

**Authority:** Item 12, Planning and  
Economic Development  
Committee  
Report 05-026(PED05144)  
CM: November 23, 2005

**Bill No. 360**

**CITY OF HAMILTON**

**BY-LAW NO. 05-360**

**To Amend Zoning By-law No. 3581-86  
Respecting Lands Located at 114 Pleasant Avenue, Dundas,  
Block 'A', Registered Plan No. 1325**

**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 Town of Dundas" 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Town of Dundas passed Zoning By-law No. 3581-86 (Dundas) on the 22nd day of May 1986, which by-law was approved by the Ontario Municipal Board by Order dated the 10th day of May 1988;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 12 of Report 05-026 of the Planning and Economic Development Committee at its meeting held on the 23<sup>rd</sup> day of November, 2005, recommended that Zoning By-law No. 3581-86 (Dundas), be amended as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Dundas), approved by the Minister under the Planning Act on June 21, 1999.

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

1. Schedule "K" of Zoning By-law No. 3581-86 (Dundas) is hereby amended,
  - (a) by changing the zoning from Public and Private Service "PPS" Zone to Single Detached Residential "R2/S-106" Zone, the lands composed of Block 1; and,
  - (b) by changing the zoning from Public and Private Service "PPS" Zone to Single Detached Residential "R2" Zone, the lands composed of Block 2;
  - (c) by changing the zoning from Public and Private Service "PPS" Zone to Park and Recreation "PR1" Zone, the lands composed of Block 3;

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

2. SECTION 32: EXCEPTIONS of Zoning By-law No. 3581-86 (Dundas), is hereby further amended by adding the following new subsection:

**SINGLE DETACHED RESIDENTIAL R2/S-106**

Notwithstanding the provisions of SUBSECTION 6.16 ONE DWELLING PER LOT of SECTION 6: GENERAL REGULATIONS and of SUBSECTION 9.1: PERMITTED USES, and SUBSECTION 9.2: REGULATIONS FOR SINGLE-DETACHED DWELLINGS, of SECTION 9: SINGLE-DETACHED RESIDENTIAL ZONE (R2), the following uses and regulations shall apply on the lands shown as "R2/S-106" on Schedule "K":

- (a) **PERMITTED USES**
  - (i) Single-Detached Dwelling Units
  - (ii) Accessory Uses to the uses identified above.
- (b) **REGULATIONS FOR ALL SINGLE-DETACHED DWELLING UNITS**
  - (i) Minimum Lot Area – 1.2 hectares.
  - (ii) Minimum Lot Frontage – 18.0 metres.
  - (iii) Minimum Front Yard - 6.0 metres.
  - (iv) Minimum Side Yard and Rear Yard - 7.5 metres.
  - (v) Maximum Building Height – 10.5 metres, maximum 2 storeys
  - (vi) Maximum Number of Dwelling Units – 19 Dwelling Units.

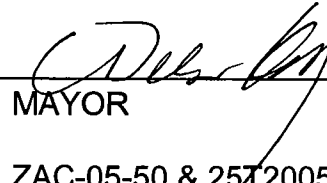
- (vii) Minimum Landscaped Area – 50%.
- (viii) Maximum Floor Area of a Second Floor - 60% of the Floor Area of the ground floor, including the garage.
- (ix) Off-Street Parking – minimum 4.0 parking spaces per dwelling unit which may be arranged in tandem and 2 spaces of which may be included in a garage.

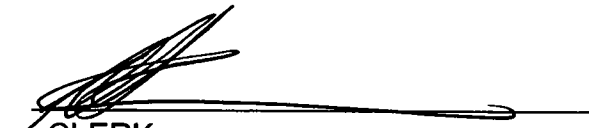
(c) Subsection 9.5: REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES shall continue to apply.

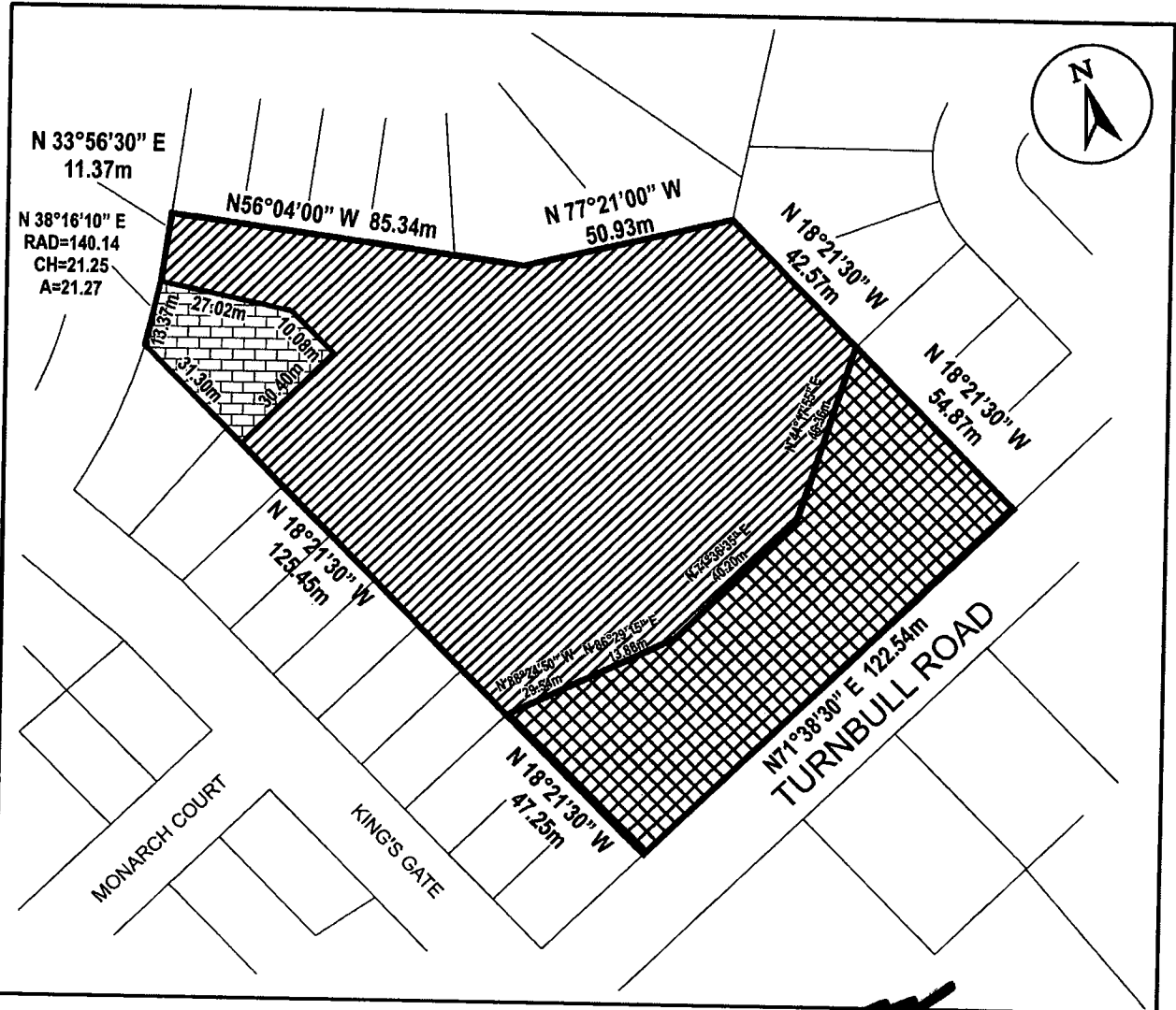
- 3. All other provisions of Zoning By-law No. 3581-86 (Dundas) as applicable shall continue to apply.
- 4. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 23rd

day of November, 2005.

*ACTING*   
MAYOR  
ZAC-05-50 & 257200508

  
CLERK



This is Schedule "A" to By-Law No. 05-360

Passed the 23rd day of November, 2005

*[Signature]*  
Clerk




*[Signature]*  
Acting Mayor


# Schedule "A"

Map Forming Part of  
By-Law No. 05-360  
to Amend By-Law No. 3581-86

 Planning and Economic Development Department  
Hamilton

## Subject Property 114 Pleasant Avenue

-  **Block 1** - Change in Zoning from "PPS" (Public and Private Service) Zone to "R2/S-106" (Single Detached Residential) Zone, Modified.
-  **Block 2** - Change in Zoning from "PPS" (Public and Private Service) Zone to "R2" (Single Detached Residential) Zone.
-  **Block 3** - Change in Zoning from "PPS" (Public and Private Service) Zone to "PR1" (Park and Recreation) Zone.

	Scale: <b>Not to Scale</b>	File Name/Number: <b>ZAC-05-50</b>
	Date: <b>September 2005</b>	Planner/Technician: <b>TH/LC</b>

T&C File Name: zac-05-50 schedule a.cdr