

Authority: Item 5, Planning Committee
Report 20-007 (PED20084)
CM: September 16, 2020
Ward: 8

Bill No. 192

CITY OF HAMILTON

BY-LAW NO. 20- 192

To Amend Zoning By-law No. 6593 Respecting Lands Known as 1477 & 1443 Upper James Street and 221 Genoa Drive, 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Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 5 of Report 20-007 of the Planning Committee, at its meeting held on the 21st day of August 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 upon finalization of OPA No. 137;

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

1. That Sheet No. E9d of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), as amended, is further amended as follows:
 - a. By changing the zoning from the “RT-30” (Street – Townhouse) District to the “D/S-1801” (Urban Protected Residential – One and Two Family Dwellings) District, Modified (Block 1);
 - b. By changing the zoning from the “D/S-1395” (Urban Protected Residential – One and Two Family Dwellings) District, Modified to the “D/S-1801” (Urban

- Protected Residential – One and Two Family Dwellings) District, Modified (Block 2);
- c. By changing the zoning from the “AA” (Agricultural) District to the “D/S-1801” (Urban Protected Residential – One and Two Family Dwellings) District, Modified (Block 3);
 - d. By changing the zoning from the “C/S-1788” (Urban Protected Residential) District, Modified to the “D/S-1801” (Urban Protected Residential – One and Two Family Dwellings) District, Modified (Block 4);
 - e. By changing the zoning from the “C/S-1788” (Urban Protected Residential) District, Modified to the “D/S-1801” (Urban Protected Residential – One and Two Family Dwellings) District, Modified (Block 5);
 - f. By changing the zoning from the “C/S-1788” (Urban Protected Residential) District, Modified to the “RT-30/S-1801” (Street – Townhouse) District, Modified (Block 6);
 - g. By changing the zoning from the “D/S-1395” (Urban Protected Residential – One and Two Family Dwellings) District, Modified to the “RT-30/S-1801” (Street – Townhouse) District, Modified (Block 7);
 - h. By changing the zoning from the “RT-30” (Street – Townhouse) District to the “RT-30/S-1801” (Street – Townhouse) District, Modified (Block 8);
 - i. By changing the zoning from the “D/S-1395” (Urban Protected Residential – One and Two Family Dwellings) District, Modified to the “RT-30/S-1801” (Street – Townhouse) District, Modified (Block 9);
 - j. By changing the zoning from the “RT-30” (Street – Townhouse) District to the “RT-30/S-1801” (Street – Townhouse) District, Modified (Block 10);
 - k. By changing the zoning from the “D/S-1395” (Urban Protected Residential – One and Two Family Dwellings) District, Modified to the “RT-30/S-1801” (Street – Townhouse) District, Modified (Block 11);
 - l. By changing the zoning from the “AA” (Agricultural) District to the “RT-30/S-1801” (Street – Townhouse) District, Modified (Block 12);
 - m. By changing the zoning from the “C/S-1788” (Urban Protected Residential) District, Modified to the “RT-30/S-1801” (Street – Townhouse) District, Modified (Block 13);
 - n. By changing the zoning from the “D/S-1395” (Urban Protected Residential – One and Two Family Dwellings) District, Modified to the “RT-30/S-1801” (Street – Townhouse) District, Modified (Block 14);

- o. By changing the zoning from the “D/S-1395” (Urban Protected Residential – One and Two Family Dwellings) District, Modified to the “RT-20/S-1801” (Townhouse – Maisonette) District, Modified (Block 15);
- p. By changing the zoning from the “AA” (Agricultural) District to the “RT-20/S-1801” (Townhouse – Maisonette) District, Modified (Block 16);
- q. By changing the zoning from the “C/S-1788” (Urban Protected Residential) District, Modified to the “RT-20/S-1801” (Townhouse – Maisonette) District, Modified (Block 17);
- r. By changing the zoning from the “AA” (Agricultural) District to the “C/S-1788” (Urban Protected Residential) District, Modified (Block 18); and,
- s. By changing the zoning from the “C/S-1788” (Urban Protected Residential) District, Modified to the “C/S-1801”-‘H’ (Urban Protected Residential) District, Modified, Holding (Block 19);

on the land the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” and forming part of this By-law.

- 2. That the “D” (Urban Protected Residential – One and Two Family Dwellings) District regulations, as contained in Section 10 of Zoning By-law No. 6593, applicable to the land comprised in Blocks 1-5, be modified to include the following special requirements:
 - a. That notwithstanding Section 10(4)(ii), for a two family dwelling a width of at least 16.0 metres.
 - b. That notwithstanding Section 10(4)(ii), for lands identified as Blocks 1-4, for a two family dwelling an area of at least 515.0 square metres.
 - c. That notwithstanding Section 10(4)(ii), for lands identified as Block 5, for a two family dwelling an area of at least 480.0 square metres.
- 3. That the “RT-20” (Townhouse – Maisonette) District regulations, as contained in Section 10E of Zoning By-law No. 6593, applicable to the land comprised in Blocks 15-17, be modified to include the following special requirements:
 - a. That notwithstanding Section 10E(4)(a), where a yard abuts a street, a depth of not less than 6.0 metres from the street line except for the easterly yard, where the yard abuts a street, a depth of not less than 2.0 metres.
 - b. That notwithstanding Section 10E(4)(b), a depth of not less than 3.3 metres between the exterior side wall of a building and the lot line of an abutting residential district.

- c. That notwithstanding Section 10E(5)(b) and (c), a distance not less than 3.5 metres between the side exterior wall of a building and the side exterior wall of another building on the same parcel, a distance not less than 7.5 metres between the rear or front facing exterior wall of a building and the side exterior wall of a building on the same parcel and a distance not less than 15.0 metres between the rear or front facing exterior wall of a building and the rear or front facing exterior wall of another building on the same parcel.
 - d. That notwithstanding Section 18A(11)(a) for Blocks 15-17, not less than 1.3 metres from the adjoining residential district boundary and shall include a landscaped area with a planting strip of not less than 1.2 metres.
4. That the “RT-30” (Street – Townhouse) District regulations, as contained in Section 10F of Zoning By-law No. 6593, applicable to the land comprised in Blocks 6-14, be modified to include the following special requirements:
- a. That notwithstanding Section 10F(4)(b), for lands identified as Block 14, a rear yard of a depth not less than 6.0 metres.
 - b. That notwithstanding Section 10F(6)(i), for lands identified as Blocks 6-9, a lot area not less than 170.0 square metres for each single family dwelling unit.
 - c. That notwithstanding Section 10F(6)(i), for lands identified as Blocks 10-13, a lot area not less than 160.0 square metres for each single family dwelling unit.
 - d. That notwithstanding Section 10F(6)(i), for lands identified as Block 14, a lot area not less than 150.0 square metres for each single family dwelling unit.
 - e. That notwithstanding Section 10F(6)(ii), a width of not less than 5.75 metres for each dwelling unit.
5. The ‘H’ symbol applicable to the lands referred to in Section 1 of this By-law shall be removed conditional upon:
- a) The holding provision “C/S-1801”-‘H’ (Urban Protected Residential, etc.) District, Modified, Holding applicable to Block 19 be removed conditional upon:
 - i) That the lands identified as Block 19 in Schedule “A” of the amending By-law shall be consolidated with remnant parcels in the abutting Registered Plan 62M-1209, known as 87 and 91 Aquasanta Crescent to the satisfaction of the Senior Director, Growth Management.
6. That By-law No. 6593 Hamilton is amended by adding this By-law to Section 19B as Schedule S-1801.
7. That Sheet No. E9d of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1801.

8. 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 16th day of September, 2020

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-18-025
UHOPA-18-010



This is Schedule "A" to By-law No. 20-
 Passed the day of, 2020

 Mayor

 Clerk

Schedule "A"
 Map 1 of 2
 Map forming Part of
 By-law No. 20-_____
 to Amend By-law No. 6593

- Subject Property - 1443 and 1477 Upper James Street & 221 Genoa Drive**
- Block 1: Change from "RT-30" (Street - Townhouse) District to the D/S-1801" (Urban Protected Residential - One and Two Family Dwellings) District, Modified
 - Block 2: Change from "D/S-1395" (Urban Protected Residential One and Two Family Dwellings) District, Modified to the "D/S-1801" (Urban Protected Residential - One and Two Family Dwellings) District, Modified
 - Block 3: Change from "AA" (Agricultural) District to the "D/S-1801" (Urban Protected Residential - One and Two Family Dwellings) District, Modified
 - Block 4: Change from "C/S-1788" (Urban Protected Residential) District, Modified to the "D/S-1801" (Urban Protected Residential - One and Two Family Dwellings) District, Modified
 - Block 5: Change from "C/S-1788" (Urban Protected Residential) District, Modified to the "D/S-1801" (Urban Protected Residential - One and Two Family Dwellings) District, Modified
 - Block 6: Change from "C/S-1788" (Urban Protected Residential) District, Modified to the "RT-30/S-1801" (Street - Townhouse) District, Modified
 - Block 7: Change from "D/S-1395" (Urban Protected Residential One and Two Family Dwellings) District, Modified to the "RT-30/S-1801" (Street - Townhouse) District, Modified
 - Block 8: Change from "RT-30" (Street - Townhouse) District to the "RT-30/S-1801" (Street - Townhouse) District, Modified
 - Block 9: Change from "D/S-1395" (Urban Protected Residential One and Two Family Dwellings) District, Modified to the "RT-30/S-1801" (Street - Townhouse) District, Modified

Scale: N.T.S.	File Name/Number: ZAC-18-025/UHOPA-18-010/25T-201803	
Date: July 15, 2020	Planner/Technician: MD/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		



This is Schedule "A" to By-law No. 20-
 Passed the day of, 2020

 Mayor

 Clerk

Schedule "A"
 Map 2 of 2
 Map forming Part of
 By-law No. 20-_____
 to Amend By-law No. 6593

- Subject Property** - 1443 and 1477 Upper James Street & 221 Genoa Drive
- Block 10: Change from "RT-30" (Street – Townhouse) District to the "RT-30/S-1801" (Street – Townhouse) District, Modified
 - Block 11: Change from "D/S-1395" (Urban Protected Residential One and Two Family Dwellings) District, Modified to the "RT-30/S-1801" (Street – Townhouse) District, Modified
 - Block 12: Change from "AA" (Agricultural) District to the "RT-30/S-1801" (Street – Townhouse) District, Modified
 - Block 13: Change from "C/S-1788" (Urban Protected Residential) District, Modified to the "RT-30/S-1801" (Street – Townhouse) District, Modified
 - Block 14: Change from "D/S-1395" (Urban Protected Residential One and Two Family Dwellings) District, Modified to the "RT-30/S-1801" (Street – Townhouse) District, Modified
 - Block 15: Change from "D/S-1395" (Urban Protected Residential One and Two Family Dwellings) District, Modified to the "RT-20/S-1801" (Townhouse – Maisonette) District, Modified
 - Block 16: Change from "AA" (Agricultural) District to the "RT-20/S-1801" (Townhouse – Maisonette) District, Modified
 - Block 17: Change from "C/S-1788" (Urban Protected Residential) District, Modified to the "RT-20/S-1801" (Townhouse – Maisonette) District, Modified
 - Block 18: Change from "AA" (Agricultural) District to the "C/S-1788" (Urban Protected Residential) District, Modified
 - Block 19: Change from "C/S-1788" (Urban Protected Residential) District, Modified to the "C/S-1801"-H" (Urban Protected Residential – Holding) District, Modified

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