

Authority: Item 14, Planning Committee
Report: 14-014 (PED14196)
CM: September 24, 2014

Bill No. 294

CITY OF HAMILTON

BY-LAW NO. 14-294

**To Amend Zoning By-law No. 6593 (Hamilton), as Amended,
Respecting Lands Located at 257 Park Street South (Hamilton)**

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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 14 of Report 14- 014 of the Planning Committee, at its meeting held on the 24th day of September, 2014, recommended that Zoning By-law No. 6593 (Hamilton) be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. 30.

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

1. That Sheet No. W-5 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), as amended, is hereby further amended as follows:

- (a) By changing from the "DE-3" (Multiple Dwelling) District to the "RT-30/S-1714" (Street-Townhouse) District, Modified, for the lands comprised of the subject lands.

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 the "RT-30" (Street-Townhouse) District regulations, as contained in Section 10F of Zoning By-law No. 6593, the Supplementary Requirements and Modifications, as contained in Section 18 of Zoning By-law No. 6593, and the Parking and Loading Requirements, as contained in Section 18A, be modified to include the following special requirements:


RT-30/S-1714

- a) Notwithstanding Section 10F (4) (b) a rear yard of a depth not less than 5m.
- b) Notwithstanding Section 10F (4) (c) (iii) a side yard of not less than 1.5m from the southerly lot line and 0.9m from the northerly lot line for a Street Townhouse Dwelling, not exceeding three storeys in height.
- c) Notwithstanding Section 10F (6) (i) a lot area of not less than 135 sq. m. for a middle Street Townhouse lot and a lot area of not less than 155 sq. m. for an end street townhouse unit.
- d) Notwithstanding Section 18 (3) (vi) (cc) a second storey balcony may project 1.2m into a required rear yard.
- e) Notwithstanding Section 18 (3) (vi) (d) a roofed-over or screened but otherwise unenclosed one-storey porch and associated eaves, gutters, and stairs may project into a required front yard to a distance of not more than 3.5m and every such projecting porch shall be distant at least 1.5m from the front lot line.
- f) Notwithstanding Section 18A (25) where a townhouse dwelling is adjacent to a residential district that does not permit such a use every access driveway to the townhouse dwelling shall be located not less than 1.5m from the southerly common boundary between the district in which the townhouse dwelling is located and the district that does not permit such a use and 0.9m from the northerly common

boundary between the district in which the townhouse dwelling is located and the district that does not permit such a use.

3. That By-law No. 6593 (City of Hamilton) is amended by adding this By-law to Section 19B as Schedules S-1714.
4. That Sheet W-5 of the District maps is amended by making the lands referred to in Section 1 of this By-law as Schedules S-1714.
5. 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 "RT-30" district provisions, subject to the special requirements in Section 2 of this By-law.
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 September, 2014.

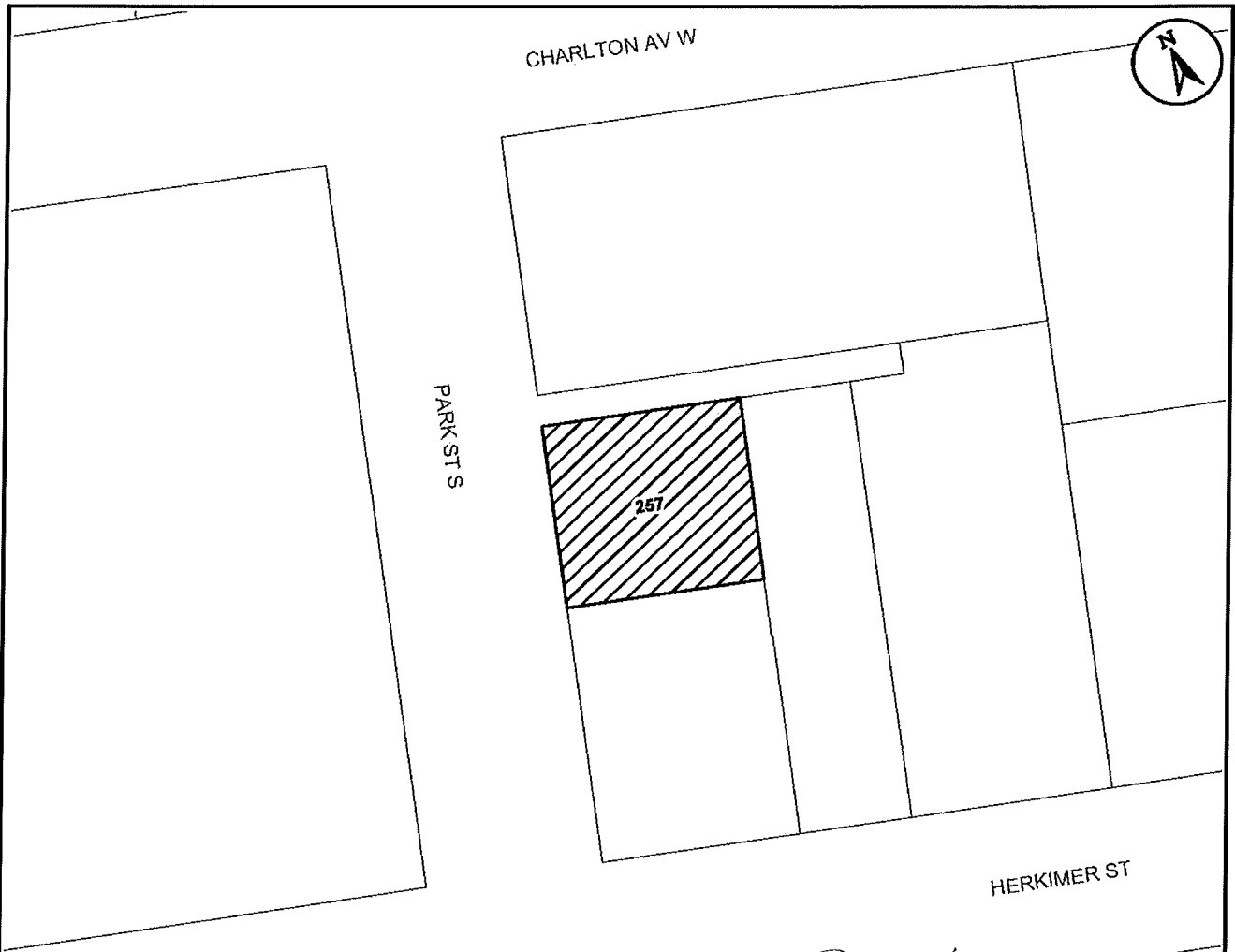


R. Bratina
Mayor



R. Caterini
City Clerk

ZAC-13-032 and UHOPA-14-010



This is Schedule "A" to By-law No. 14-294

Passed the ..24.th. day of September..., 2014

R. Bortone
 Mayor
[Signature]
 Clerk

Schedule "A"

Map Forming Part of
 By-law No. 14-294

to Amend By-law No. 6593

Subject Property



Change in zoning from the "DE-3" Multiple Dwelling District to the "RT-30/S-1714" Street-Townhouse District

Scale:
 N.T.S.

File Name/Number:
 ZAR-13-032 & OPA-14-010

Date:
 August 22, 2014

Planner/Technician:
 EJ/AL

