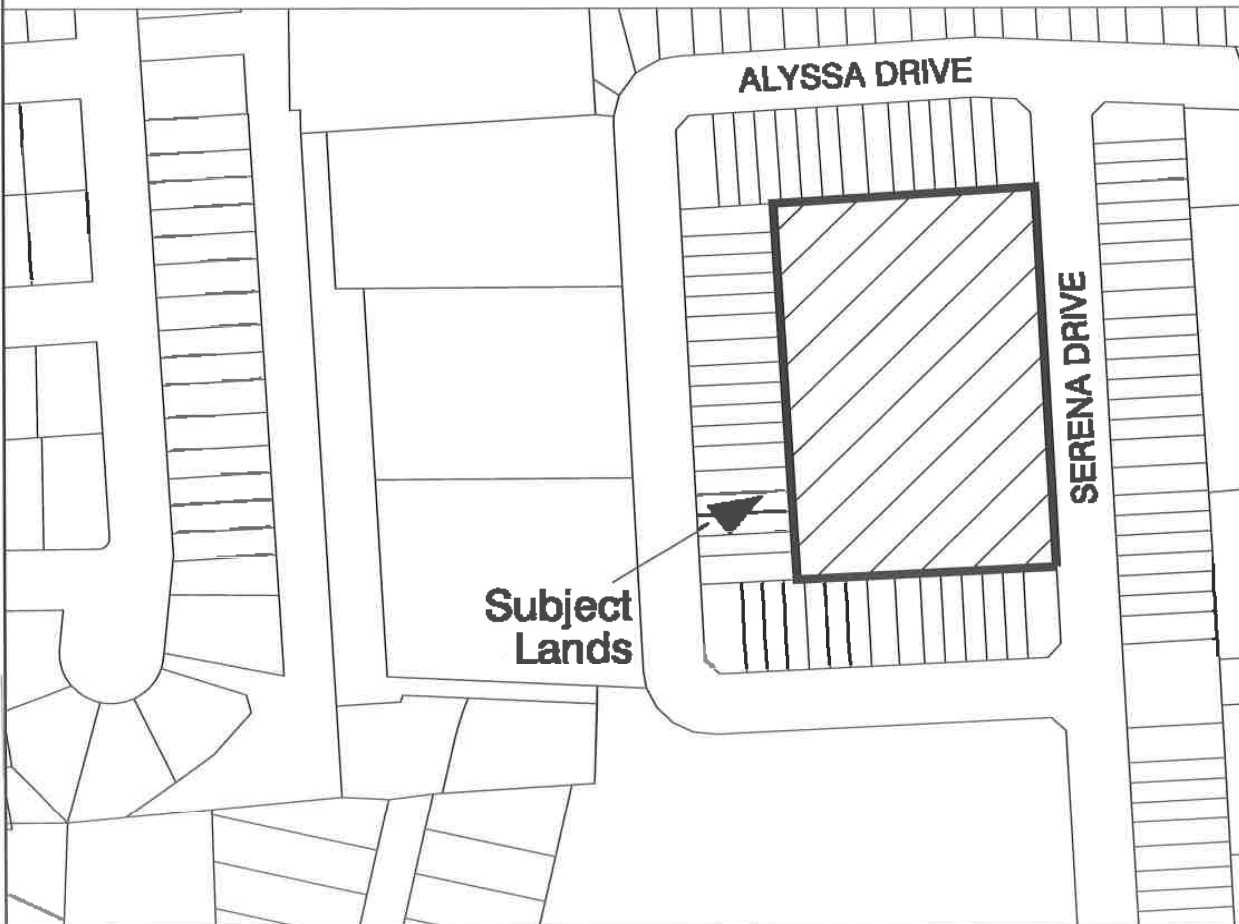
PL 16-15



# SCHEDULE 'A' - KEY MAP TOWN OF LINCOLN



Scale: N.T.S.



This is Schedule 'A' to By-law No. 2016-19-Z470 passed the 21st day of  
March, 2016.

MAYOR: SANDRA EASTON

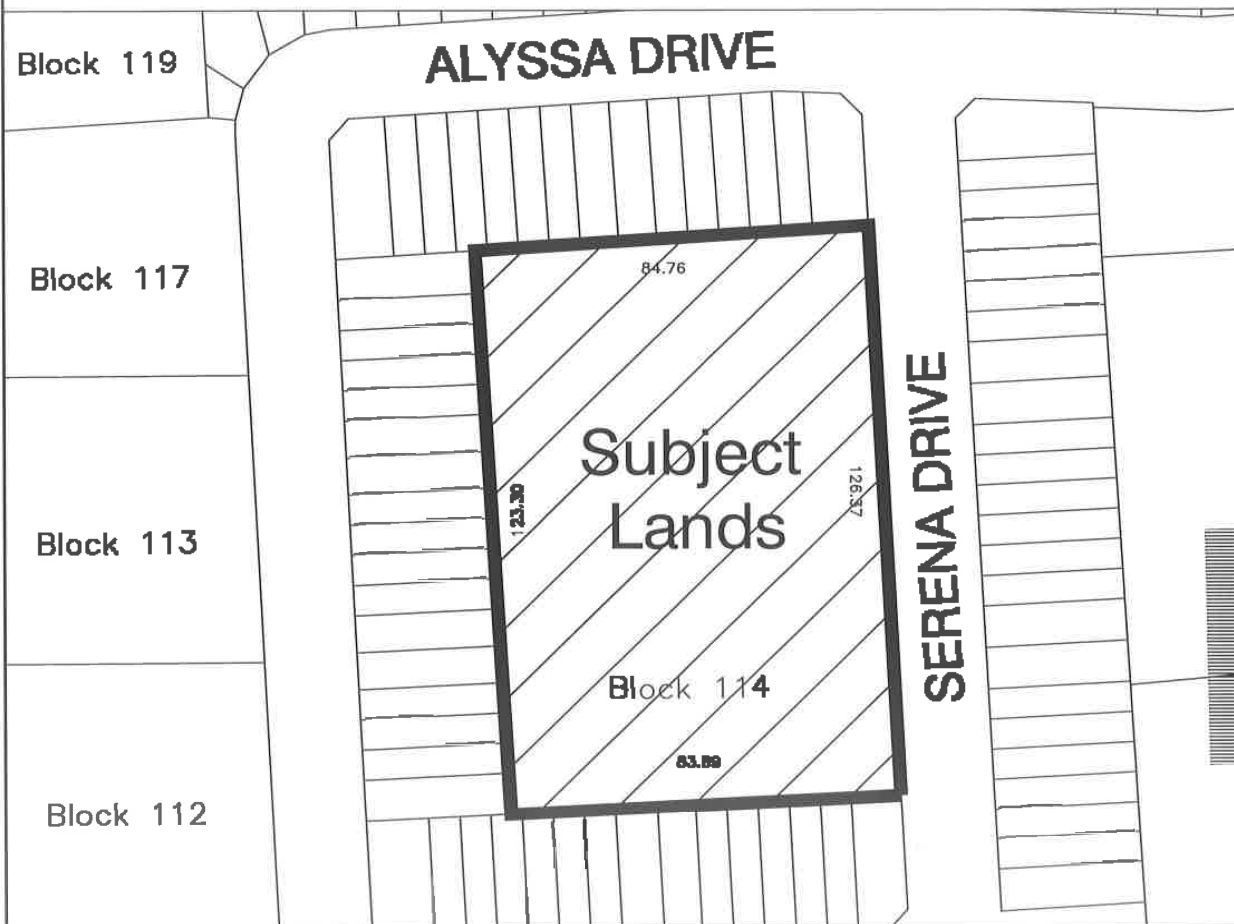
CLERK: WILLIAM J. KOLASA

G:\Planning\JK\Schedule A&B Maps\2016

# SCHEDULE 'B' - DETAIL MAP TOWN OF LINCOLN



Scale: N.T.S.

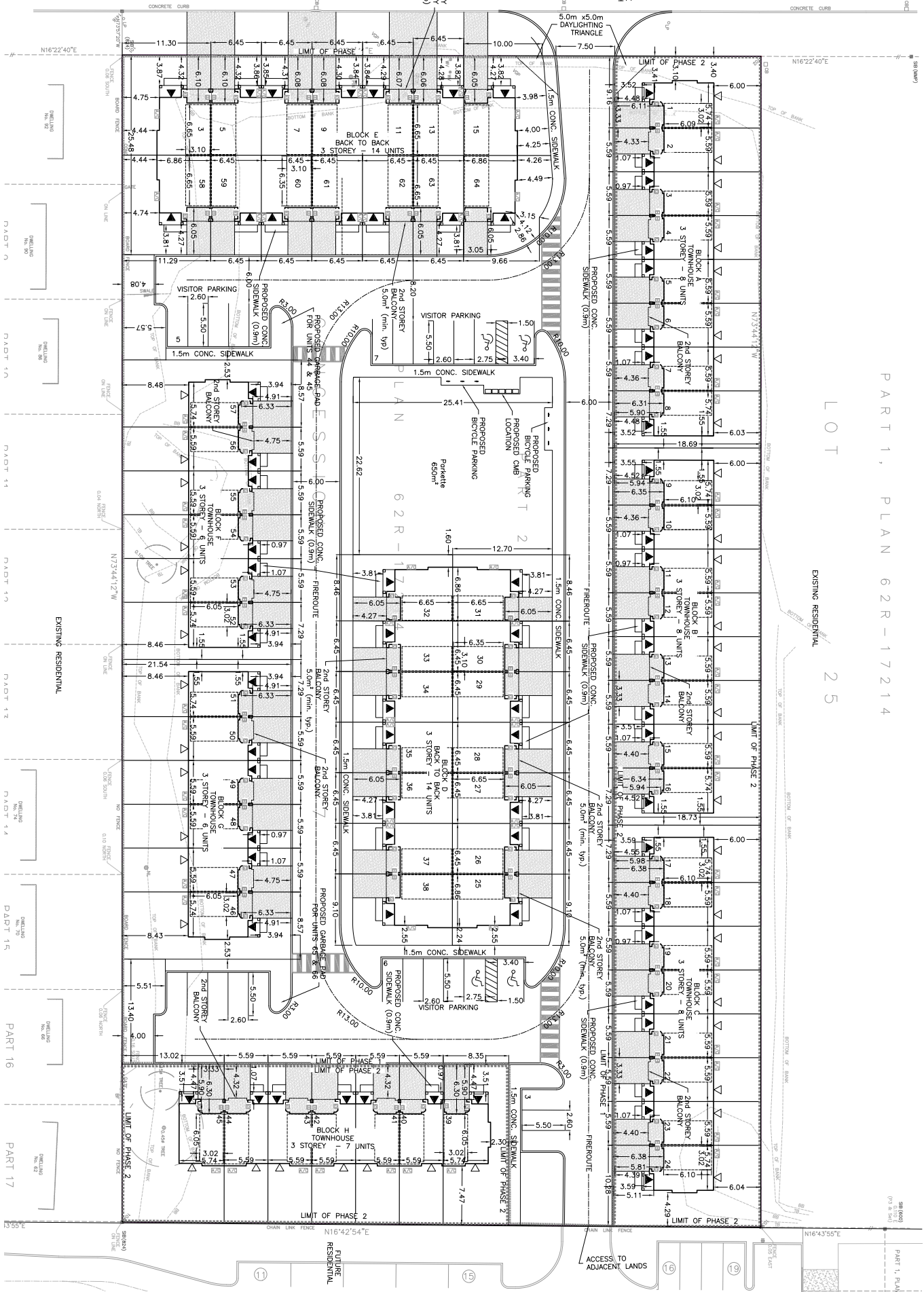


This is Schedule 'B' to By-law No. 2016-19-Z470 passed the 21st day of  
March, 2016.

MAYOR: SANDRA EASTON

CLERK: WILLIAM J. KOLASA

G:\Planning\Map\Schedule A&B Maps\2016



**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 8<sup>th</sup> day of December, 1992, and approved by the Ontario Municipal Board on the 31<sup>st</sup> 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 13<sup>th</sup> 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:

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

Page 2 of 5

**RM3 – 63 (H)**

Notwithstanding the provisions of Paragraphs 6.10.3 "Zone Regulations for Maisonettes", Paragraphs (a), (b), (c), (d), (f), (l), (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), (l), 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
------------	------------

**(l) Maximum Density:**

59 units per net hectare
--------------------------

**(j) Maximum Building Height:**

<u>Street Townhouses</u>	<u>Maisonettes</u>
--------------------------	--------------------

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

Page 3 of 5

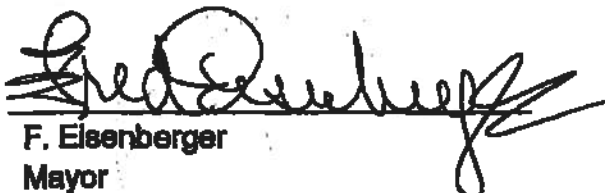
- |  |   |  |
|--|---|--|
|  | 12.25 metres  | 12.5 metres  |
| (k) Maximum Lot Coverage:                        | <u>Street Townhouses</u>  | <u>Maisonettes</u>   |
|  | 55%   | Shall not apply  |
| (l) Minimum Privacy Area:                        | <u>Street Townhouses</u>  | <u>Maisonettes</u>   |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

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

Page 4 of 5

- (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 27<sup>th</sup> day of June, 2018.

  
F. Eisenberger  
Mayor




  
J. Pilon  
Acting City Clerk

ZAC-16-033  
UHOPA-16-013



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

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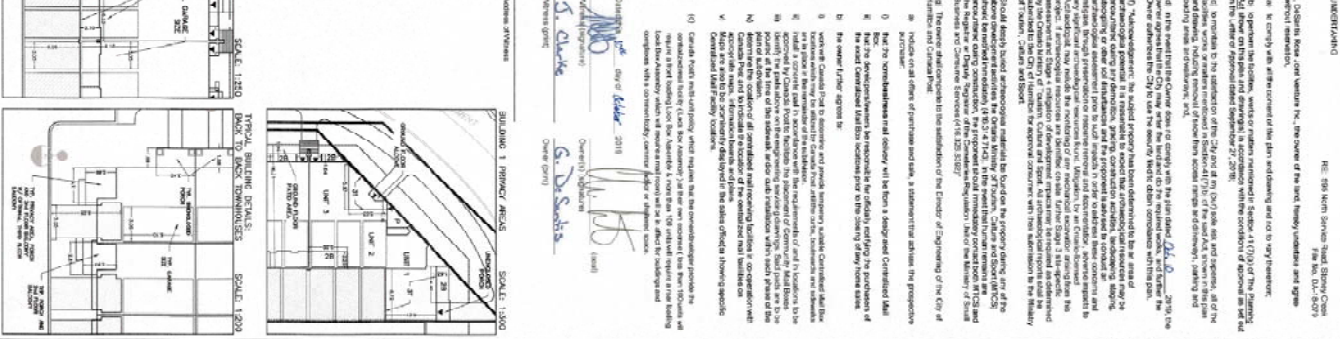
	
<p>This is Schedule "A" to By-law No. 18- 167</p> <p>Passed the <u>27<sup>th</sup></u> day of <u>JUNE</u>, 2018</p>	
<p><i>[Signature]</i> Mayor</p> <p><i>[Signature]</i> Clerk</p>	
<p><b>Schedule "A"</b></p> <p><b>Map Forming Part of</b> <b>By-law No. 18-167</b></p> <p><b>to Amend By-law No. 3692-92</b></p>	
<p><b>Subject Property</b> 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>	
<p><b>Scriber</b> K.T.B.</p> <p><b>Date:</b> Jan. 31, 2018</p>	<p><b>File Name/Number:</b> ZAC-18-19 &amp; UHCPA-18-19</p> <p><b>Planner/Technician:</b> GZAL</p> <p></p>
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>	



RE: 895 North Service Road, Stony Creek  
 Film No. DA-15079

FRUITLAND ROAD

LEGEND: ROAD ALLOWANCE BETWEEN LOTTS 14 AND 15

[illegible][illegible]

CITY OF HAMILTON	
535 NORTH SERVICE ROAD	
formerly	
84 and 88 to 56 LAKEVIEW DRIVE	
DESANTIS ROSE JOINT	
VENTURE INC.	
MYST	
SITE PLAN	
DA-18-079	
4,000.00	10/17/2018

**Authority:** Item 4, Planning Committee  
Report 18-007 (PED18085)  
CM: May 9, 2018  
Ward: 10

**Bill No. 139**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-139**

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)  
Respecting the Lands Located at 84 Lakeview Drive and a portion of 96  
Lakeview Drive**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1<sup>st</sup>, 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 8<sup>th</sup> day of December, 1992, and approved by the Ontario Municipal Board on the 31<sup>st</sup> day of May, 1994;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 4 of Report 18-007 of the Planning Committee, at its meeting held on the 9<sup>th</sup> day of May, 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. 2 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended by changing the zoning from the Highway Commercial (Holding) "HC(H)" Zone, to the Multiple Residential "RM3-84" Zone, Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

**To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands  
Located 84 Lakeview Drive and a portion of 96 Lakeview Drive**

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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 Special Exemption, "RM3-84", as follows:

**"RM3-64" 84 and a portion of 96 Lakeview Drive, Schedule "A", Map No. 2**

**For the purposes of this By-law, the lot line abutting North Service Road shall be deemed to be the front lot line; the easterly lot line adjacent to Fruitland Road and the southerly lot line adjacent to the QEW on ramp shall collectively be deemed to be the rear lot line; and all other lot lines shall be deemed to be side lot lines.**

**For the purposes of this By-law, a private common element condominium road shall be deemed to be a street, and parking, landscaping and amenity areas shall be permitted within the common element condominium road.**

For the purpose of the definitions contained in Part 2 and the regulations contained in Sections 4.10, 4.13, 4.19, 6.1, and 6.10 of the City of Stoney Creek Zoning By-law No. 3692-92, as amended by this By-law, the boundary of the "RM3-64" Zone, shall be deemed to be the lot lines for this purpose, and the regulations of the "RM3-64" Zone shall be from the boundaries of this zone, and not from individual property boundaries of the dwelling units created by registration of a condominium plan or created by Part Lot Control.

**That in addition to the requirements of Part 2 of Zoning By-law No. 3692-92, the following definitions shall apply to those lands Zoned "RM3-64" of this By-law:**

## Dwelling – Stacked Townhouse

**Means a building divided vertically and horizontally, not more than two dwelling units in height, containing not less than three and not more than fifteen dwelling units, with a separate outside entrance to each unit at grade.**

## Dwelling Group

**Means a group of more than one maisonette, townhouse, stacked townhouse or apartment or any combination thereof.**

**That notwithstanding the provisions of Paragraphs (c), (d), (h), (i) 1., (j), (k), (m) 1., 3. and 4. of Subsection 6.10.3 "Zone Regulations" of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-64" by this By-law, the following shall apply:**

- (c) Minimum Front Yard - 3.5 m



**To Amend Zoning By-law No. 3882-82 (Stoney Creek) Respecting the Lands  
Located 84 Lakeview Drive and a portion of 96 Lakeview Drive**

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- (d) **Minimum Side Yard for Maisonettes,  
Stacked Townhouses and Dwelling Groups**
- 6 metres, except for 0.0 metres for the flankage yard abutting the hypotenuse of the daylight triangle at Intersection of North Service Road and Lakeview Drive, 8.5 metres for the flankage yard abutting Lakeview Drive, 7.5 metres abutting a zone for single detached, semi-detached or duplex dwellings and 3 metres where an end unit abuts a lot line of a street townhouse.
- (h) **Minimum Distance Between Buildings on the Same Lot**
- 14.5 metres, except 3 metres between end walls and 9 metres between an end wall and a rear wall.
- (i) **Maximum Density**
- 1. 50 units per hectare
- (j) **Maximum Building Height** - 12 m
- (l) **Privacy Area**
- Notwithstanding the yard requirements above, each maisonette and stacked townhouse unit shall have at least one area which serves as a privacy area which shall be adjacent to the dwelling unit and shall have a minimum depth of 1.6 metres for each maisonette unit, and 0.9 metre for each stacked townhouse unit.
- (m) **Minimum Landscaped Open Space**
- 1. Not less than 35 percent of the lot area for maisonettes, street townhouses and dwelling groups shall be landscaped including privacy areas.
  - 3. No landscaped strip shall be provided between any privacy area and the flankage yard abutting the hypotenuse of the daylight triangle at the Intersection of North Service Road and Lakeview Drive, and not less than 1.5 metres of landscaped strip shall be provided between any privacy area and the front lot line.
  - 4. No landscaped strip shall be provided adjacent to the portion of the lot abutting the hypotenuse of the daylight triangle at the Intersection of North Service Road and Lakeview Drive, and a landscaped strip having a minimum width of 1.0 metres shall be provided and thereafter maintained adjacent to the portion of the lot abutting the front lot line, except for points of ingress and egress.

**To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands  
Located 84 Lakeview Drive and a portion of 96 Lakeview Drive**

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That notwithstanding the provisions of Paragraph (c) and (d) of Subsection 6.1.8 "Parking Restrictions In Residential Zones" of Zoning By-law No. 3692-92, on those lands zoned "RM3-64" by this By-law, the following shall apply:

- (c) Where the required minimum number of parking spaces is four or more, no parking space shall be provided closer than 0.4 metres to any lot line, except that the provision of this clause shall not apply to any parking space located within a private garage.
- (d) Parking spaces shall have a width of not less than 2.75 metres and a length of not less than 5.8 metres and parking spaces for physically challenged persons shall have a width of not less than 4.15 metres and a length of not less than 5.8 metres, exclusive of any land used to permit ingress or egress to said parking spaces, maneuvering areas, driveways or aisles. One parking space within a private residential garage shall not be less than 3 metres in width or less than 6 metres in length;

That notwithstanding the provisions of Paragraphs (a) 1., (c), (d), and (e) of Subsection 6.10.5 "Regulations for Parking" of the Multiple Residential "RM3" Zone, on those lands zoned "RM3-64" by this By-law, the following shall apply:

- (a) **Minimum Number of Parking Spaces**
  - 1. 2 parking spaces and 0.3 visitor parking spaces for each maisonette and stacked townhouse dwelling unit. Tandem parking is permitted for non-visitor parking spaces.
- (c) For maisonettes or stacked townhouses, only one of the required parking spaces per unit may be provided in the required front yard.
- (d) Where the required minimum number of parking spaces is four or more, no parking space shall be provided closer than 0.4 metres to any lot line, except that the provision of this clause shall not apply to any parking space located within a private garage.
- (e) Shall not apply.

That notwithstanding the provisions of Paragraph (a) of Subsection 4.10.4 "Requirement For Parking Designated for Vehicles of Physically Challenged" of Zoning By-law No. 3692-92, on those lands zoned "RM3-64" by this By-law, the following shall apply:

- (a) have minimum rectangular dimensions of 4.15 metres by 5.8 metres.

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands  
Located 84 Lakeview Drive and a portion of 96 Lakeview Drive

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That on those lands zoned "RM3-64" by this By-law, the provisions of Subsection 4.13.1 "Daylight Triangles" of Zoning By-law No. 3692-92 shall not apply.

That notwithstanding the provisions of Paragraph (b) and (d) of Subsection 4.19.1 "Yard Encroachments" of Zoning By-law No. 3692-92, on those lands zoned "RM3-64" by this By-law, the following shall apply:

- (b) Eaves or gutters, for other than an accessory building, which may project into any required yard a distance of not more than 0.6 metres;
- (d) Balconies, canopies, unenclosed porches and decks and their associated stairs, including a cold cellar underneath same, may project into any required front yard 2.2 metres. Balconies, canopies, unenclosed porches and decks and their associated stairs may project into any required rear yard not more than 4 metres. Notwithstanding the foregoing, any deck or patio which is less than 0.3 metres in height may be located in any required yard.

All other regulations of the Multiple Residential "RM3" Zone shall apply.

- 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 23<sup>rd</sup> day of May, 2018.

  
F. Eisenberger  
Mayor

  
J. Pilon  
Acting City Clerk

ZAC-17-020

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands  
Located 84 Lakeview Drive and a portion of 96 Lakeview Drive

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This is Schedule "A" to By-law No. 18- 139  
Passed the 23rd day of May, 2018

*[Signature]*  
Mayor  
*[Signature]*  
Clerk

**Schedule "A"**

Map Forming Part of  
By-law No. 18- 139  
to Amend By-law No. 3692-92

Subject Property  
84 and a portion of 96 Lakeview Drive



Change in zoning from Highway Commercial  
(Holding) "HC (H)" Zone, to a Multiple  
Residential "RM3-64" Zone, Modified

Scale: N.T.S.	File Name/Number: ZAG-17-0204/HOPA-17-008
Date: May 2, 2018	Planned/Technician: ARVB
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	







**Authority:** Item 10, Planning Committee  
Report 18-004 (PED18038)  
CM: March 28, 2018  
Ward: 12  
**Bill No. 089**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-089**

#### **To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 1288 Baseline Road (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 8<sup>th</sup> day of December, 1992, and approved by the Ontario Municipal Board on the 31<sup>st</sup> day of May, 1994;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 10 of Report 18-004 of the Planning Committee at its meeting held on the 28<sup>th</sup> day of March 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.100;

**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 adding the subject property to Zoning By-law 3692-92 and zone to the Multiple Residential “RM3-62” 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, “RM3-62”, as follows:

## RM3 - 62

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

### REGULATIONS

(a) Minimum Lot Area:	<u>Street Townhouses</u>	<u>Maisonettes</u>
Interior Unit	170 sq m	80 sq m
Corner Unit	250 sq m	118 sq m
End Unit	240 sq m	N/A
(b) Minimum Lot Frontage:	<u>Street Townhouses</u>	<u>Maisonettes</u>
Interior Unit	5.5 m	6.45 m
Corner Unit	8.25 m	8.1 m
End Unit	7.25 m	N/A
(c) Minimum Front Yard:	<u>Street Townhouses</u>	<u>Maisonettes</u>
	N/A	4.0 m to the dwelling face and 6.0 m to the attached garage
(d) Minimum Side Yard:	<u>Street Townhouses</u>	<u>Maisonettes</u>
End Unit	1.5 m	N/A
Corner Unit	1.75 m	2.75 m
(e) Minimum Rear Yard:	7.5 m, except 3.0 m to the daylighting triangle	0.0 m
(f) Maximum Density:	53 units per net ha	
(g) Maximum Building Height:	12 m (maisonettes)	
(h) Maximum Lot Coverage:	Shall not apply to maisonettes	
(i) Minimum Privacy Area:	4.0 sq m for maisonettes to be located on a balcony or patio	

- (j) Minimum Landscaped Open Space: Shall not apply to maisonettes
  - (k) Minimum Number of Visitor Parking Spaces: 20 internal visitor parking spaces to be provided
  - (l) Notwithstanding clause (a) of Section 4.16.1, unitary equipment may be located not closer than 0.5 m to any side lot line.
  - (m) Notwithstanding any provision to the contrary, prior to the registration of a plan of subdivision or condominium, 44 maisonette townhouse units and 16 standard townhouses, shall be permitted on one parcel of land.
  - (n) For the purpose of this By-law, maisonettes may front onto a public roadway.
  - (o) 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. 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.
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 11<sup>th</sup> day of April, 2018.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

ZAC-17-067/UHOPA-17-029

Attachment 1 to PD-94-2021  
To Amend Zoning By-law No. 3692-92  
Respecting Lands Located at 1288 Baseline Road (Stoney Creek)

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<p>This is Schedule "A" to By-law No. 18-</p> <p>Passed the _____ day of _____ 2018</p>		<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>	
<p style="text-align: center;"><b>Schedule "A"</b></p> <p style="text-align: center;">Map Forming Part of By-law No. 18-_____</p> <p style="text-align: center;">to Amend By-law No. 3692-92</p>		<p><b>Subject Property</b> 1288 Baseline Road, Stoney Creek</p> <p> Lands added to By-law 3692-92 and zoned Multiple Residential "RM3-62" Zone, Modified</p>	
<p><b>Scale:</b> N.T.S.</p>	<p><b>File Name/Number:</b> ZAC-17-067/UHOPA-17-29</p>	<p>Hamilton</p>	
<p><b>Date:</b> February 12, 2018</p>	<p><b>Planner/Technician:</b> GZ/AL</p>		
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>			