

Authority: Item 7, Economic Development
and Planning Committee
Report: 07-016 (PED07246)
CM: September 26, 2007

Bill No. 267

CITY OF HAMILTON
BY-LAW NO. 07-267

**To Amend Zoning By-law No. 3581-86 (Dundas), as amended,
Respecting Lands located at 81 Dundas Street (Dundas)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Zoning By-law No. 3581-86 (Dundas) was enacted on the 22nd day of May 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 7 of Report 07-016 of the Economic Development and Planning Committee at its meeting held on the 26th day of September, 2007, recommended that Zoning By-law No. 3581-86 (Dundas), be amended as hereinafter provided;

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AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (former Town of Dundas) in accordance with the provisions of the Planning Act

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

1. Exception S-103 of Section 32: Exceptions of Zoning By-law No. 3581-86 (Dundas), is hereby amended as follows:

- (a) That the current wording of Permitted Uses be deleted and replaced by the following:

Permitted Uses

A maximum of 8 units within the apartment building existing on the date of the passing of this By-law, being the 26th day of September, 2007, and buildings, structures and uses accessory to the apartment building, shall be the only permitted uses.

- (b) That the following Regulations are added:

7. Notwithstanding the provisions of clause 7.14.1 of subsection 7.14 DIMENSIONS FOR THE DESIGN OF PARKING AREAS of SECTION 7: OFF-STREET PARKING AND LOADING, the minimum length of a parking space with a 90 degree angle shall be 5.7 m.
8. Notwithstanding subclause 13.2.7.2 BUFFER STRIP of subsection 13.2 REGULATIONS FOR APARTMENT BUILDINGS of SECTION 13: MEDIUM DENSITY MULTIPLE DWELLING ZONE (RM2), a buffer strip along the westerly lot line that abuts any R1, R2, R3, R3A, R4 or R6 Zone shall be a minimum width of 1.0 metres between the lot line and an outdoor waste enclosure and a minimum width of 1.9 metres between the lot line and a driving aisle or a required parking space.
9. Notwithstanding Clause 7.1.2 of subsection 7.1 LOCATION of SECTION 7: OFF-STREET PARKING AND LOADING, two of the required parking spaces may be located in the front yard.
10. Notwithstanding subclause (ii) of Clause 13.2.5 FLOOR AREA of subsection 13.2 REGULATIONS FOR APARTMENT BUILDINGS of SECTION 13: MEDIUM DENSITY MULTIPLE DWELLING ZONE (RM2), the minimum floor area of four one-bedroom second floor units shall be 46.7 square metres.

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2. 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 and ENACTED this 26th day of September, 2007.



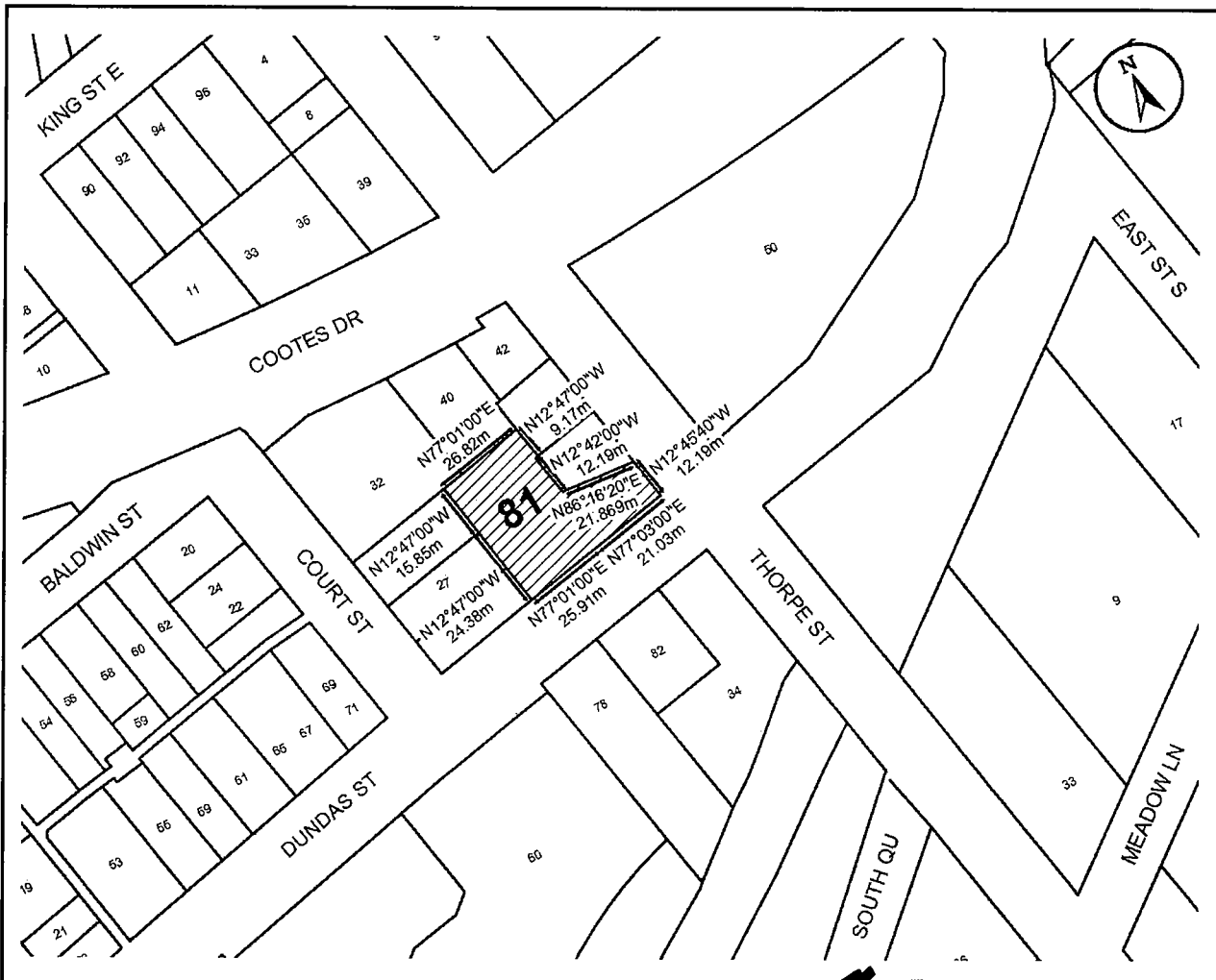
David L. Mitchell
Acting Mayor



Kevin C. Christensen
City Clerk

ZAR-07-022

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This is Schedule "A" to By-Law No. 07- 267

Passed the 26th day of ...Sept....., 2007

[Handwritten Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 07-____267

to Amend By-law No.3581-86

Subject Property
 81 Dundas Street



Change in Zoning from the Residential Multiple Floodplain Exception "RM2-FP/S-103" Zone, to a Residential Multiple Floodplain Exception "RM2-FP/S-103" Zone, Modified

Scale:
 N.T.S.

File Name/Number:
 ZAR-07-022

Date:
 August 15, 2007

Planner/Technician:
 CT/LMM



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT