

Authority: Item 6, Planning Committee Report
18-013 (PED18190)
CM: September 12, 2018
Ward: 4

Bill No. 262

CITY OF HAMILTON

BY-LAW NO. 18-262

To Amend Zoning By-law No. 6593 Respecting Lands Located at 256 Parkdale Avenue North and 205 Melvin 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”;

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Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 6 of Report 18-013 of the Planning Committee, at its meeting held on the 12th day of September 2018, which recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

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

1. That Sheet No. E75 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 “H” (Community Shopping and Commercial, Etc.) District to the “H/S-1764-‘H” (Community Shopping and Commercial, Etc.) District, Holding, Modified; the extent and boundaries of which are shown on a plan here to annexed as Schedule “A”.
2. That the “H” (Community Shopping and Commercial, Etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the subject lands, be further modified to include the following special requirements:
 - a) That notwithstanding Section 4(3)(a), two buildings used for residential purposes shall be permitted.

- b) That in addition to Section 14(1) the following uses shall be permitted:
 - i) A Multiple Dwelling in conjunction with the commercial uses permitted in Section 14(1); and,
 - ii) A Multiple Dwelling on a lot on which there is an existing building containing a mix of commercial and residential uses.
 - c) That notwithstanding Section 14(3)(ii)(a), a southerly side yard of width of 0.0 metres.
 - d) That notwithstanding Section 14(9)(i), a planting strip of not less than 1.5 metres in width shall be provided and maintained along the rear lot line, except where a bicycle storage area, recycling storage area or waste storage area is located, which is located a minimum 0.45 metres from the rear lot line.
 - e) That in addition to Section 14(9)(ii), a hydro transformer shall be permitted within the required landscape area.
 - f) That notwithstanding Section 18A(7), every required parking space, other than a parallel parking space, shall have dimensions not less than 3.0 metres wide by 5.8 metres long.
 - g) That notwithstanding Section 18A (Table 1) & (Table 2), a multiple dwelling shall provide 0.21 parking spaces per Class A dwelling unit of which 0.0 spaces per unit shall be allocated for visitor parking.
 - h) That notwithstanding Section 18A (Table 3) one (1) loading space shall be provided for all uses on the lot, with a minimum size of 12.0 metres in length and 3.7 metres in width.
3. That the 'H' symbol applicable to the four storey multiple dwelling use on the lands referred to in Section 1 of this By-law, shall be removed conditional upon:
- (i) The Owner entering into a conditional building permit agreement with respect to completing a Record of Site Condition or the Owner 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,

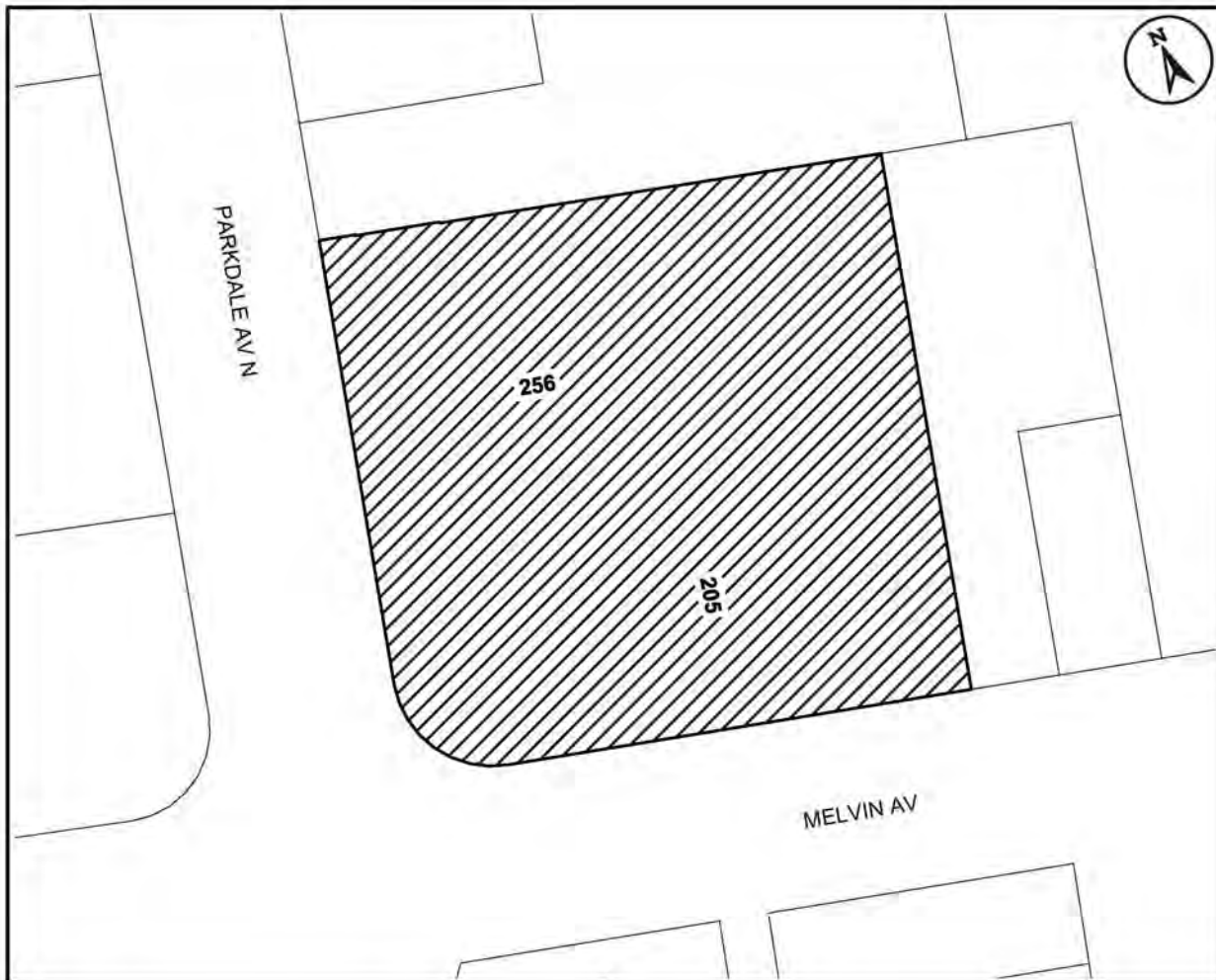
except in accordance with the “H” (Community Shopping and Commercial, Etc.) District provisions, subject to the special requirements referred to in Sections 2 and 3.

5. That Sheet No. E75 of the District Maps is amended by marking the lands referred to in Section 1 of the By-law as “H/S-1764-‘H’”.
6. That By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1764.
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 12th day of September, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk



This is Schedule "A" to By-law No. 18- Passed the day of, 2018	_____ Mayor _____ Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 18-_____</p> <p style="margin: 0 0 0 0;">to Amend By-law No. 6593</p>	<p>Subject Property 256 Parkdale Avenue North & 205 Melvin Avenue</p> <p> "H" (Community Shopping and Commercial, Etc.) District to "H/S-1764-H" (Community Shopping and Commercial, Etc.- Holding) District, Modified</p>
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Scale: N.T.S.	File Name/Number: ZAR-18-027	
Date: July 11, 2018	Planner/Technician: MK/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		