

CITY OF HAMILTON

BY-LAW NO. - ____

To Amend Zoning By-law No. 6593, Respecting Lands Located at 73-89 Stone Church Road West and 1029 West 5th Street, in the City of Hamilton

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. 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-law 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Zoning By-law No. 6593 (Hamilton) was enacted on the 25th day of July 1950, which was approved by the Ontario Municipal Board by Order dated the 7th date of December 1951, (File. No. O.F. C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item ____ of Report 20-____ of the Planning Committee at its meeting held on the ____ day of _____, 2020, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan, approved by the Minister under the Planning Act on March 16, 2011;

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

1. That Sheet No. __ of the District Maps as amended to and forming part of By-law No. 6593 (Hamilton), is amended as follows by changing the zoning from the “DE-2/S-1700” (Multiple Dwellings) District, Modified, “C” (Urban Protected Residential) District, and “AA” (Agricultural) District to the “DE-2/S-____” (Multiple Dwellings) District, Modified, 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 the “DE-2” (Multiple Dwelling) District regulations, as contained in Section 10B, are modified to include the following special requirements:
 - a. Notwithstanding Section 10B(2), no building or structure shall exceed ten storeys or 33.0 metres in height.
 - b. Notwithstanding Section 10B(3)(i)(b), 10B(3)(ii)(b), and 10B(3)(iii)(b), the following yards shall be provided and maintained:

- | | | |
|------|--------------------|---|
| i. | Front Yard | Minimum 2.0 metres for Floors 1-4, minimum 7.0 metres for Floors 5-10 and 0.8 metres for an underground parking garage. |
| ii. | Interior Side Yard | Minimum 7.1 metres for Floors 1-4 and 2.4 metres for an underground parking garage |
| iii. | Flankage Side Yard | Minimum 1.25 metres for Floors 1-10 and 1.0 metres for an underground parking garage. |
| iv. | Rear Yard | Minimum 15.4 metres for Floors 1-10 and 0.8 metres for an underground parking garage. |
- c. Notwithstanding Section 10B(5), a maximum gross floor area ratio of 3.35 shall be permitted.
- d. Section 10B(6) shall not apply.
- e. Notwithstanding Section 18A(1)(a) and 18A(1)(b) and Tables 1 and 2, 1.0 parking space per dwelling unit shall be provided and maintained.
- f. Notwithstanding Section 18A(1)(c) and Table 3, one loading space 3.0 metres wide and 8.9 metres long shall be provided.
- g. Notwithstanding Section 18A(7), parking space sizes shall be 3.0 metres wide and 5.8 metres long.
- h. Notwithstanding Subsection 2(g) herein, a minimum 2.8 metres in width and 5.8 metres in length shall be permitted within an underground parking structure.
- i. Notwithstanding Subsection 2(g) herein, the minimum parking space size of not more than 10% of the required parking spaces shall be a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only.
- j. Notwithstanding Section 18A(11), the boundary of every parking area and loading space on a lot containing five or more parking spaces located on the surface of a lot adjoining a residential district shall be fixed not less than 0.9 metres from the adjoining residential district boundary.
- k. Notwithstanding Section 18(3)(vi)(b), a canopy may project into a required flankage yard.
- l. Notwithstanding Section 18(3)(vi)(e), a terrace, uncovered porch, or platform which does not extend more than 1.0 metres above the floor level of the first storey, may project into a required yard.
- m. An ornamental feature may project into a required flankage yard.

3. The By-law No. 6593 is amended by adding this by-law to Section__ as Schedule__;

4. 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.

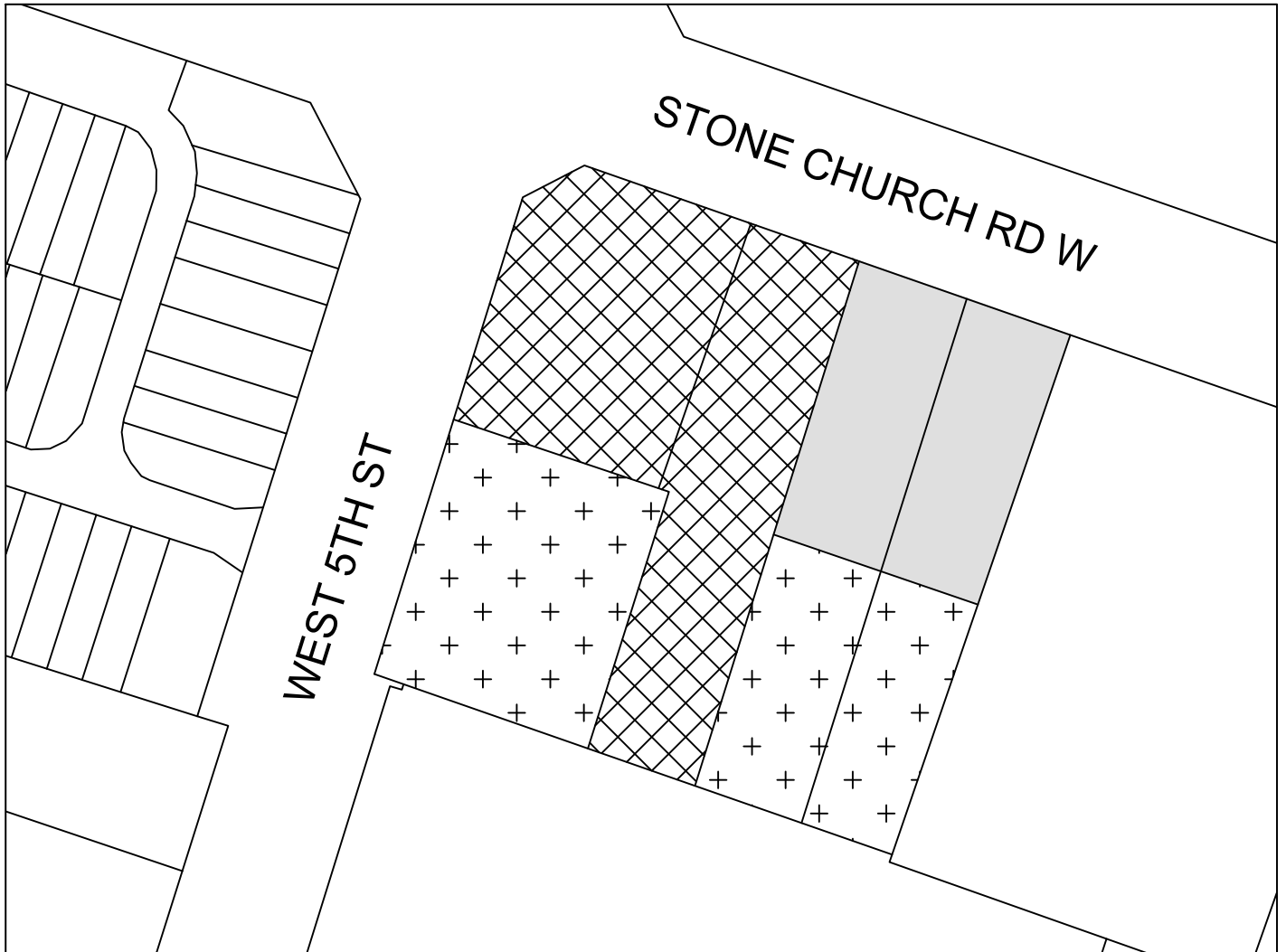
PASSED AND ENACTED this ____ day of _____, 2020.

Mayor

Clerk

ZAC-20-__

DRAFT



This is Schedule "A" to By-law No. _____

Passed the _____ day of _____, 2020

Clerk

Mayor

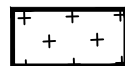
DRAFT Schedule "A"

Map Forming part of
By-law No. _____

to Amend By-law No. 6593

Subject Property

73-89 Stone Church Road West and 1029 West 5th Street.



Block 1 - change in zoning from "AA" to "DE-2/S- _____"



Block 2 - change in zoning from "DE-2/S-1700" to "DE-2/S- _____"



Block 3 - change in zoning from "C" to "DE-2/S- _____"

Scale:
N.T.S

File Name/Number:

Date:

Planner/Technician:

PLANNING AND ECONOMIC
DEVELOPMENT DEPARTMENT