

Authority: Item 14, Planning and
Economic Development
Committee
Report 04-005 (PD04062)
CM: March 10,2004

Bill No. 056

CITY OF HAMILTON

BY-LAW NO. 04-056

To Amend Zoning By-law No. 06593 Respecting Lands Located at 47 Caroline Street North

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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 14 of Report 04-005 of the Planning and Economic Development Committee at its meeting held on the 10th day of March, 2004, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

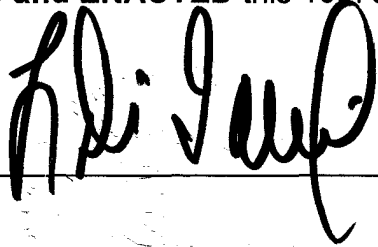
AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

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

1. The "E-3" (High Density Multiple Dwellings) District provisions, as contained in Section 11C of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements:
 - (a) That notwithstanding Section 11C (1a) (a) of Zoning By-law 6593, the height of a building or structure shall not exceed 6 storeys in height;
 - (b) That notwithstanding Section 11C (2) (a) of Zoning By-law 6593, a minimum front yard of 0.0 metres shall be permitted for the first, second and third floors;
 - (c) That notwithstanding Section 11C (2) (a) of Zoning By-law 6593, a minimum setback of 2.9 metres from the front lot line shall be required for the fourth, fifth and sixth floors;
 - (d) That notwithstanding Section 11C (2) (b) of Zoning By-law 6593, a minimum north side yard of 0.0 metres shall be permitted for the first, second and third floors;
 - (e) That notwithstanding Section 11C (2) (b) of Zoning By-law 6593, a minimum setback of 3.2 metres from the north side lot line shall be required for the fourth, fifth and sixth floors;
 - (f) That notwithstanding Section 11C (2) (b) of Zoning By-law 6593, a south side yard having a minimum width of 1.2 metres shall be provided and maintained for the first and second floor;
 - (g) That notwithstanding Section 11C (2) (b) of Zoning By-law 6593, a minimum setback of 3.0 metres from the south side lot line shall be required for the second, third, fourth, fifth and sixth floors;
 - (h) That notwithstanding Section 11C (2) (c) of Zoning By-law 6593, a rear yard having a depth of at least 2.1 metres shall be provided and maintained for the first and second floor;
 - (i) That notwithstanding Section 11C (2) (c) of Zoning By-law 6593, a minimum setback of 3.5 metres from the rear lot line shall be required for the second, third, fourth, fifth and sixth floors;
 - (j) That notwithstanding Section 11C (4) of Zoning By-law 6593, a maximum gross floor area of 4,800 m² shall be permitted;
 - (k) That notwithstanding Section 11C (5) of Zoning By-law 6593, a minimum of 14% of the ground area of the lot shall be provided and maintained as landscaped area; and,

- (l) That notwithstanding Section 11C (5) of Zoning By-law 6593, a total of not less than 24% of the area of the lot shall be provided and maintained as amenity area on the second and fourth floors.
- 2. 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 "E-3" (High Density Multiple Dwellings) District provisions, subject to the special requirements referred to in section 1.
- 3. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1497.
- 4. Sheet No. W 4 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1497.
- 5. The City 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 and ENACTED this 10th day of March, 2004.

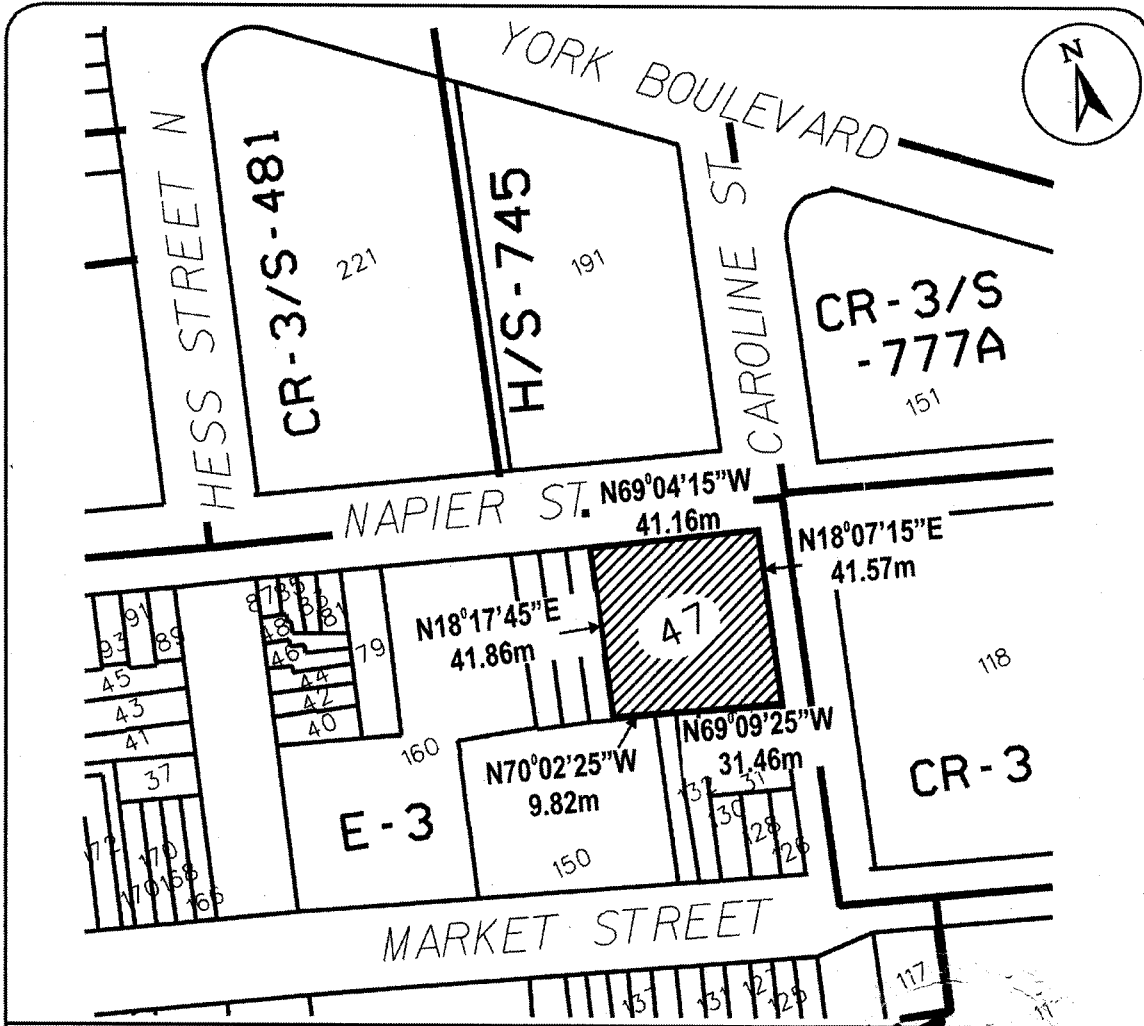


MAYOR



CLERK

ZAR-03-99



This is Schedule "A" to By-Law No. 04 — 056

Passed the 10th day of March, 2004

[Signature]
 Clerk
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 04-056
 to Amend By-Law No 6593



Planning and Development Department

Subject Property

47 Caroline Street North



Modification to the "E3" (High Density Multiple Dwellings) District provisions

North



Scale

NOT TO SCALE

Reference File No.

ZAR-03-99

Date

Feb 06, 2004

Drawn By

LM