

Authority: Item 4, Planning Committee
Report: 11-007 (PED11046)
CM: April 13, 2011

Bill No. 108

CITY OF HAMILTON

BY-LAW NO. 11-108

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 121 St. Joseph's Drive
(Hamilton)**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 4 of Report 11-007 of the Planning Committee, at its meeting held on the 13th day of April 2011, 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 City of Hamilton;

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

1. That Sheet No. E6 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the following:

- (a) That Block 1 be re-zoned from the "E" (Multiple Dwellings, Lodges, Clubs, Etc.) District to the "E"-H' (Multiple Dwellings, Lodges, Clubs, Etc. - Holding) District, Modified; and,
- (b) That Block 2 be zoned the "E"-H' (Multiple Dwellings, Lodges, Clubs, Etc. - Holding) District, Modified;

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

2. That the "E" (Multiple Dwellings, Lodges, Clubs, Etc.) District regulations, as contained in Section 11 of Zoning By-law No. 6593, applicable to Blocks "1" and "2", as detailed in Section 1 of this By-law, be modified to include the following special requirements:

- (a) That notwithstanding Section 11 (2)(ii) of Zoning By-law No. 6593, a maximum height of 11-storeys or 34m shall be permitted.
- (b) That notwithstanding Section 11 (3) of Zoning By-law No. 6593, the following yards shall be required:
 - 1) A Front Yard, having a depth of not less than 0.0 metres, shall be provided and maintained for all buildings and structures.
 - 2) A westerly Side Yard, having a depth of not less than 1.0 metre, shall be provided and maintained for all buildings and structures.
 - 3) An easterly Side Yard, having a depth of not less than 1.0 metre, shall be provided and maintained for all buildings and structures.
 - 4) A Rear Yard, having a depth of not less than 4.8 metres, shall be provided and maintained for all buildings and structures.
- (c) That notwithstanding Section 11 (5) of Zoning By-law No. 6593, no buildings or structures shall have a total Gross Floor Area of more than 7,500m².
- (d) That notwithstanding Section 11(6) of Zoning By-law No. 6593, there shall be provided and maintained at least 19% of the area of the lot as landscaped area.
- (e) That notwithstanding Section 18A Table 3[2.] of Zoning By-law No. 6593, no loading spaces shall be required.
- (f) That notwithstanding Section 18A.(7) of Zoning By-law No. 6593,

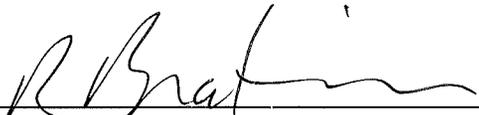
every required parking space, other than a parallel parking space, shall have dimensions not less than 2.6m wide and 5.5m long.

- (g) That notwithstanding Section 18 (3)(vi) of Zoning By-law No. 6593, an open fire escape and terrace will be permitted to encroach into a required side yard a maximum of 1.0m.
3. That the 'H' symbol applicable to lands referred to in Section 1 of this By-law shall be removed conditional upon:
- a) The provision of adequate services, to the satisfaction of the City of Hamilton's Senior Director of Growth Management.

The 'H' symbol shall be removed by amendment to this By-law, and the development of the lands referred to in Section 1 of this By-law may, at such time, proceed in accordance with the "E" District, Modified provisions, subject to the special requirements referred to in Section 2 of this By-law.

4. That 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 "E" (Multiple Dwellings, Lodges, Clubs, Etc.) District provisions, subject to the special requirements referred to in Section 2.
5. That By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1640.
6. That Sheet No. E6 of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1640.
7. 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.

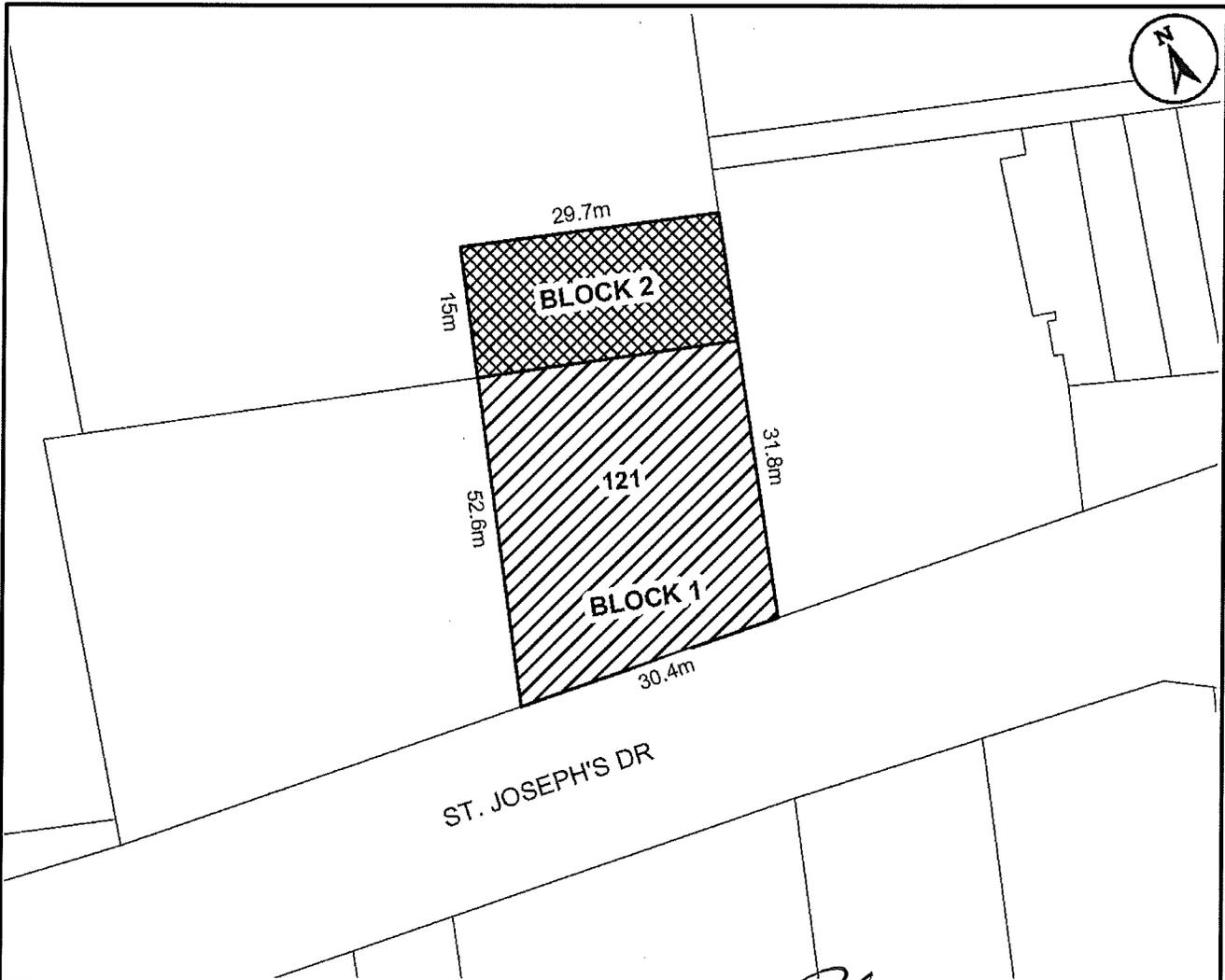
PASSED this 13th day of April, 2011.



R. Bratina
Mayor



R. Caterini
City Clerk



This is Schedule "A" to By-Law No. 11- 108

Passed the 13th day of April, 2011

[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 11- 108

to Amend By-law No. 6593

Subject Property

121 St. Joseph's Drive, Hamilton



Block 1 - Lands to be rezoned from the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to the "E-H" (Multiple Dwellings, Lodges, Clubs, etc. - Holding) District Modified



Block 2 - Lands to be zoned the "E - H" (Multiple Dwellings, Lodges, Clubs, etc. - Holding) District Modified

Scale:
N.T.S.

File Name/Number:
ZAR-10-027

Date:
March 3, 2011

Planner/Technician:
EJ/AL



Hamilton