

Authority: Item 6, Planning Committee
Report 21-003 (PED21039)
CM: February 24, 2021
Ward: 1

Bill No. 020

CITY OF HAMILTON

BY-LAW NO. 21-020

To Amend Zoning By-law No. 6593 (Hamilton), as amended, Respecting Lands Located at 9 Westbourne Road, Hamilton

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule 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Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Item 6 of Report 21-003 of the Planning Committee, at its meeting held on the 24th day of February, 2021, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

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 Sheet No. W45 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended as follows:
 - a) By changing the zoning from the “C/S-1335”, “C/S-1335a” and “C/S-1788” (Urban Protected Residential, Etc.) District, Modified, to the “C/S-1335”, “C/S-1335a” and “C/S-1804” (Urban Protected Residential, Etc.) District, Modified;

on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. That the “C” (Urban Protected Residential, Etc.) District provisions as contained in

Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:

- a) That notwithstanding Section 4(3)(a) and in addition to Section 9 (1), a maximum 89.0 square metre building containing a second dwelling unit and shed shall be permitted on the same lot as a single family dwelling.
 - b) That notwithstanding Section 9 (3) (ii), a side yard of a width of at least 1.2 metres shall be provided, except for a second dwelling unit for which a northerly side yard width of at least 0.7 metres shall be required,
 - c) That notwithstanding Section 9 (3) (iii), a rear yard of a depth of 7.5 metres shall be provided, except for a second dwelling unit for which a rear yard of a depth of 0.8 metres shall be required.
 - d) That notwithstanding Section 18.A (1) (f) no manoeuvring shall be required for parking spaces located within the front yard.
 - e) That notwithstanding Subsection 18A(1)(a), for a second dwelling unit one parking space shall be provided.
 - f) That a minimum distance of 2.9 metres from the rear face of a principal dwelling shall be required.
 - g) A maximum one driveway shall be permitted for each lot containing a second dwelling unit.
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 "C/S-1335", "C/S-1335a", and "C/S-1804" District provisions, subject to the special requirements in Section 2 of this By-law.
 4. That By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1804.
 5. That Sheet No. W45 of the District maps is amended by making the lands referred to in Section 1 of this By-law as Schedule S-1804.
 6. 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 24th day of February, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAS-20-003



<p style="text-align: center;">This is Schedule "A" to By-law No. 21-</p> <p>Passed the day of, 2021</p>	<p style="text-align: center;">----- Mayor ----- Clerk -----</p>
--	--

<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map forming Part of By-law No. 21-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 6593</p>	<p>Subject Property 9 Westbourne Road, Hamilton</p> <p> Change in Zoning from the "C/S-1335", "C/S-1335a" and "C/S-1788" (Urban Protected Residential, Etc.) District Modified, to the "C/S-1335", "C/S-1335a" and "C/S-1804" (Urban Protected Residential, Etc.) District, Modified</p>
---	--

<p>Scale: N.T.S</p>	<p>File Name/Number: ZAS-20-003</p>		<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>
<p>Date: February 1, 2021</p>	<p>Planner/Technician: DB/NB</p>		