

Authority: Item 6, Planning Committee Report
19-019 (PED19219)
CM: December 11, 2019
Ward: 8

Bill No. 304

CITY OF HAMILTON

BY-LAW NO. 19-304

To Amend Zoning By-law No. 6593 Respecting Lands Located at 35 Sabrina Boulevard, Hamilton

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule 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Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 6 of Report 19-019 of the Planning Committee, at its meeting held on the 11th day of December 2019, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan of the City of Hamilton;

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

1. That Sheet No. W-17d of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), as amended, is further amended by changing the following:
 - a. That the zoning for Block 1 be changed from the “RT-20/S-1301a” (Townhouse – Maisonette) District, Modified, to the “RT-20/S-1301b-H1” (Townhouse – Maisonette – ‘Holding’) District, Modified;

- b. That the zoning for Block 2 be changed from the “RT-20/S-1301a” (Townhouse – Maisonette) District, Modified, to the “RT-20/S-1301b-H1” (Townhouse – Maisonette – ‘Holding’) District, Modified; and,
- c. That the zoning for Block 3 be changed from the “RT-20/S-1301a” (Townhouse – Maisonette) District, Modified, to the “RT-20/S-1301b-H1, H2” (Townhouse – Maisonette – ‘Holding’) District, Modified;

on the land the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” and forming part of this By-law.

- 2. That the “RT-20” (Townhouse – Maisonette) District regulations, as contained in Section 10E of Zoning By-law No. 6593, as amended by By-law No. 09-023, applicable to the land comprised in Blocks 1 and 2, be further modified to include the following special requirements:
 - a. Section 3 (b) be deleted and replaced with “That notwithstanding Section 10F(4)(a), a front yard of a depth not less than 4.5 metres shall be provided and maintained except for corner lots where a minimum depth of 3.0 metres shall be provided and maintained”.
- 3. That the “RT-20” (Townhouse – Maisonette) District regulations, as contained in Section 10E of Zoning By-law No. 6593, as amended by By-law No. 09-023, applicable to the land comprised in Block 2, be further modified to include the following special requirements:
 - a. Section 3 (c) be deleted and replaced with “That notwithstanding Section 10F(4)(b), a rear yard of a depth not less than 6.5 metres shall be provided and maintained”.
- 4. That the “RT-20” (Townhouse – Maisonette) District regulations, as contained in Section 10E of Zoning By-law No. 6593, as amended by By-law 09-023, applicable to the land comprised in Block 3, be further modified to include the following special requirements:
 - a. That in addition to the permitted uses outlined in Section 10E(2)(a), Multiple Dwellings shall be permitted.
 - b. That in addition to Section 10E(3), Multiple Dwellings shall not exceed 13.0 metres in height.
 - c. That notwithstanding Section 10E(4)(a), where a yard abuts Sabrina Boulevard, a depth of not less than 3.0 metres shall be provided and maintained and where a yard abuts any other street, a depth of not less than 1.2 metres shall be provided and maintained.

- d. That notwithstanding Section 10E(5)(b), a distance of not less than 7.5 metres between the rear or front facing exterior wall of a building and the side exterior wall of a building.
 - e. That notwithstanding Section 10E(5)(c), a distance of not less than 15.0 metres between the rear or front facing exterior wall of a building and the rear or front facing exterior wall of another building.
 - f. In addition to Section 10E(7)(a) and (b), the maximum permitted density is 150 units per hectare.
 - g. That Section 10E(8) and (9) shall not apply to Multiple Dwellings.
 - h. That notwithstanding Section 10E(10) there shall be provided and maintained on the same lot and within the "RT-20" District, for one or more buildings or structures, an amount not less than 30% of the area of the lot on which the buildings or structures are situated, as landscaped area.
 - i. In addition to Section 10E(17)(a) and (b), for Multiple Dwellings, the maximum length of any building face shall be 50.0 metres.
5. That the Parking and Loading Requirements, as contained in Section 18A of Zoning By-law No. 6593, applicable to the land comprised in Blocks 1, 2 and 3, be modified to include the following special requirements:
- a. That Section 18A(1)(c) and Table 3 shall not apply.
 - b. That notwithstanding Section 18A(7), every required parking space, other than a parallel parking space, within an underground parking structure for Multiple Dwellings, Maisonette Dwellings and/or Townhouse Dwellings, shall have dimensions not less than 2.8 metres wide and 5.8 metres long.
 - c. That in addition to the requirements of Section 18A, where a parking space abuts a wall, column or any other obstruction within an underground parking structure for Multiple Dwellings, Maisonette Dwellings and/or Townhouse Dwellings, the minimum width of the parking space shall be increased by 0.3 metres.
6. The 'H1' symbol applicable to the lands referred to in Section 1 of this By-law shall be removed conditional upon:
- a. That necessary downstream sanitary sewer upgrades are completed and a suitable sanitary sewer outlet is established to the satisfaction of the Senior Director of Growth Management; and,
 - b. That the ultimate stormwater management facility downstream of the subject site is constructed and a suitable drainage outlet is established to the satisfaction of the Senior Director of Growth Management.

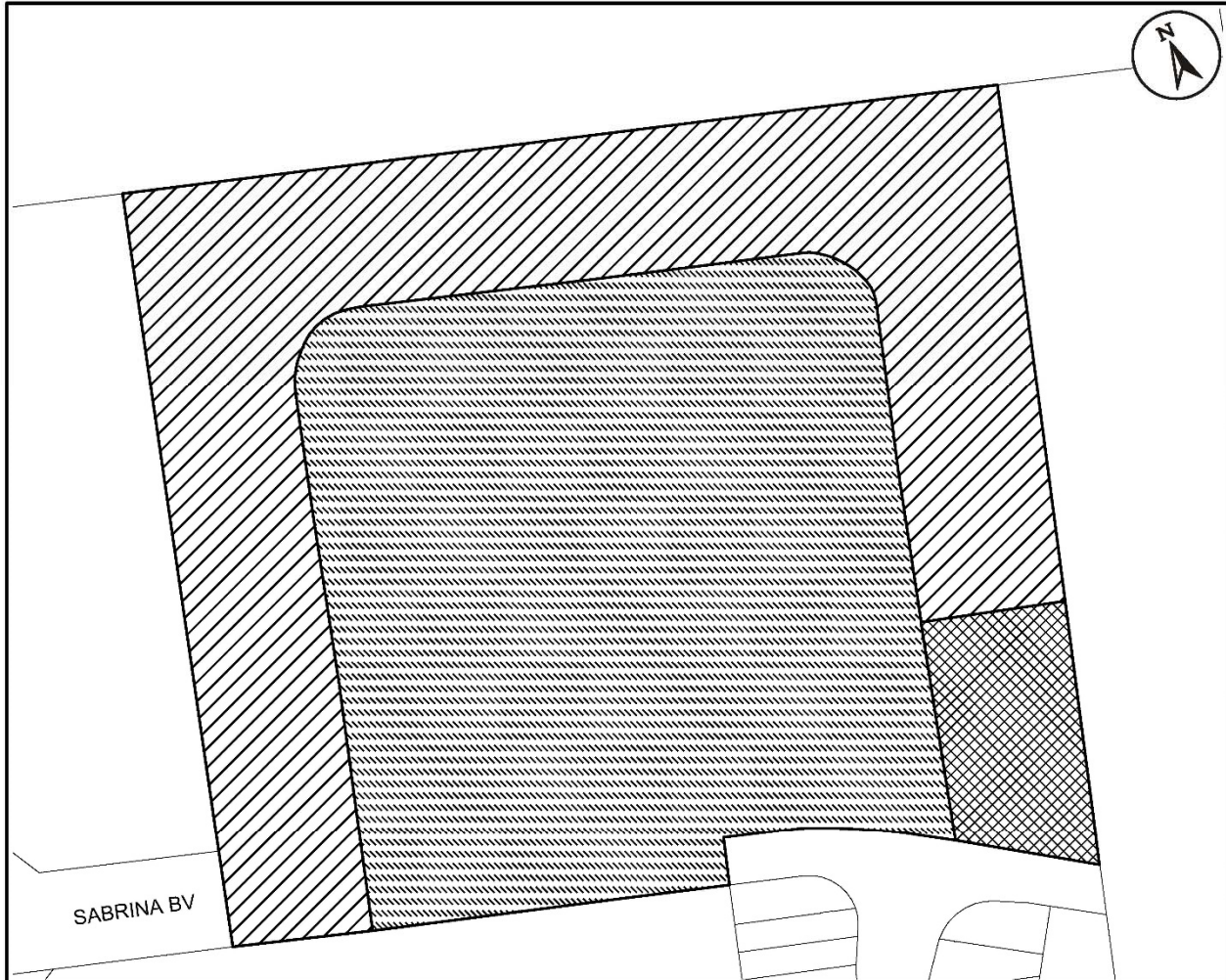
7. For such time as the 'H2' symbol is applicable to the lands referred to in Section 1, the lands shall only be used for street townhouse in accordance with with the "RT-20" District provisions as contained in Section 10E of Zoning By-law No. 6593 and as amended by By-law No. 09-023. The 'H2' symbol shall be removed conditional upon:
 - a. That Draft Plan of Subdivision 25T-200721 lapses or the owner/applicant applies for and obtains approval of a revision to Draft Plan of Subdivision 25T-200721 to the satisfaction of the Director, Planning and Chief Planner.
8. That By-law No. 6593 Hamilton is amended by adding this By-law to Section 19B as Schedule S-1301b.
9. That Sheet No. W-17d of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1301b.
10. In all other respects, By-law No. 09-023 is hereby confirmed, unchanged.
11. 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 11th day of December, 2019.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-18-022



This is Schedule "A" to By-law No. 19-
 Passed the day of, 2019

 Mayor


 Clerk


Schedule "A"


Map Forming Part of
 By-law No. 19-_____

to Amend By-law No. 6593

Subject Property
 Part of Lots 17 & 18, Concession 8,
 Part 1 on Plan 62R-19029

 **Block 1** - Change in zoning from "RT-20/S-1301a" (Townhouse - Maisonette) District, Modified, to "RT-20/S-1301b-H1" (Townhouse - Maisonette - 'Holding') District, Modified

 **Block 2** - Change in zoning from "RT-20/S-1301a" (Townhouse - Maisonette) District, Modified, to "RT-20/S-1301b-H1" (Townhouse - Maisonette - 'Holding') District, Modified

 **Block 3** - Change in zoning from "RT-20/S-1301a" (Townhouse - Maisonette) District, Modified, to "RT-20/S-1301b-H1, H2" (Townhouse - Maisonette - 'Holding') District, Modified

Scale: N.T.S.	File Name/Number: ZAC-18-022
Date: Nov. 5, 2019	Planner/Technician: MD/AL

