

**Authority:** Item 7, Planning Committee  
Report: 22-011 (PED22143)  
CM: July 8, 2022  
Ward: 8

**Bill No. 176**

## **CITY OF HAMILTON**

### **BY-LAW NO. 22-176**

#### **To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 60 Caledon Avenue, Hamilton**

**WHEREAS** Council approved Item 7 of Report 22-011 of the Planning Committee, at its meeting held on July 8, 2022;

**AND WHEREAS** this By-law conforms to the Urban Hamilton Official Plan;

**NOW THEREFORE** Council amends Zoning By-law No. 05-200 as follows:

1. That Map 1183 of Schedule “A” – Zoning Maps is amended by changing the zoning from the Community Institutional (I2) Zone to the Community Institutional (I2, 810, H127) Zone for the lands attached as Schedule “A” to this By-law.
2. That Schedule “C” - Special Exceptions is amended by adding the following new Special Exception:
  - “810. Within the lands zoned Community Institutional (I2) Zone, identified on Map No. 1183 of Schedule “A” – Zoning Maps and described as 60 Caledon Avenue, the following special provisions shall apply:
    - a) In addition to the uses permitted in Section 8.2.1, a multiple dwelling shall be permitted in accordance with Section 8.2.3.1.
    - b) In addition to Section 8.2.3.1 and notwithstanding Sections 8.2.3.1 c), 8.2.3.1 e), 8.2.3.1 f), the following special provisions shall apply:
      - i) Minimum Side Yard and Flankage Yard      A flankage yard of 5.5 metres and a minimum westerly side yard of 3 metres.
      - ii) Maximum Building Height      22 metres
      - iii) Minimum Landscaped Area      45% of the lot area
      - iv) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.

- v) A walkway shall be permitted in a required planting strip.
- vi) Minimum Amenity Area for Multiple Dwellings
  - 1. An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area.
  - 2. An area of 6.0 square metres for each dwelling unit greater than 50 square metres of gross floor area.
  - 3. In addition to the definition of Amenity Area in Section 3: Definitions of By-law 05-200, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface and exposed to light and air.
- c) That Section 5.1 a), v) shall not apply.
- d) For the purposes of Special Exception No. 810, the following special provisions shall apply to Area A and Area B as shown on Figure 25 of Schedule “F” – Special Figures:
  - i) Maximum Building Height 22 metres  
Area A
  - ii) Maximum Building Height 11.5 metres  
Area B
- 3. That Schedule “D” – Holding Provisions, of By-law No. 05-200, be amended by adding the additional Holding Provision as follows:
  - H127. Notwithstanding Section 8.2 of this By-law, within lands zoned Community Institutional (I2, 810) Zone on Map No. 1183 on Schedule “A” – Zoning Maps, and described as 60 Caledon Avenue, Hamilton, no development shall be permitted until such time as:
    - 1. That the Owner submits and receives approval of an updated Functional Servicing Report and Stormwater Management Report and related drawings to demonstrate that adequate capacity exists in the existing municipal sanitary sewer downstream of the site to

support the proposed development, to the satisfaction of the Director  
of Growth Management.

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*.
5. That this By-law No. 22-176 shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the *Planning Act*, either upon the date of passage of this by-law or as otherwise provided by the said Sub-section.

**PASSED** this 8<sup>th</sup> day of July, 2022

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

ZAC-21-025



<p>This is Schedule "A" to By-law No. 22-</p> <p>Passed the ..... day of ....., 2022</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<p><b>Schedule "A"</b></p> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 1183</p>	<p><b>Subject Property</b></p> <p>60 Caledon Avenue, Hamilton (Ward 8)</p> <p> Change in Zoning from the Community Institutional (I2) Zone to the Community Institutional (I2, 810, H127) Zone</p>
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<p>Scale: N.T.S</p>	<p>File Name/Number: ZAC-21-025/UHOPA-21-011</p>	
<p>Date: May 12, 2022</p>	<p>Planner/Technician: JVR/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

