CITY OF HAMILTON
BY-LAW NO. 18-263

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 256 Parkdale Avenue North and 205 Melvin Avenue

WHEREAS Council approved Item 6 of Report 18-013 of the Planning Committee at its meeting held on the 12th day of September, 2018;

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 Map No. 1045 of Schedule “A” – Zoning Maps of Zoning By-law No. 05-200, is amended by changing the zoning from the Mixed Use – Medium Density (C5) Zone to the Mixed Use – Medium Density (C5, 698, H71) Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” to the By-law.

2. That Schedule “C”: Special Exceptions of Zoning By-law No. 05-200, is hereby amended by adding an additional special exception as follows:

“698. Within the lands zoned Mixed Use – Medium Density (C5, 698, H71) Zone, identified on Map No. 1045 of Schedule “A” and described as 256 Parkdale Avenue North and 205 Melvin Avenue, the following special provisions shall apply:

a) Notwithstanding Sections 5.1 a) v) b), 5.6 c) i., 10.5.1.1 i) 1, 10.5.3 (g) (vii) 2 and in addition to Section 3, the following special provisions shall also apply:

b) REGULATIONS

   a) Planting Strip

   v) Unless otherwise regulated in this By-law, parking spaces and aisles giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be subject to the following:

   b) Shall provide a 3.0 metre wide planting strip being required and permanently maintained between the street line and said parking
b) Residential Parking Rate

Parking for dwelling units less than 50.0 square metres in gross floor area shall be provided at a rate of 0.21 per unit.

1. That Section 10.5.1.1 i) 1. shall not apply.

vii) A minimum of one principal entrance shall be provided:

2. shall be accessible via a walkway from any building façade directly to a public sidewalk.

e) Definitions

For the purposes of this By-law, Parkdale Avenue North shall be deemed the front lot line.

3. That Schedule D – Holding Provisions, of By-law No. 05-200, be amended by adding the additional Holding Provision as follows:

For the lands zoned “Mixed Use – Medium Density (C5, 698, H71) Zone, on Map 1045 of Schedule A – Zoning Maps, and described as 256 Parkdale Avenue North and 205 Melvin Avenue (Hamilton), the H Symbol applicable to the lands referred to in Section 1 of this By-law shall prohibit development of a four storey multiple dwelling and shall be removed conditional upon:

(a) 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 the Clerk is hereby authorized 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                                 J. Pilon
Mayor                                        Acting City Clerk

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To Amend Zoning By-law No. 05-200
Respecting Lands Located at 256 Parkdale Avenue North and 205 Melvin Avenue (Hamilton)

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This is Schedule "A" to By-law No. 18-
Passed the .......... day of ...................., 2018

Schedule "A"
Map Forming Part of By-law No. 18-_____
to Amend By-law No. 05-200
Map 1046

Subject Property
256 Parkdale Avenue North & 205 Melvin Avenue
Change in zoning from the Mixed Use – Medium Density (C5) Zone to the Mixed Use – Medium Density (C5, 698, H71) Zone