

Authority: Item 3
Planning Committee
Report: 13-017 (PED13177)
CM: November 13, 2013

Bill No. 279

CITY OF HAMILTON

BY-LAW NO. 13-279

To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 215 Dundas Street East (Flamborough)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario 1999 Chap. 14, Schedule C did incorporate, as of January 1st, 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;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. 90-145-Z (Flamborough) was enacted on the 5th of November 1990 and approved by the Ontario Municipal Board on the 21st of December, 1991;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 3 of Report 13-017 of the Planning Committee, at its meeting held on the 13th day of November, 2013, recommended that Zoning By-law No. 90-145-Z (Flamborough) be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan in accordance with the provisions of the Planning Act.

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

1. The Schedule "A-30" of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended to rezone from the Urban Commercial "UC" Zone, to the Medium Density Residential "R6-33(H)" Zone, Modified, with a Holding Provision, on the lands the extent and boundaries of which are more particularly shown on Schedule "A", annexed hereto and forming part of this By-law.
2. That Section 11 - Medium Density Residential Zone, of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section:

11.3 Exception Numbers

11.3.33 "R6-33(H)" (See Schedule A-30)

Permitted Uses:

(a) Townhouses

- a. Notwithstanding the definition of Townhouse, one block may contain a maximum of 10 units.

(b) Maisonette

For the purposes of this amending By-law, a Maisonette Dwelling shall mean:

A building of not more than 1 single-detached dwelling unit in height, designed to contain not less than 6 dwelling units and not exceeding 16 dwelling units, fully attached to each other, side-by-side, in two rows arranged back-to-back and in substantial harmony with each other, each of which dwelling unit:

- a. Has a separate front entrance;
- b. Is joined on one or both sides by a party wall to another dwelling unit in the same row; and,
- c. Is joined by a common vertical back wall extending the length of the building.

Zone Provisions:

- (a) Lot Area (Minimum): 195 sq. m. per dwelling.
- (b) Front Yard (Minimum): 2.4 m.
- (c) Rear Yard (Minimum): 7.0 m.
- (d) Side Yard - Easterly (Minimum): 2.2 m.
- (e) Planting Strip (Minimum): No Planting strip shall be required across Dundas Street frontage.
- (f) Density: 55 dwelling units per net ha.
- (g) Parking Spaces (Minimum): 1.5 spaces per unit for a Maisonette, one of which is included in the garage.

Visitor parking shall be provided at a rate of 0.25 spaces per unit for a Maisonette.
- (h) Parking Space (Minimum) (Visitor Parking): Each parking space shall have a minimum of 2.6m x 5.5m.
- Parking Space (Minimum) (Barrier-Free Parking): Each parking space shall have a minimum of 4.4m x 5.5m.
- (i) A minimum interior size of a garage for parking shall be 3m x 6m with an unobstructed dimension of 2.6m x 5.8m.
- (j) Condominium Road Width (Minimum): 6.0m.

Holding Provision:

The Holding Provision 'H' shall remain in effect until the following matters have been addressed through Site Plan Control, to the satisfaction of the Director of Planning and the Senior Director of Growth Management.

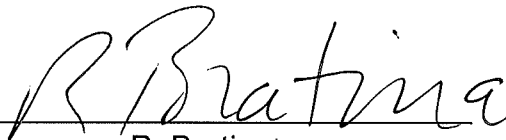
- (i) The owner has submitted and received approval of a Grading, Stormwater Management, and Erosion Control Plan, to the satisfaction of the Senior Director of Growth Management

General Provisions:

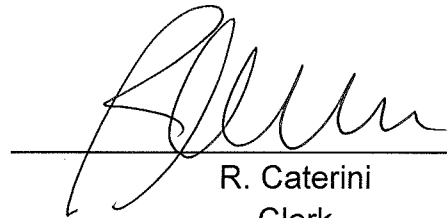
Other than contained therein, all other provisions of the Flamborough Zoning By-law shall apply.

3. That By-law No. 90-145-Z (Flamborough) is amended by adding this By-law to Section 6 as "R6-33".
4. 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 13th day of November, 2013.

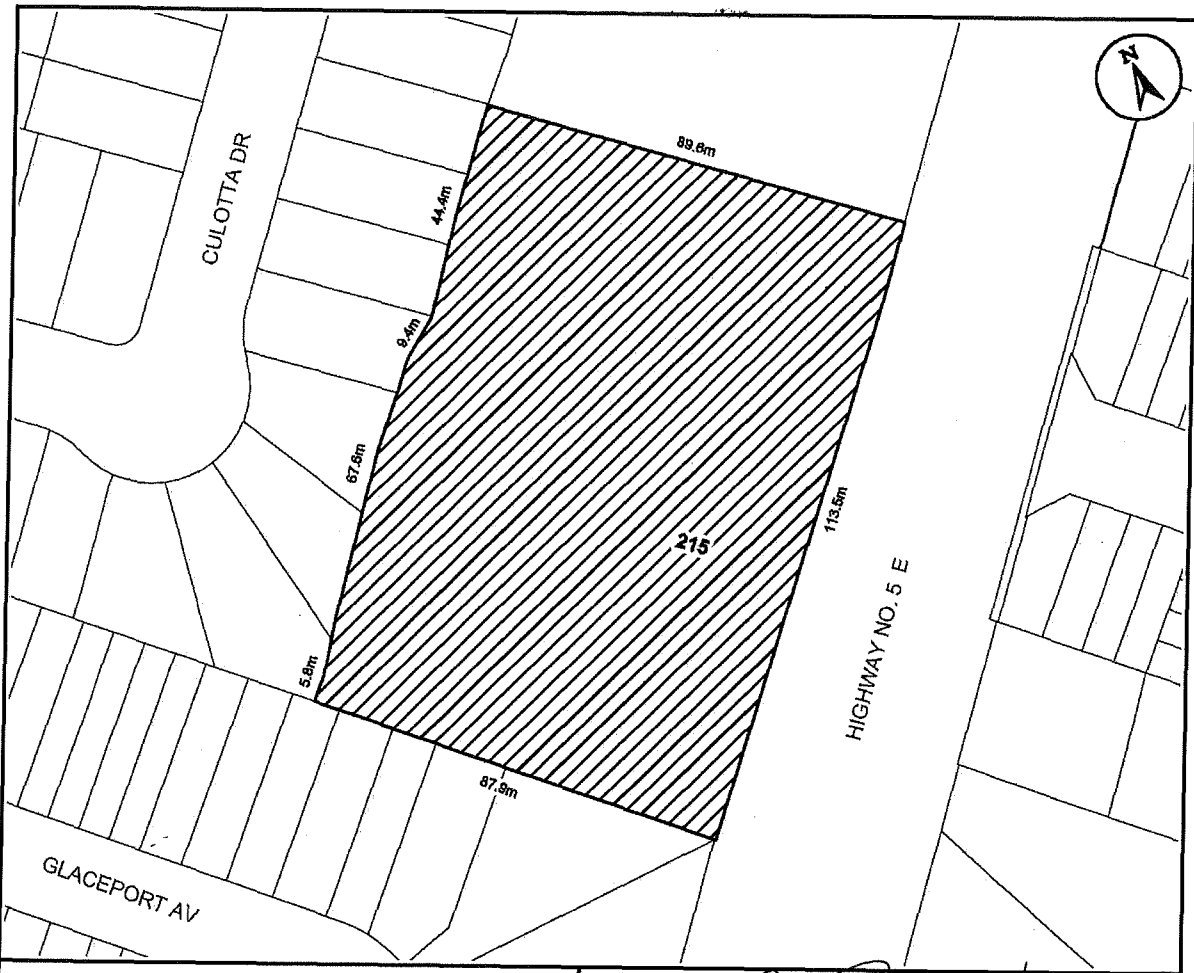


R. Bratina
Mayor



R. Caterini
Clerk


ZAC-12-064



This is Schedule "A" to By-Law No. 13- 279
 Passed the 13th day of November, 2013

R. Bratina
 Mayor
[Signature]
 Clerk

Schedule "A"
 Map Forming Part of
 By-Law No. 13- 279
 to Amend By-law No. 90-145-Z

Subject Property
 215 Highway No. 5 East
 Change in Zoning from the Urban Commercial "UC" Zone to the Medium Density Residential "R6-33-H" Zone, Modified, with a Holding Provision

Scale: N.T.S.	File Name/Number: ZAC-12-064 OPA-12-022
Date: Sept. 19, 2013	Planner/Technician: TLJAL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

