

Authority: Item 3, Planning Committee
Report: 21-005 (PED21060)
CM: April 14, 2021
Ward: 1

Bill No. 057

CITY OF HAMILTON

BY-LAW NO. 21-057

To Amend Zoning By-law No. 6593 Respecting Lands Located at 196 George Street, 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 6593 (Hamilton) was enacted on the 25th day of July 1950, which was approved by the Ontario Municipal Board by Order dated the 7th date of December 1951, (File. No. O.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item 3 of Report 21-005 of the Planning Committee, at its meeting held on the 14th day of April, 2021, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

AND WHEREAS this By-law is in conformity with the City of Hamilton Official Plan of the City of Hamilton upon finalization of OPA No. 147.

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

1. That Sheet No. W12 of the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended by changing the zoning from the “D/S-1787” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, Modified to the “DE-2/S-1807” (Multiple Dwellings) District, Modified; the extent and boundaries of which are shown on a plan here to annexed as Schedule “A”.
2. That the “DE-2” (Multiple Dwellings) District provisions, as contained in Section 10B of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following special requirements:

- a) That notwithstanding Section 2.(2)J.(xiii), for the purposes of this By-law, Pearl Street South shall be deemed the front lot line.
- b) That notwithstanding Section 10B.(2)(ii), no building or structure shall exceed two and one-half storeys or 13.0 metres in height.
- c) That notwithstanding Section 10B.(3)(i)(b), a front yard depth not less than 2.0 metres.
- d) That notwithstanding Section 10B.(3)(ii)(b):
 - i) A side yard width, abutting a street, of not less than 3.5 metres, except 1.2 metres to the hypotenuse of a daylight triangle; and,
 - ii) An interior side yard width of not less than 1.0 metres.
- e) That notwithstanding Section 10B.(3)(iii)(b), a rear yard depth not less than 6.0 metres.
- f) That Section 10B.(5) shall not apply.
- g) That notwithstanding Section 10B.(6), a minimum 18% of the area of the area of the lot shall be maintained as landscaped area. A minimum of one porch or balcony shall be provided for each dwelling unit.
- h) That notwithstanding Sections 18.(3)(vi)(cc), 18.(3)(vi)(d) and 18.(3)(vi)(e), a balcony or porch may project a maximum 2.2 metres into any yard provided no such projection shall be closer than 0.75 metres from any lot line, except 0.0 metres from the hypotenuse of a daylight triangle. Exterior stairs providing access to a dwelling unit may be located 0.0 metres from a street line.
- i) That Section 18A.(1)(b) shall not apply.
- j) That Section 18A.(1)(c) shall not apply.
- k) That notwithstanding Sections 18A.(1)(f), no manoeuvring space shall be required abutting and accessory to two 90 degree parking spaces accessed from Pearl Street South. For all other parking spaces, manoeuvring space abutting upon and accessory to each required parking space, shall have an aisle width mentioned in Column 2 of Table 6 for each parking space having a parking angle mentioned in Column 1.
- l) That Section 18A.(11) shall not apply.
- m) That Section 18A.(12) shall not apply.



- n) That notwithstanding Section 18A.(24), no mutual access driveway shall be required for two parking spaces accessed from Pearl Street South. For all other parking spaces, every parking area shall have not more than ten parking spaces and shall have not less than one access driveway or mutual access driveway, having a width of at least 3.6 metres.
 - o) That notwithstanding Section 18A.(30), every parking space and loading space shall be maintained with a stable surface such as asphalt, concrete or other hard-surfaced material, crushed stone or gravel, and shall be maintained in a dust free condition. Every access driveway, drive-aisle and maneuvering space shall be maintained with a Low Impact Development permeable hard-surfaced material, crushed stone or gravel, and shall be maintained in a dust free condition.
- 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 “DE-2” (Multiple Dwellings) District provisions, subject to the special requirements referred to in Sections 1 of this By-law.
 - 4. That By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1807.
 - 5. 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 28th day of April, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-19-023
UHOPA-19-006

		
<p style="text-align: center;">This is Schedule "A" to By-law No. 21-</p> <p style="text-align: center;">Passed the day of, 2021</p>	<p style="text-align: center;">----- Mayor</p> <p style="text-align: center;">----- Clerk</p>	
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p style="text-align: center; font-size: 1.2em; font-weight: bold;">Schedule "A"</p> <p style="text-align: center; font-weight: bold;">Map forming Part of By-law No. 21-_____</p> <p style="text-align: center; font-weight: bold;">to Amend By-law No. 6593</p> </div> <div style="width: 50%;"> <p>Subject Property 196 George Street</p> <p> Change in zoning from the "D/S-1787" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District, Modified to the "DE-2/S-1807" (Multiple Dwellings) District, Modified</p> </div> </div>		
<p>Scale: N.T.S</p>	<p>File Name/Number: ZAC-19-023/UHOPA-19-006</p>	 Hamilton
<p>Date: March 9, 2021</p>	<p>Planner/Technician: MK/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		