

Authority: Item 2, Planning Committee
Report: 17-014 (PED17159)
CM: September 13, 2017
Ward: 3

Bill No. 201

CITY OF HAMILTON

BY-LAW NO. 17-201

To Amend Zoning By-law No. 6593, as Amended by By-law No. 76-61 Respecting Lands Located at 53 Gibson Avenue, 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";

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";

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Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

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);

WHEREAS, the Council of the City of Hamilton, in adopting Item 2 of Report 17-014 of the Planning Committee, at its meeting held on the 13th day of September 2017, which recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

WHEREAS, this By-law is in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No. 83;

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

1. That Sheet No. E22 of the District Maps appended is amended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended by changing the zoning from the "D/S-459" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District to "RT-30/S-1754 " (Street-Townhouse) District, Modified (Block 1), and "RT-30/S-1754-'H'" (Street-Townhouse) District, Holding, Modified (Block 2); the extent and boundaries of which are shown on a plan here to annexed as Schedule "A".

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2. That the "RT-30" (Street-Townhouse) District provisions, as contained in Section 10F of Zoning By-law No. 6593, are further modified to include the following special requirements:
 - (a) Notwithstanding Section 10F(4)(c)(ii) and (iii), 1.2 metres for a Street Townhouse Dwelling, not exceeding three storeys in height;
 - (b) Notwithstanding Section 10F(5)(b) and (c), a distance of not less than 2.44 metres; and,
 - (c) Notwithstanding Section 10F (6) (i) and (ii), a lot area of not less than 143 square metres for each dwelling unit and a width of not less than 4.6 metres for each dwelling unit.
3. That the 'H' symbol applicable to the lands referred to in Sections 1 (a) of this By-law, shall be removed conditional upon:
 - (i) the applicant submitting a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of the Environment and Climate Change (MOECC). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECC, and submission of the City of Hamilton's current RSC administration fee.
4. 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" (Street-Townhouse) District provisions, subject to the special requirements referred to in Sections 2 and 3.
5. That Sheet No. E22 of the District Maps is amended by marking the lands referred to in Section 1 of the By-law as "RT-30/S-1754" and "RT-30/S-1754-'H'".
6. That By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1754.
7. 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 27th day of September, 2017.

F. Eisenberger

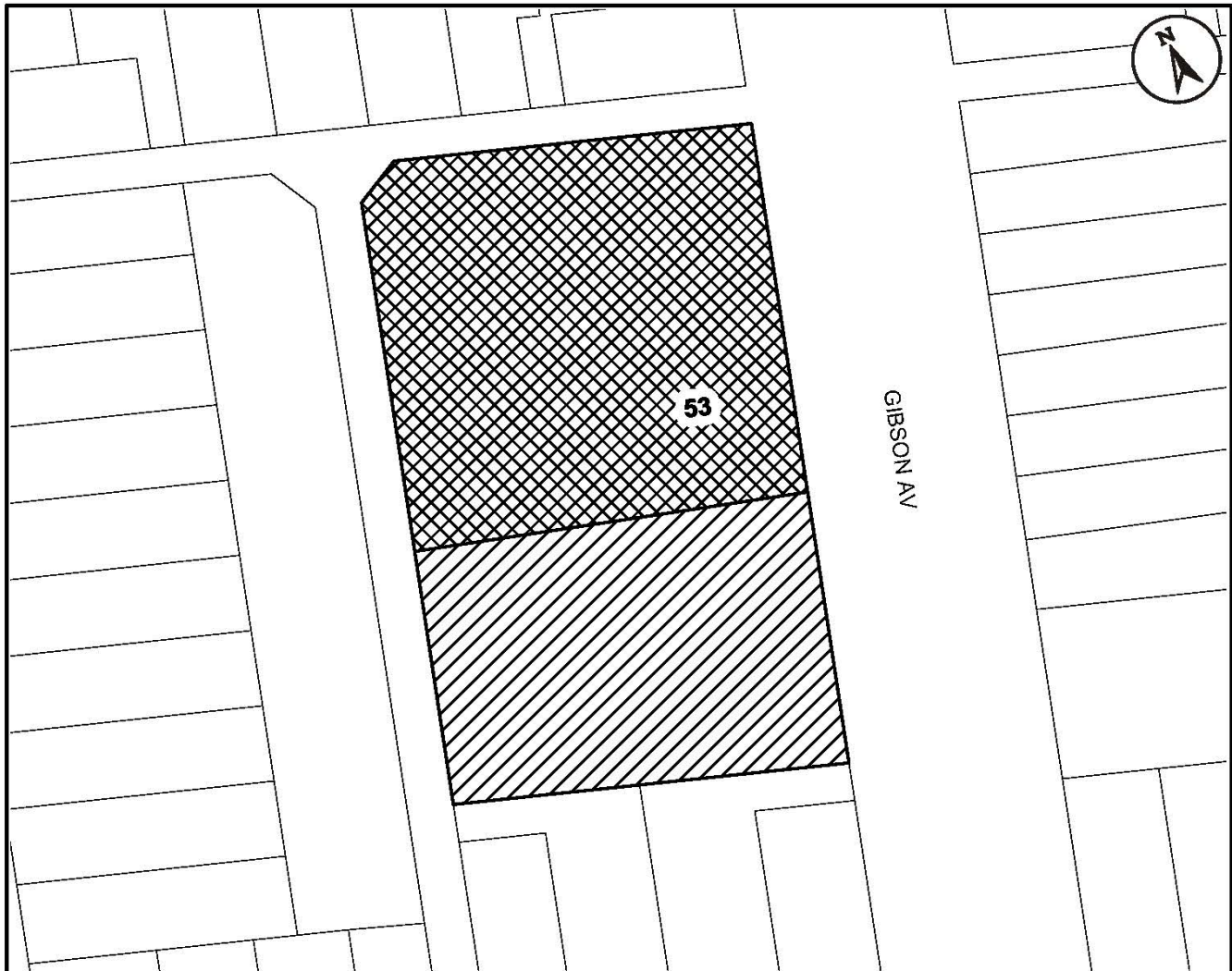
Mayor

ZAC-16-037/UHOPA-16-14

R. Caterini

City Clerk

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This is Schedule "A" to By-law No. 17-

Passed the day of, 2017

 Mayor

 Clerk

Schedule "A"

Map Forming Part of
 By-law No. 17-_____

to Amend By-law No. 6593

Subject Property

53 Gibson Avenue



Block 1 - "D/S-459" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District, Modified to "RT-30/S-1754" (Street-Townhouse) District, Modified



Block 2 - D/S-459" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District, Modified to "RT-30/S-1754-H" (Street-Townhouse) District, Holding, Modified

Scale:
 N.T.S.

File Name/Number:
 ZAC-16-037 & UHOPA-16-14

Date:
 Sept. 7, 2017

Planner/Technician:
 TS/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT