

**Authority:** Item 30, Planning and Economic  
Development Committee  
Report 06-018 (PED06397)  
CM: January 10, 2007

**Bill No. 006**

**CITY OF HAMILTON**

**BY-LAW NO. 07-006**

**To Amend Zoning By-law No. 6593, as amended by By-law No. 04-025  
Respecting Lands Located at 422, 426, 428, 440, 456, 464 and 466 Beach  
Boulevard**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Section 30 of Amended Report 06-018 of the Planning and Economic Development Committee at its meeting held on the 10th day of January, 2007, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

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

1. That Sheet No. E-80c of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended:

**By-law Respecting at 422, 426, 428, 440, 456, 464 and 466 Beach Boulevard**

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- (i) by changing Block "1" from the "RT-30/S-1495a" (Street Townhouse) District, Modified to the "RT-20/S-1568" (Townhouse-Maisonette) District, Modified; and,
- (ii) by changing Block "2" from the "DE-2/S-1495a" (Multiple Dwellings) District, Modified to the "RT-20/S-1568" (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 regulations as contained in Section 10E of Zoning By-law No. 6593, applicable to Blocks "1" and "2", are modified to include the following special requirements:
  - (a) Notwithstanding Subsection 10E.(3), of Zoning By-law No. 6593, no structure other than a building shall exceed 11.9 metres in height;
  - (b) Notwithstanding Subsection 10E.4(a), of Zoning By-law No. 6593, a yard abutting a street shall have a depth of not less than 5.1 metres from the street line;
  - (c) Notwithstanding Subsection 10E.5(a), of Zoning By-law No. 6593, a distance of not less than 3.0 metres between two exterior walls containing no window or windows shall be provided and maintained;
  - (d) Notwithstanding Subsection 10E.5(c), of Zoning By-law No. 6593, a distance of not less than 9 metres between two exterior walls each of which contains at least one window to a habitable room shall be provided and maintained;
  - (e) Notwithstanding Subsections 18A.(f)(7) and Table 2(5), of Zoning By-law No. 6593, every required parking space, other than a parallel parking space, shall have dimensions not less than 2.6 metres wide and 5.5 metres long, and the minimum number of required visitor parking spaces for a townhouse dwelling shall be 0.20 of a space per Class A dwelling unit;
  - (f) The minimum ground floor elevation of any building or any building addition shall be 76.0 metres above mean sea level, as defined by the Geodetic Survey Datum; and,
  - (g) No basement or cellar shall be permitted for any building.
3. Zoning By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1568.

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- 4 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" (Townhouse-Maisonette) District provisions, subject to the special requirements referred to in Section 2.
5. 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 and ENACTED** this 10<sup>th</sup> day of January , 2007.

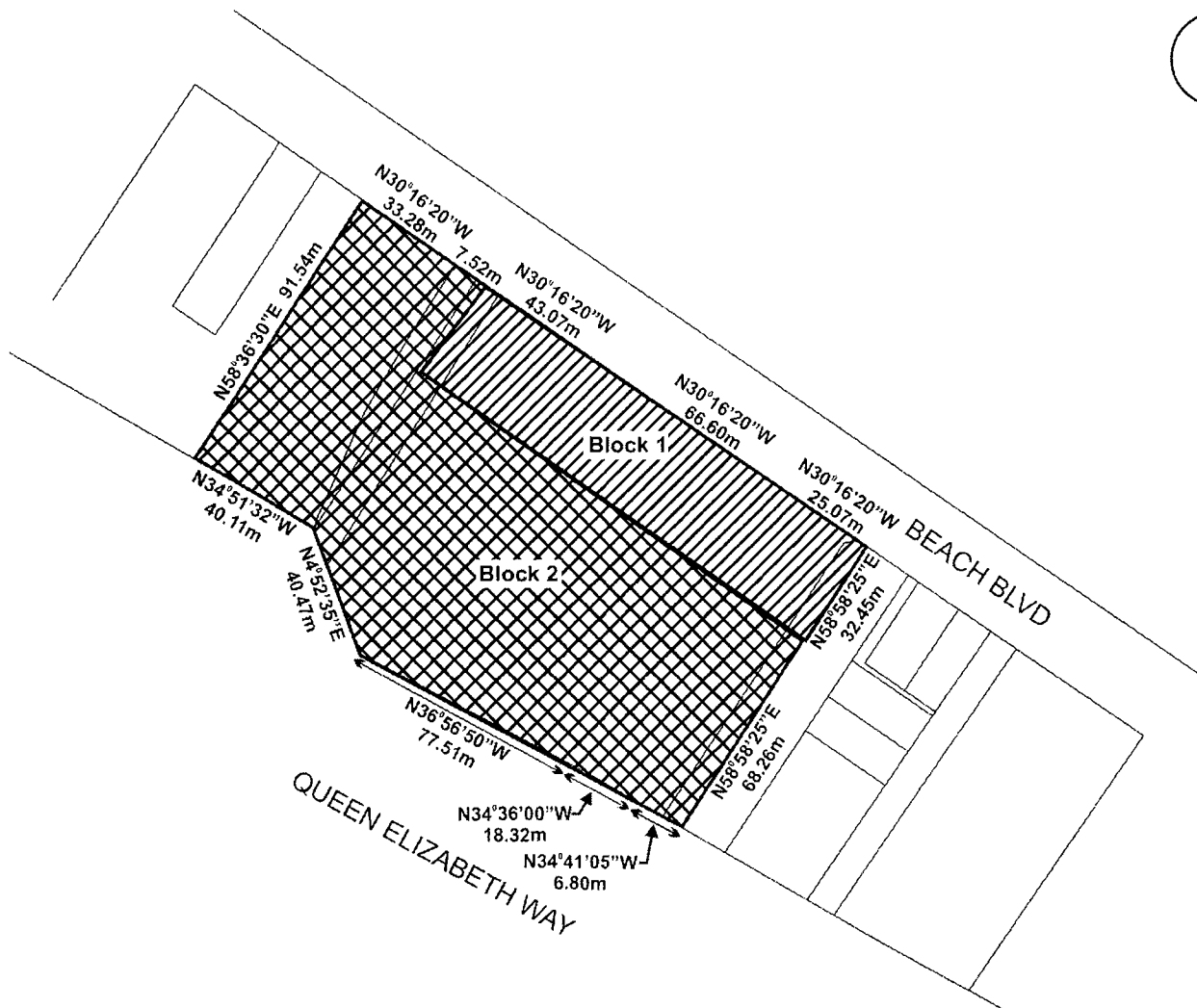


MAYOR



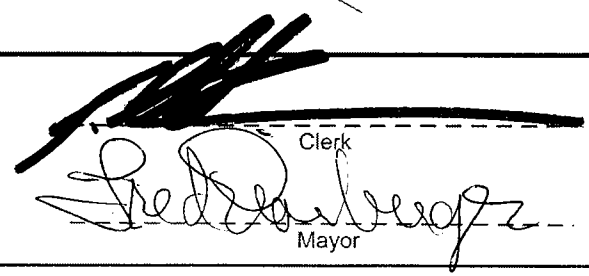
CLERK

ZAC-06-44



This is Schedule "A" to By-Law No. 07- 006

Passed the 10th day of January, 2007

  
 Clerk  
 Mayor

# Schedule "A"

Map Forming Part of  
 By-law No. 07- 006

to Amend By-law No. 6593

## Subject Property



**Block 1** - Change in Zoning from the "RT-30/S-1495a" (Street Townhouse) District, Modified to the "RT-20/S-1568" (Townhouse-Maisonette) District, Modified.



**Block 2** - Change in Zoning from the "DE-2/S-1495a" (Multiple Dwellings) District, Modified to the "RT-20/S-1568" (Townhouse-Maisonette) District, Modified.

Scale: <b>Not to Scale</b>	File Name/Number: <b>ZAC-06-44</b>
Date: <b>July 7, 2006</b>	Planner/Technician: <b>JM/NB</b>
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

