

**Authority:** Item 2, Planning Committee Report 23-020 (PED23242)

CM: December 13, 2023 Ward: 6

Written approval for this by-law was given by Mayoral Decision MDE-2023 16 dated December 13, 2023

**Bill No. 239**

## **CITY OF HAMILTON**

### **BY-LAW NO. 23-239**

#### **To Amend Zoning By-law No. 6593 with Respect to Lands Located at 1400 Limeridge Road East, 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 area municipality known as "The Corporation of the City of Hamilton", and is the successor of 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;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, in approving Item 2 of Report 23-020 of the Planning Committee, at its meeting held on the 13th day of December, 2023, 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;

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

1. That Sheet No. E69b of the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended by changing the zoning from the "D/S-222" and "D/S-1822" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified, to the "RT-20/S-1833" (Townhouse – Maisonette) District, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That the "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:
  - a) Notwithstanding Section 10E.(4)(b), a minimum westerly side yard having a width or depth no less than 4.3 metres where there are windows to a habitable room facing the yard.
  - b) Notwithstanding Section 10E.(5)(b) and Section 10E.(5)(c), a minimum distance not less than 6.0 metres between two exterior walls for buildings on the same lot, which contain windows to a habitable room.
  - c) Notwithstanding Section 10E.(8), a privacy area shall not be required for each single family dwelling unit.
  - d) Notwithstanding Section 18A(1)(a) and Section 18A – Table 1, a minimum 1.0 space per Class A dwelling unit shall be provided for a townhouse dwelling and maisonette dwelling.
  - e) Notwithstanding Section 18A(1)(b) and Section 18A – Table 2, a minimum 0.17 spaces per Class A dwelling unit shall be provided in addition to the parking spaces required for each townhouse dwelling and maisonette dwelling in subsection d), above.
  - f) Notwithstanding Section 18A (1)(c) and Section 18A – Table 3, no loading space shall be required.
  - g) That in addition to the dwelling units existing on the subject lands at the date of passing of this by-law, a maximum of 10 additional maisonette dwelling units shall be permitted.
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 "RT-20" District, subject to the special requirements referred to in Section 2 of this By-law.
4. That Sheet No. E69b of the District Maps is amended by marking the lands referred to in Section 1 of the By-law as "RT-20/S-1833" District.
5. That By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1833.
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 13<sup>th</sup> day of December, 2023

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

ZAC-22-065

Not Final and Binding



This is Schedule "A" to By-law No. 23-  
Passed the ..... day of ....., 2023

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Mayor  
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Clerk

**Schedule "A"**  
**Map forming Part of**  
**By-law No. 23-\_\_\_\_\_**  
**to Amend By-law No. 6593**

**Subject Property**  
1400 Limeridge Road East, Hamilton

 Change in zoning from the "D-S/222" and "D-S/1822" (Urban Protected Residential - One And Two Family Dwellings, Etc.) District, Modified, to the "RT-20/S-1833" (Townhouse – Maisonette) District, Modified.

Scale: N.T.S	File Name/Number: ZAC-22-065	
Date: November 22, 2023	Planner/Technician: AB/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Hamilton