

**Authority:** Item 5, Planning Committee  
Report 23-011 (PED23120)  
CM: July 14, 2023  
Ward: 9

**Bill No. 129**

## **CITY OF HAMILTON**

### **BY-LAW NO. 23-129**

#### **To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 329 Highland Road West, Stoney Creek**

**WHEREAS** Council approved Item 5 of Report 23-011 of the Planning Committee, at its meeting held on July 14, 2023;

**AND WHEREAS** this By-law conforms with the Urban Hamilton Official Plan.

**NOW THEREFORE** Council amends Zoning By-law No. 05-200 as follows:

1. That Map No. 1550 of Schedule “A” – Zoning Maps is amended by adding the Low Density Residential (R1, 850) Zone to the lands attached as Schedule “A” to this By-law.
2. That Schedule “C” - Special Exceptions is amended by adding the following new Special Exception:
  - “850. Within the lands zoned Low Density Residential (R1) Zone, identified on Map 1550 of Schedule “A” – Zoning Maps and described as 329 Highland Road West, the following special provisions shall apply:
    - a) Notwithstanding Section 4.3 b), private driveway(s) or condominium road(s) are deemed to be a street(s), and parking and landscaping are permitted within the street(s);
    - b) Notwithstanding Section 4.8 f), an inground waste system or other similar waste container shall be permitted to be erected prior to the erection of the principal building or structure on the lot, within the Condominium road;
    - c) Notwithstanding Subsection 15.1.1, Street Townhouse Dwellings uses shall be prohibited; and,
    - d) Notwithstanding Subsection 15.1.2.1 b) the minimum setback from a Side Lot Line shall be 0.9 metres on the non-garage side of a Single Detached Dwelling.
3. 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*.
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 provisions of the Low Density Residential (R1) Zone, subject to the special requirements referred to in Section No. 2 and 3 of this By-law.

**PASSED** this 14<sup>th</sup> day of July, 2023.

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T. Hwang  
Acting Mayor

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A. Holland  
City Clerk

ZAC-20-004



<p>This is Schedule "A" to By-law No. 23-</p> <p>Passed the ..... day of ....., 2023</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<h2>Schedule "A"</h2> <p>Map forming Part of By-law No. 23-_____</p> <p>to Amend By-law No. 05-200 Map 1550</p>	<p><b>Subject Property</b></p> <p>329 Highland Road West</p> <p> Lands to be added to Zoning By-law No. 05-200 as Low Density Residential (R1, 850) Zone</p>
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Scale: N.T.S	File Name/Number: ZAC-20-004 & CDM-202003	<p>Hamilton</p>
Date: May 17, 2023	Planner/Technician: AB/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		