

Authority: Item 7, Planning Committee Report
20-002 (PED20034)
CM: February 12, 2020
Ward: 3

Bill No. 023

CITY OF HAMILTON

BY-LAW NO. 20-023

To Amend Zoning By-law No. 6593, Respecting Lands located at 11 Grosvenor Avenue South, 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Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 of Report 20-034 of the Planning Committee, at its meeting held on the 4th day of February 2020, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan of the City of Hamilton.

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

1. That Sheet No. E76 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the zoning from the “C” (Urban Protected Residential Etc.) District to the “C/S-1797” (Urban Protected Residential, Etc.) District, Modified on the lands of the extent and boundaries of which are shown of the 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) In addition to Section 9. (1), a three family dwelling shall be permitted within the building existing on the date of the passing this By-Law.
 - b) That notwithstanding Section 9. (3) (i), a front yard of a depth of at least 1.7 metres.
 - c) That notwithstanding Section 9. (3) (ii), a northerly side yard of a width of 0.0 metres.
 - d) That notwithstanding Section 9. (4), every lot or tract of land in a “C” District shall have a width of at least 11.4 metres and an area of at least 360.0 square metres.
 - e) That notwithstanding 18. (3) (vi) (c) (ii), into a required side yard not more than 0.0 metres from the northerly side lot line and 1.0 metre from the southerly side lot line.
 - f) That notwithstanding Section 18. (3) (vi) (cc) (i), into a required front yard, provided that no such projection shall be closer to a street line than 1.0 metre.
 - g) That notwithstanding Section 18. (3) (vi) (e), a terrace, uncovered porch, platform or ornamental feature which does not extend more than 1.2 metres above the floor level of the first storey, may project into a required yard, if distant at least 0.5 metres from the nearest side lot line and 0.0 metres from the nearest street line.
 - h) That notwithstanding Section 18. (4) (iv), an accessory building shall be permitted within the required side yard and rear yard, and every accessory building which is not part of the principal building which is located entirely within the side yard, shall be distant at least 0.3 metres from the nearest lot line.
 - i) Section 18. (14) (i) and 18. (14) (ii) shall not apply.
 - j) That notwithstanding Section 18A (1) (a) and (b), 1.0 space per Class A dwelling unit shall be provided.
 - k) That notwithstanding Section 18A. (1) (f) and Table 6, Column 2, maneuvering space abutting upon and accessory to each required parking space, having a total width of 3.0 metres on the lot is to be used in

conjunction with the 3.0 metre northerly abutting laneway for 90 degree angled parking.

- l) That notwithstanding Section 18A. (9), 6.0 metres of maneuvering space shall be provided between the lot and the northerly abutting laneway.
 - m) That notwithstanding Section 18A. (21) all required parking spaces shall be located on the lot with maneuvering space shared between the lot and within the northerly abutting laneway and access shall be provided by means of the northerly abutting laneway.
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" (Urban Protected Residential, Etc.) District provisions, subject to the special provisions referred to in Section 2, respectively.
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 this 12th day of February, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAR-19-016



This is Schedule "A" to By-law No. 20- Passed the day of, 2020	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <h3 style="margin: 0;">Map Forming Part of By-law No. 20-_____</h3> to Amend By-law No. 6593	<p>Subject Property 11 Grosvenor Avenue South</p> <p> Change in Zoning from the "C" (Urban Protected Residential, Etc.) District to the "C/S-1797" (Urban Protected Residential, Etc.) District, Modified</p>
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