

Authority: Item 4, Planning Committee
Report 19-017 (PED19209)
CM: November 13, 2019
Ward: 5

Bill No. 276

CITY OF HAMILTON

BY-LAW NO. 19-276

To Amend Zoning By-law No. 6593 Respecting Lands Located at 2798 and 2804 King Street East and 8 Vienna Street

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Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 4 of Report 19-017 of the Planning Committee, at its meeting held on the 13th day of November 2019, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan.

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

1. That Sheet No. E106 of the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended as follows:
 - a) By changing the zoning from “AA” (Agricultural) District to the “C/S-1790” (Urban Protected Residential, Etc.) District, Modified (Block 1); and,
 - b) By changing the zoning from “C” (Urban Protected Residential, Etc.) District to the “C/S-1790” (Urban Protected Residential, Etc.) District, Modified (Block 2);

on the land the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. That the “C” (Urban Protected Residential, Etc.) District provisions as contained in Section 9 of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following special requirements:
 - a) Notwithstanding Section 18 (14) (i), not less than 41% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers or other similar materials.
 - b) Notwithstanding Section 18A (14a), except for single family dwellings, two family dwellings and three family dwellings erected prior to the 14th day of December 1971, no part of a required parking space for a single family dwelling in a residential district shall be located in a required front yard and not less than 41% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers or other similar materials.
3. 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 “C” (Urban Protected Residential, Etc.) District.
4. That By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1790.
5. That Sheet No. E106 of the District maps is amended by making the lands referred to in Section 2 of this By-law as Schedule S-1790.
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 November 13th, 2019

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-19-037



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

2798 & 2804 King Street East & 8 Vienna Street



Block 1 - Change in Zoning from the "AA" (Agricultural) District, to the "C/S-1790" (Urban Protected Residential, Etc.) District, Modified



Block 2 - Change in Zoning from the "C" (Urban Protected Residential, Etc.) District, to the "C/S-1790" (Urban Protected Residential, Etc.) District, Modified

Scale:
 N.T.S.

File Name/Number:
 ZAR-19-037

Date:
 Sept. 25, 2019

Planner/Technician:
 DB/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT