

**Authority:** Item 22, Planning and Economic  
Development Committee  
Report 10-016 (PED10147)  
CM: August 12, 2010

**Bill No. 220**

**CITY OF HAMILTON**

**BY-LAW NO. 10-220**

**To Amend Zoning By-law No. 6593**

**Respecting Lands Located at 16 Strathcona Avenue South**

**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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 22 of Report 10-016 of the Economic Development and Planning Committee at its meeting held on the 12<sup>th</sup> day of August of 2010, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

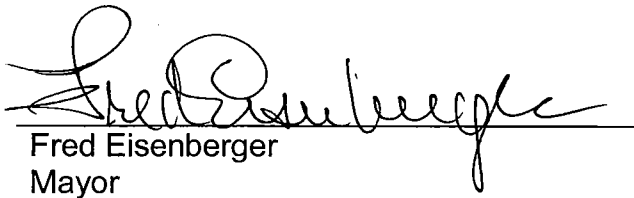
**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

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

1. That Sheet No. W12 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the zoning from the “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District to the “DE” (Low Density Multiple Dwellings), Modified, on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. That the “DE” (Low Density Multiple Dwellings) District regulations, as contained in Section 10 of Zoning By-law No. 6593 be modified to include the following requirements:
  - (a) That notwithstanding Section 2(2)(J)(xiii) and Section 2(2)(J)(xiv), Strathcona Avenue South shall be considered the front lot line and the westerly lot line shall be considered the rear lot line;
  - (b) That notwithstanding Section 10A (PERMITTED USES) of Zoning By-law 6593, only the following use shall be permitted:
    - (i) A multiple dwelling containing a maximum of five (5) Class A dwelling units;
  - (c) That notwithstanding Section 10A(2), the maximum building height shall not exceed four (4) storeys or 13.53 metres;
  - (d) That notwithstanding Section 10(A)(3)(ii)(c), a minimum northerly side yard width of 0.4 metres and a minimum southerly side yard width of 1.1 metres shall be provided and maintained;
  - (e) That notwithstanding Section 10A(3)(iii), a rear yard depth of at least 5.5 metres shall be provided and maintained with encroachments as permitted in Section 18.3(vi)(cc);
  - (f) That notwithstanding Section 10A(4)(iii)(b), a minimum lot width of 11.5 metres and a minimum lot area of 370 square metres shall be provided and maintained;
  - (g) That notwithstanding Section 2(2)(J)(xb) and Section 10A(5), “Landscaped Area” shall include a green roof;
  - (h) That notwithstanding Section 18A(1), a minimum of two (2) parking spaces shall be provided and maintained;
  - (i) That notwithstanding Section 18A(1)(c), no loading space shall be required;
  - (j) That notwithstanding Section 18A(1)(f), no on-site manoeuvring space shall be provided for the required parking spaces;
  - (k) That notwithstanding Section 18A(7), minimum dimensions of 2.6 metres by 5.5 metres shall be provided for every required parking space, of which a 1.88 metre portion shall be permitted to be located within the Strathcona Avenue South road allowance;

- (l) That notwithstanding Section 18A(14)(g), required parking spaces shall be permitted to be located within the front yard;
  - (m) That notwithstanding Section 18A(1)(b), visitor parking spaces shall not be required;
  - (n) That notwithstanding Section 18A(21), an access driveway shall not be provided to the required parking spaces;
  - (o) That notwithstanding Section 18(3)(vi)(c), concrete steps may project into the southerly side yard not more than 1.1 metres; and,
  - (p) That notwithstanding Section 18(3)(vi)(cc), balconies may project into the front yard not more than 1.7 metres.
3. Sheet No. W12 of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1638.
  4. That Zoning By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1638.
  5. 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 15<sup>th</sup> day of September, 2010.

  
Fred Eisenberger  
Mayor

  
Rose Caterini  
City Clerk

ZAC-10-045



This is Schedule "A" to By-Law No. 10-220

Passed the ...15th... day of September....., 2010


*[Signature]*  
 Clerk  
*[Signature]*  
 Mayor

### Schedule "A"

Map Forming Part of  
 By-Law No. 10- 220

to Amend By-law No. 6593

#### 16 Strathcona Avenue South

 Change in Zoning from the "D" (Urban Protected Residential - One and Two Family Dwellings), District to the "DE/S 1638" (Low Density Multiple Dwelling) District, Modified.

Scale:  
 N.T.S.

File Name/Number:  
 ZAC-09-045

Date:  
 August 11, 2010

Planner/Technician:  
 CT/SW



**Hamilton**