

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

Bill No. 263

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

spaces or aisle, except that a hydro transformer shall be permitted within the required planting strip.

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| 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. |
| c) Restriction of Uses Within a Building | 1. That Section 10.5.1.1 i) 1. shall not apply. |
| d) Built form for New Development | 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.

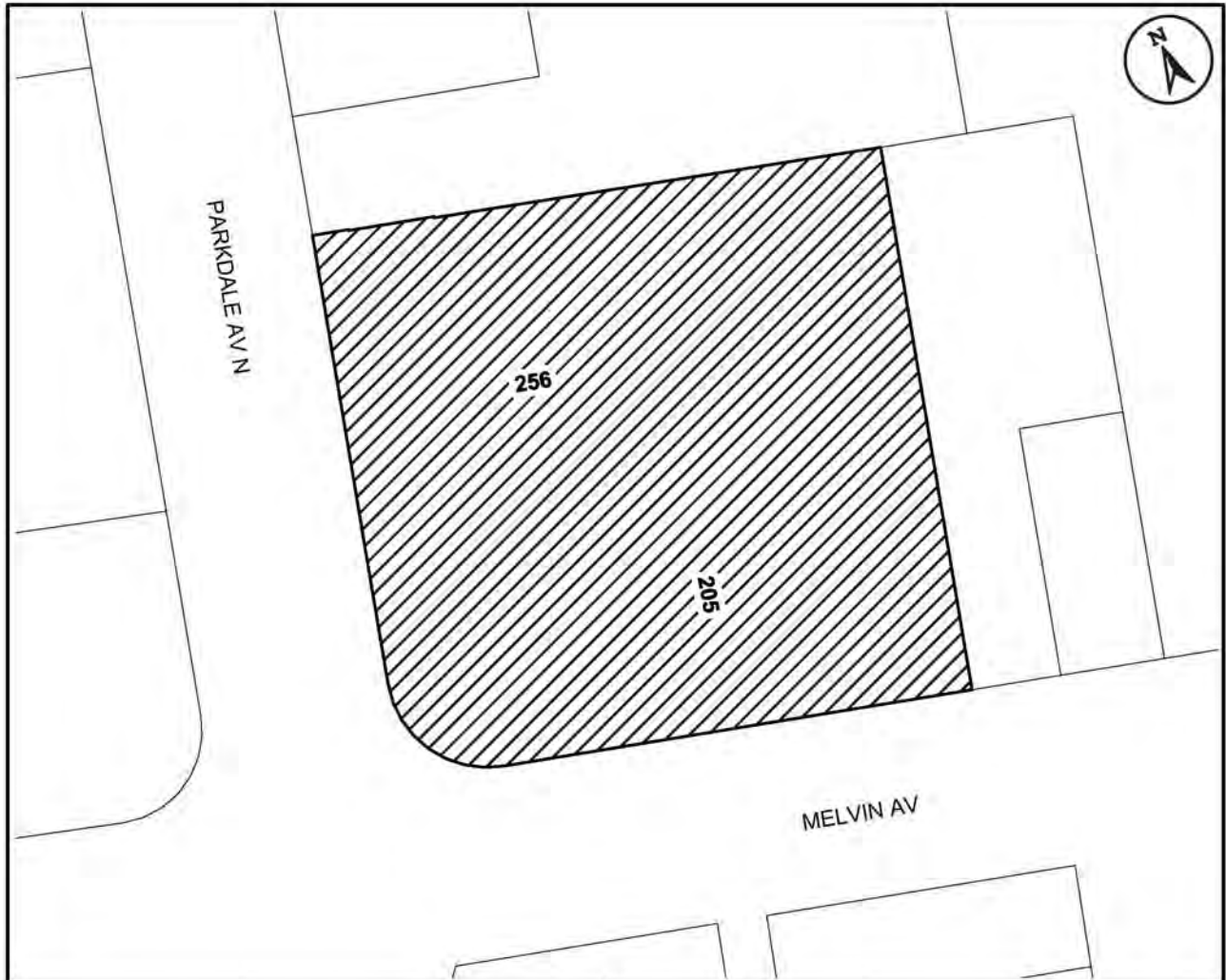
4. That the Clerk is hereby authorized to proceed with the giving of notice of the passing of this by-law, in accordance with the *Planning Act*.

PASSED this 12th day of September , 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAR-18-027



<p>This is Schedule "A" to By-law No. 18-</p> <p>Passed the day of, 2018</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>		
<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: 10px 0 0 0;">to Amend By-law No. 05-200 Map 1046</p>	<p>Subject Property 256 Parkdale Avenue North & 205 Melvin Avenue</p> <p> Change in zoning from the Mixed Use – Medium Density (C5) Zone to the Mixed Use – Medium Density (C5, 698, H71) Zone</p>		
<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAR-18-027</p>		<p>Date: June 28, 2018</p>
<p>Planner/Technician: MK/AL</p>			<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>