

**Authority:** Item 4, Planning Committee  
Report 19-003 (PED19041)  
CM: February 27, 2019  
Ward: 13

**Bill No. 055**

**CITY OF HAMILTON  
BY-LAW NO. 19-055**

**To Amend Zoning By-law No. 3581-86**

**Respecting Lands Located at 264 Governor's Road, in the former Town of Dundas**

**WHEREAS** the *City of Hamilton Act, 1999*, S. O. 1999 Chap. 14, Sch. C did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

**WHEREAS;** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton –Wentworth";

**WHEREAS;** the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**WHEREAS;** Zoning By-law No. 3581-86 (Dundas) was enacted on the 22<sup>nd</sup> day of May, 1986, and approved by the Ontario Municipal Board on the 10<sup>th</sup> day of May, 1988; and,

**WHEREAS;** the Council of the City of Hamilton, in adopting Item 4 of Report PED19-003 of the Planning Committee, at its meeting held on the 27<sup>th</sup> day of February, 2019, recommended that Zoning By-law No. 3581-86 (Dundas) be amended as hereinafter provided.

**AND WHEREAS;** this By-law conforms with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No.120.

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

1. That Schedule "H" – appended to and forming part of By-law No. 3581-86 (Dundas) is amended as follows:
  - (a) By establishing a Low to Medium Multiple Dwelling – Holding Zone (H-RM1/S-139), to the lands and extent and boundaries of which are shown on a plan hereto annexed as Schedule "A"; and,
2. That Section 32 "Exceptions", of Zoning By-law 3581-86 (Dundas), be amended by adding the following subsections:

"S-139"

- (i) Notwithstanding Subsections 6.6.8, 7.12.1.3, 12.3.2.1, 12.3.2.2, 12.3.3, 12.3.4, 12.3.6, the following special regulations shall apply:

## 12.3 REGULATIONS FOR MAISONETTE DWELLINGS AND TOWNHOUSE DWELLINGS

### 12.3.2 YARD REQUIRMENTS

#### 12.3.2.1 FRONT YARD

Minimum 3.92 metres

#### 12.3.2.2 SIDE YARD

Minimum 3.35 metres (easterly)  
2.5 metres (westerly)

### 12.3.3 HEIGHT

Maximum a) 10.5 metres

b) Notwithstanding a) above, 13.5 metres for a three storey townhouse provided a minimum setback of 35 metres to the rear lot line is provided.

### 12.3.4 DENSITY

Maximum Townhouse Dwellings  
49 dwelling units per hectare

### 12.3.6 LANDSCAPING REQUIREMENTS

#### 12.3.6.1 LANDSCAPED AREA

Minimum 30 percent of the site area shall be landscaped

#### 12.3.6.2 BUFFER STRIP

The landscaped area requirements contained in subclause 12.3.6.1 shall include a buffer strip of not less than 2.5 metres in width which shall be provided and maintained adjacent to every portion of any lot line that abuts an R1, R2, R3, R3A, R4 or R6 Zone. The buffer strip shall be provided and maintained within the minimum yard requirements of the zone.

### 12.3.7 AMENITY AREA REQUIREMENTS

For each three storey townhouse dwelling, a minimum private amenity area of 6.0 square metres shall be provided in the form of a second storey deck or rooftop patio.

### 6.6.8 UNCOVERED PORCHES

A terrace, uncovered porch, platform or ornamental feature which does not extend more than 1.0 metres above the first floor level of the first storey may not project into a required front yard.

#### 7.12.1.3 Townhouse Dwellings

2.25 spaces per dwelling unit,  
of which 0.25 spaces per  
dwelling unit shall be  
provided for visitor parking.

3. That the "H" symbol may be removed at such time as the following has been satisfied:
  - (i) That the owner / applicant provide an update, submit and implement the Documentation and Salvage Report to further detail their approach for removing, labelling, storing, and if required, reassembly of material salvaged from the buildings on-site and how they intend to incorporate any of the salvaged materials on-site, to the satisfaction of the Director of Planning and Chief Planner.
4. That By-law No. 3581-86 of the Town of Dundas Zoning By-law is amended by adding this By-law to Section 32 as Schedule "S-139".
5. That Schedule "A" of the Zoning Schedule Key Map is amended by marking the lands referred to in Section 2 of this By-law as "H-RM1/S139".
6. 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*.

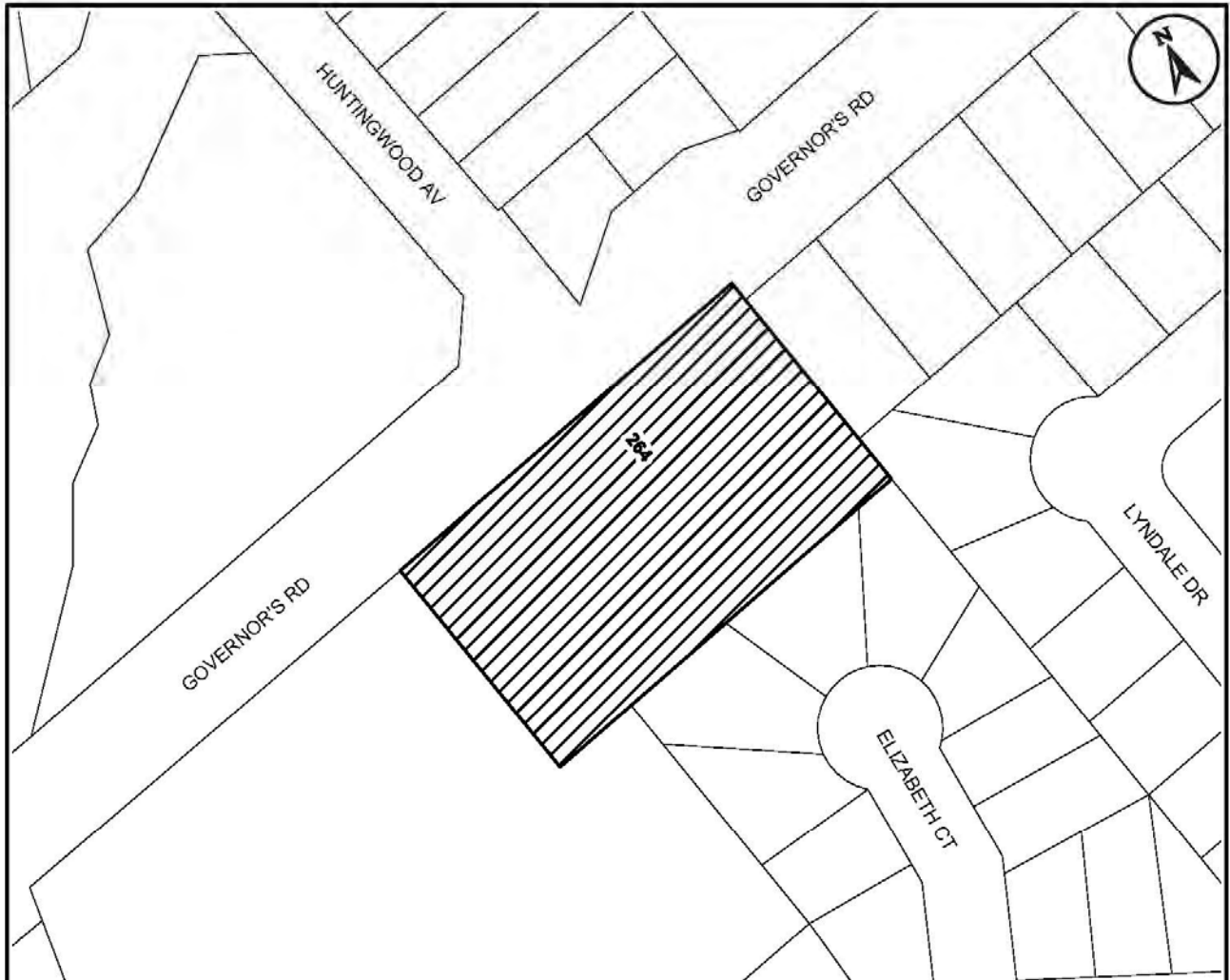
**PASSED** this 27<sup>th</sup> day of March, 2019.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk



This is Schedule "A" to By-law No. 19-  Passed the ..... day of ....., 2019	----- 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. 19-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 3581-86</p>	<p><b>Subject Property</b></p> <p>264 Governor's Road</p> <p> Change in Zoning from Urban Reserve Zone "UR" to Medium Multiple Dwelling - Holding (H-RM1/S-139), Modified</p>
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Scale: N.T.S.	File Name/Number: ZAC-17-088 & UHOPA-17-040	
Date: Dec. 10, 2018	Planner/Technician: ALVS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		