

**Authority:** Item 4  
Planning Committee  
Report: 13-008 (PED13079)  
CM: May 14, 2013

**Bill No. 146**

## **CITY OF HAMILTON**

### **BY-LAW NO. 13-146**

#### **To Amend Zoning By-law 6593 (Hamilton), Respecting Lands Located at 149 Young Street (Hamilton)**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario 1999 Chap. 14, Schedule C did incorporate, as of January 1<sup>st</sup>, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Hamilton" and is the successor of 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 6593 (Hamilton) was enacted on the 25<sup>th</sup> day of July 1950, which was approved by the Ontario Municipal Board by Order dated the 7<sup>th</sup> 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 13-008 of the Planning Committee, at its meeting held on the 22<sup>nd</sup> day of May, 2013, recommended that Zoning By-law No. 6593 (Hamilton) be amended as hereinafter provided;

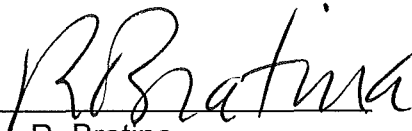
**AND WHEREAS** this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former City of Hamilton) in accordance with the provisions of the Planning Act.

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

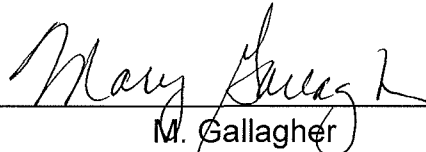
1. That Sheet No. E-5 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the zoning from the "E/S-357" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified, to the "RT-30/S-1668" (Street - Townhouse) District, Modified, on the lands the extent 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 10(F) of Zoning By-law No. 6593, be modified to include the following special provisions:
  - (a) That notwithstanding Section 2(2)(j)(xiii) of Zoning By-law No. 6593, the Walnut Street South lot line shall be deemed to be the front lot line.
  - (b) That notwithstanding Section 10F(4)(a) of Zoning By-law No. 6593, a minimum front yard depth of 3.6m shall be provided and maintained.
  - (c) That notwithstanding Section 10F(4)(b) of Zoning By-law No. 6593, a minimum rear yard depth of 1.8m shall be provided and maintained.
  - (d) That notwithstanding Section 10F(4)(c) and 10F4(d) of Zoning By-law No. 6593, a minimum side yard width of 0.3m shall be provided and maintained abutting a wall that is not a party wall.
  - (e) That notwithstanding Section 10F(6)(i) of Zoning By-law No. 6593, a minimum lot area of 67.5 sq. m. shall be provided and maintained for each dwelling unit.
  - (f) That notwithstanding Section 10F(6)(ii) of Zoning By-law No. 6593, a minimum lot width of 3.6m shall be provided and maintained for each dwelling unit.
  - (g) That notwithstanding Section 18(3)(vi)(b)(iii) of Zoning By-law No 6593, a canopy, cornice, eave, or gutter may project 0.3m within a required side yard.
  - (h) That Section 18A(1)(f) of Zoning By-law No. 6593 shall not apply.
  - (i) That notwithstanding Section 18A(7) of Zoning By-law No. 6593, a minimum parking space size of 2.6m wide x 5.8m long shall be provided and maintained, and may be provided partially offsite.

- (j) That notwithstanding Section 18A(1) and 18A(9) of Zoning By-law No. 6593, not less than 0.85 parking spaces shall be provided and maintained for each dwelling unit.
3. That Zoning By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1668.
4. That Sheet No. E-5 of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1668.
5. 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 "RT-30" (Street-Townhouse) District provisions, subject to the special requirements referred to in Section 2 of this By-law.
6. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law, in accordance with the Planning Act.

**PASSED** this 22nd day of May, 2013.



R. Bratina  
Mayor



M. Gallagher  
Acting City Clerk

ZAC-12-045



This is Schedule "A" to By-Law No. 13-146

Passed the 22 day of May, 2013

*R. Bratina*  
 Mayor  
*Mary Shlager*  
 Clerk

### Schedule "A"

Map Forming Part of  
 By-Law No. 13- 146

to Amend By-law No. 6593

#### Subject Property

149 Young Street



Change in Zoning from the "E/S-357" (Multiple Dwellings, Lodge, Clubs, etc.) District, Modified to the RT-30/S-1668" (Street-Townhouse) District, Modified.

Scale: N.T.S.	File Name/Number: ZAC-12-045
Date: April 11, 2013	Planner/Technician: TL/AL



**Hamilton**

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT