

Authority: Item 12, Economic Development and
Planning Committee
Report: 07-004(PED07058)
CM: February 28, 2007

Bill No. 063

CITY OF HAMILTON

BY-LAW NO. 07-063

**To Amend Zoning By-law No. 6593
Respecting the Properties Located at 1324 & 1328 Upper Sherman Avenue**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Item 12 of Report 07-004 of the Economic Development and Planning Committee at its meeting held on the 28th day of February, 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:

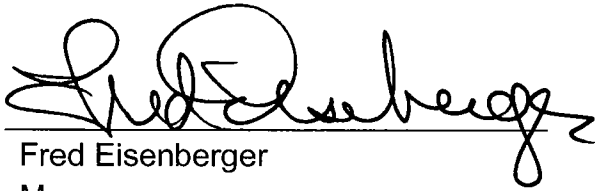
1. That Sheet No. E-27c of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the zoning from the "AA" (Agricultural) District to the "RT-30/S-1574"(Street - Townhouse) District, Modified,

the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That the "RT-30" (Street - Townhouse) District regulations as contained in Section 10F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following:
 - a) That notwithstanding Section 4(3)b and Section 10F(4) of Zoning By-law 6593, for the purposes of frontage, a private road within a Registered Plan of Condominium shall be considered a public highway.
 - b) That notwithstanding Section 10F(4)(a), a minimum front yard depth of 3.0 metres to the front face of a dwelling and 5.5 metres to an attached garage shall be provided and maintained.
 - c) That notwithstanding Section 10F(4)(b), a minimum rear yard depth of not less than 6.0 metres shall be provided and maintained.
 - d) That notwithstanding Section 10F(6)(i), a lot area of not less than 117.0 square metres for each single family dwelling unit shall be provided.
 - e) That notwithstanding Section 18A(7) of Zoning By-law 6593, every parking space other than a parallel space, shall have dimensions not less than 2.7 metres wide and 5.5 metres long.
 - f) That a minimum of nine (9) visitor parking spaces shall be provided within a common element condominium parking area in the "RT-30/S-1574" District, Modified.
 - g) That notwithstanding Section 18(4)(iv) an accessory structure shall be permitted in the side yard and shall be setback a minimum 0.5 metres from a side lot line.
 - h) That a maximum of nineteen dwelling units shall be permitted within the "RT-30/S-1574" District, Modified.
3. 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-30" (Street - Townhouse) District provisions, subject to the special requirements referred to in Section 2 of this By-law.
4. That By-law No. 6593 (City of Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1574.

5. Sheet No. E-27c of the District Maps is amended by marking the land referred to in Section 1 of this By-law as S-1574.
6. 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 28th day of February, 2007.

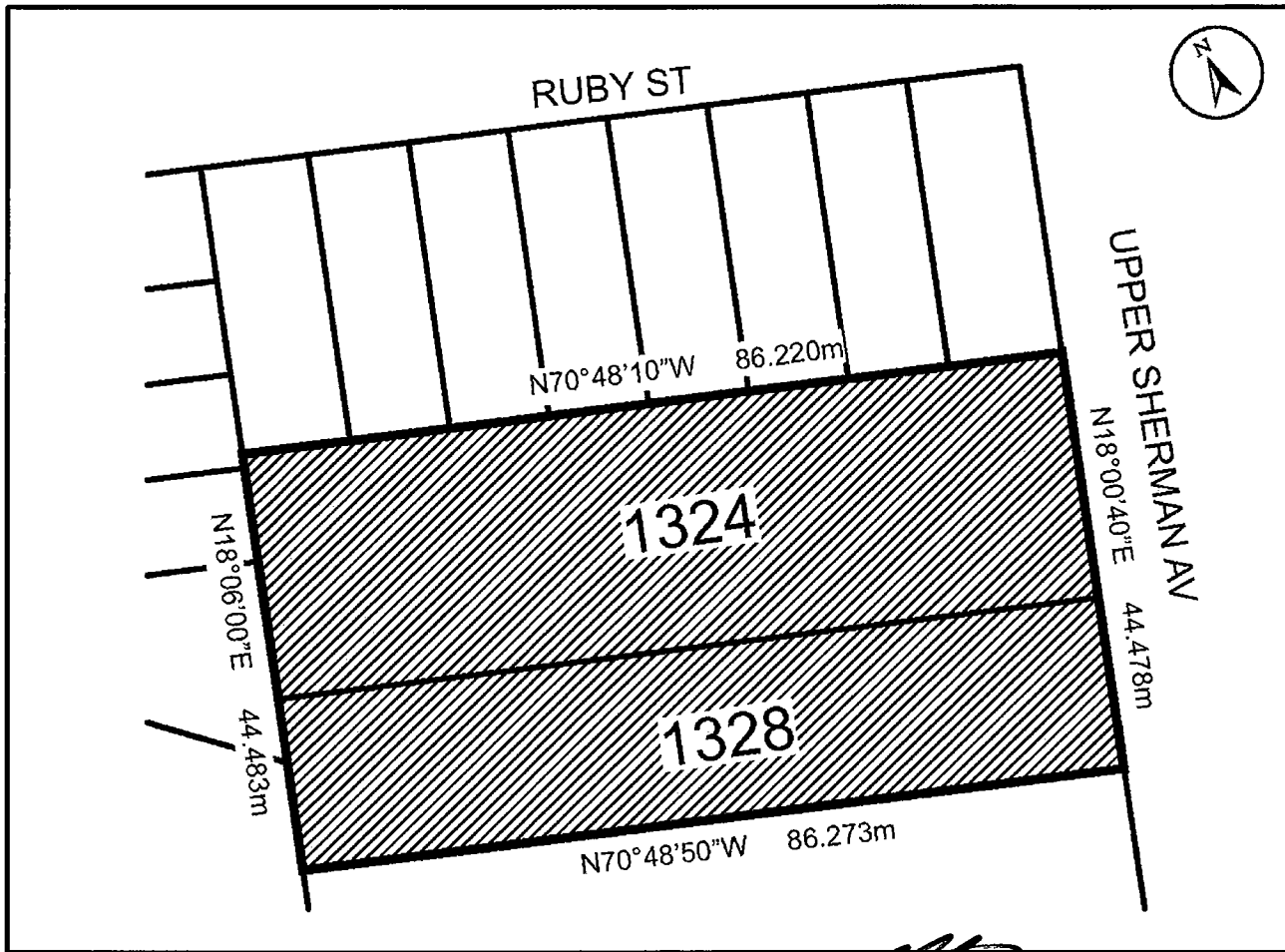


Fred Eisenberger
Mayor



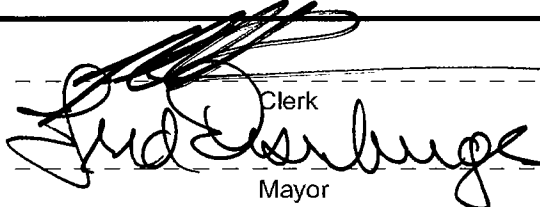
Kevin C. Christenson
City Clerk

ZAC-06-27



This is Schedule "A" to By-Law No. 07- 063

Passed the ..28th. day of .February....., 2007


 Clerk
 Mayor

Schedule "A"

Map Forming Part of
By-Law No. 07- 063


to Amend By-law No. 6593

Subject Property

1324 and 1328 Upper Sherman Avenue, Hamilton.



Change in Zoning from "AA" (Agricultural) District to "RT-30/S-1574" (Street – Townhouse) District, Modified.

Scale: N.T.S.	File Name/Number: ZAC-06-27	 Hamilton
Date: Jan 10, 2007	Planner/Technician: SD/KA	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		