

Authority: Item 6
Planning Committee
Report: 13-007 (PED13043)
CM: May 22, 2013

Bill No. 143

CITY OF HAMILTON

BY-LAW NO. 13- 143

**To Amend Zoning By-law No. 90-145-Z (Flamborough),
Respecting Lands Located at 257-267 Parkside Drive,
Part of Lot 8, Concession 4 (Flamborough)**

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 Flamborough" 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS this By-law will be in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough) upon approval of Official Plan Amendment No. 128, proposed by the City of Hamilton, but not yet approved in accordance with the provisions of the Planning Act;

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

1. That Schedule "A-6" of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended;
 - (a) by changing from the Urban Residential "R1-6" Zone to the Medium Density Residential "R6-26-H" Holding Zone;

on the lands the extent and boundaries of which are more particularly shown on Schedule "A" annexed hereto and forming part of this By-law.

2. That Section 11 - Medium Density Residential Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section "R6-26-H":

11.3 EXCEPTION NUMBERS

11.3.26 "R6-26-H"

Permitted Uses:

- (a) Townhouse Dwelling.
- (b) Maisonette Dwelling.

For the purpose of this amending By-law, a Maisonette Dwelling shall mean:

A building not more than one single detached dwelling unit in height, designed to contain not less than six dwelling units, fully attached to each other, side-by-side, in two rows arranged back-to-back and in substantial harmony with each other, each of which dwelling units:

- a. Has a separate front entrance;
- b. Is joined on one or both sides by a party wall to another dwelling unit in the same row; and,
- c. Is joined by a common vertical back wall extending the length of the building.

For the purpose of this amending By-law, Hamilton Street North shall be deemed the front lot line, the southerly property boundary shall be deemed the rear lot line, the westerly property line shall be deemed the side lot line, and Parkside Drive shall be deemed the exterior side lot line.

Zone Provisions:

(a)	Lot Area (Minimum):	175 sq. m. per dwelling unit.
(b)	Lot Frontage (Minimum):	30m.
(c)	Lot Coverage (Maximum):	35%.
(d)	Front Yard (Minimum):	2.0m.
(e)	Rear Yard (Minimum):	6.0m.
(f)	Exterior Side Yard (Minimum):	
	(i) Townhouse Dwelling	3.4m.
	(ii) Maisonette Dwelling	3.1m.
(g)	Setback from a Daylighting Triangle:	1.1m from the hypotenuse of an intersection daylighting triangle, except 0.1m for a front porch.
(h)	Planting Strip (Minimum):	2m, except 0m along Hamilton Street North, Parkside Drive, and abutting internal roads.
(i)	Building Height (Maximum):	3-storeys and 11m.
(j)	Parking Spaces (Minimum):	2 spaces per unit, one of which includes the garage.
		Visitor parking shall be provided at a rate of 0.40 spaces per unit (18 spaces).
(k)	Density (Maximum):	44 dwelling units
(l)	Landscaped Open Space (Minimum):	30%.
	(i) Townhouse Dwelling	9 sq. m. minimum for each dwelling unit fronting Hamilton Street North, including terraces suitable for a

private amenity area; and for all other townhouse dwellings, 16 sq. m. minimum for each dwelling unit at-grade with a maximum depth of 3m, and which shall include screening on both sides suitable for a private amenity area.

(ii) Townhouse Dwelling, Maisonette

3 sq. m. min., including a balcony suitable for a private amenity area.

- (m) Location of Visitors Parking from Streetline: 1.9m. min.
- (n) Loading Spaces: Not Required.
- (o) Minimum Size of Parking Space: Each parking space shall be a minimum of 2.6m by 5.8m, except visitor parking spaces which shall be a minimum of 2.6m x 5.5m, and parallel spaces which shall be a minimum of 2.6m x 6.5m.
- (p) Minimum Condominium Road Width: 6.0m.
- (q) Minimum Interior Size of Garage for Parking: 3m x 6m with a one-step encroachment.
- (r) No vehicular access shall be permitted to Hamilton Street North and from the subject lands to Truedell Circle.
- (s) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Balconies	Rear and Exterior Side	2.4m

	Yard	
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Holding Removal: The Holding Provision "H" shall remain in effect until the following matters have been addressed through the Development Agreement, to the satisfaction of the Director of Planning and the Senior Director of Growth Management:

- (i) The owner has undertaken and implemented a servicing strategy for the external storm and sanitary services that are required for the residential development. The provisions of the strategy shall include the extension of the storm sewer on Parkside Drive to pick up the drainage from the subject lands and appropriate external areas; to secure the future extension of the storm sewer on Parkside Drive across the full frontage of the subject lands; and the works required to the sanitary sewer on Parkside Drive to alleviate downstream capacity issues, to the satisfaction of the Director of Planning and the Senior Director of Growth Management.

General Provisions:

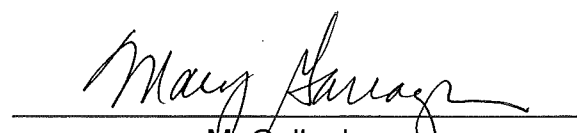
Other than contained herein, all other the provisions of the Flamborough Zoning By-law shall apply.

- 3. That the amending By-law be added to Schedule "A-6" of Flamborough Zoning By-law No. 90-145-Z.
- 4. 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.

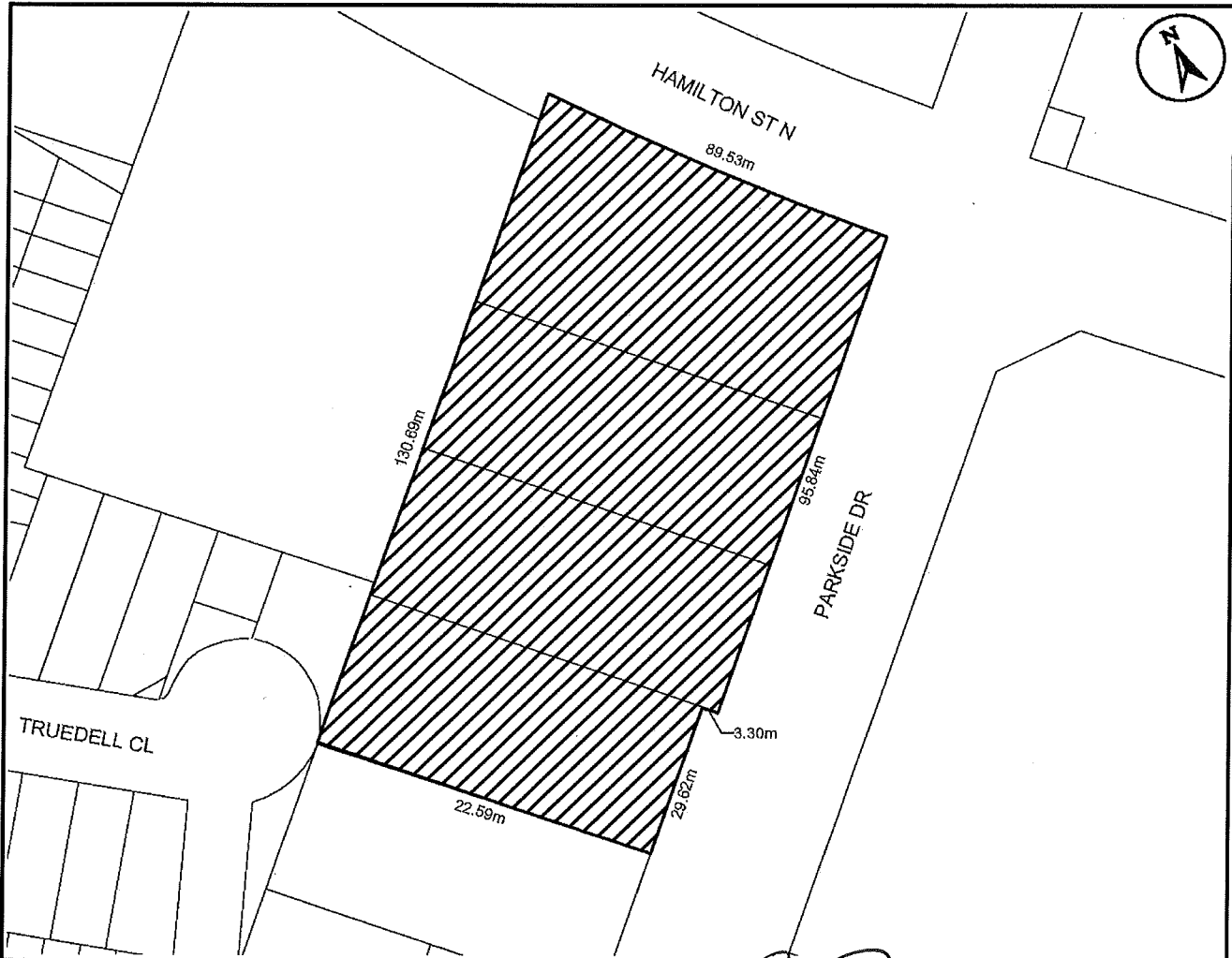
PASSED and ENACTED this 22 day of May, 2013.



R. Bratina
Mayor



M. Gallagher
Acting City Clerk



This is Schedule "A" to By-Law No. 13-143

Passed the 27 day of May, 2013

R. Bratina
 Mayor
May Challeg
 Clerk

Schedule "A"

Map Forming Part of
 By-Law No. 13- 143

to Amend By-law No. 90-145-Z

Subject Property

257 - 267 Parkside Drive



Change from Single Detached Residential "R1-6" Zone to a Site Specific Medium Density "R6-26-H" Holding Zone

Scale:
 N.T.S.

File Name/Number:
 ZAC-12-015 & OPA-12-006

Date:
 February 28, 2013

Planner/Technician:
 CT/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT