

CITY OF HAMILTON

BY-LAW NO. - ____

To Amend Zoning By-law No. 6593, Respecting Lands Located at 311-313 Stone Church Road West, 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 21-____ of the Planning Committee at its meeting held on the ____ day of _____, 2021, 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 upon final approval of Official Plan Amendment No. _____, 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 Map No. ____ of Schedule “A” – Zoning Maps, to Zoning By-law No. 6593 is hereby further amended as follows:
 - (a) By removing the lands and boundaries of which are shown on Block No. 1 on Schedule “A” from the City of Hamilton Zoning By-law No. 6593.
 - (b) By rezoning the lands and boundaries of which are shown on Block No. 2 on Schedule “A” from “AA” (Agriculture) District to the “C/S-____(a)” (Urban Protected Residential, Etc.) District Modified.
 - (c) By rezoning the lands and boundaries of which are shown on Block No. 3 on Schedule “A” from “AA” (Agriculture) District to the “RT-20/S-____” (Townhouse - Maisonette) District Modified.
 - (d) By rezoning the lands and boundaries of which are shown on Block No. 4 on Schedule “A” from “AA” (Agriculture) District to the “C/S-____(b)” (Urban Protected Residential, Etc.) District Modified.

(e) By rezoning the lands and boundaries of which are shown on Block No. 5 on Schedule "A" from "AA" (Agriculture) District to the "RT-30/S-____" (Street Townhouse) District Modified.

(f) By rezoning the lands and boundaries of which are shown on Block No. 6 on Schedule "A" from "C" (Urban Protected Residential) District to the "RT-30/S-____" (Street Townhouse) District Modified.

2. That Section 19B – Special Requirements of Zoning By-law No. 6593 is hereby further amended as follows:

2.1 That the "C" (Urban Protected Residential, Etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, are modified to include the following special requirements for the lands zoned "C/S-____(a)" (Urban Protected Residential) District, Modified:

(a) Notwithstanding Subsections 9(3), and (4) of Zoning By-law No. 6593, the following provisions shall apply to single family dwelling units:

- i. The maximum height of a structure shall be 11.5 metres;
- ii. The minimum front yard depth to a garage shall be 6.0 metres;
- iii. The minimum front yard depth to a dwelling shall be 4.5 metres;
- iv. The minimum side yard depth along each lot line shall be a width of 1.2 metres;
- v. The minimum rear yard depth shall be 6.0 metres;
- vi. The minimum lot frontage shall be 12.0 metres;
- vii. The minimum lot area shall be 355 square metres; and,
- viii. The minimum setback to a Conservation/Hazard Lands (P5) Zone in City of Hamilton Zoning By-law No. 05-200 shall be 6.0 metres.

(b) Notwithstanding Subsections 18(A) Table 1 and 2 of Zoning By-law No. 6593, the following provisions shall apply to the lands zone C/S-____(a):

- i. The minimum parking ratio required for single detached dwellings shall be 2.0 spaces per unit and the minimum visitor parking shall be 0.40 spaces per unit.

(c) For the purpose of determining zone regulations, a private road will be considered a street line.

2.2 That the "C" (Urban Protected Residential, Etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, are modified to include the following special requirements for the lands zoned "C/S-____(b)" (Urban Protected Residential) District, Modified:

(a) Notwithstanding Subsections 9(3), and (4) of Zoning By-law No. 6593, the following provisions shall apply to single family dwelling units:

- i. The maximum height of a structure shall be 11.5 metres;
- ii. The minimum front yard depth to a garage shall be 6.0 metres;
- iii. The minimum front yard depth to a dwelling shall be 4.5 metres;
- iv. The minimum side yard depth along each lot line shall be a width of 1.2 metres;
- v. The minimum rear yard depth shall be 6.0 metres;
- vi. The minimum lot frontage shall be 12.0 metres;

vii. The minimum lot area shall be 360 square metres; and,

2.3 That the “RT-20” (Townhouse - Maisonette) District regulations, as contained in Section 10E of Zoning By-law No. 6593 are modified to include the following special requirements for the lands zoned “RT-20/S-___” (Townhouse – Maisonette) District, Modified:

(a) Notwithstanding Subsections 10E(3), (4), (5), (7), (8), (9) and (10) of Zoning By-law No. 6593, the following provisions shall apply:

- i. The maximum height of a structure shall be 13.5 metres;
- ii. The minimum required setback to the north property line shall be 3.0 metres;
- iii. The minimum required setback to the south property line shall be 3.0 metres;
- iv. The minimum required setback to the east property line shall be 7.0 metres;
- v. The minimum required setback to the west property line shall be 7.0 metres;
- vi. The minimum distance between two end walls shall be 3.0 metres;
- vii. The minimum lot area shall be 33,500.0 square metres; and,
- viii. The minimum landscaped area shall be 28% of the lot on which buildings are situated.

(b) Notwithstanding Subsections 18(A) Table 1 and 2 of Zoning By-law No. 6593, the following provisions shall apply to the lands zone C/S-___(a):

- i. The minimum parking ratio required for single detached dwellings shall be 1.25 spaces per unit and the minimum visitor parking shall be 0.25 spaces per unit.

2.4 That the “RT-30” (Street Townhouse) District regulations, as contained in Section 10F of Zoning By-law No. 6593 applicable to Block 5 on Schedule “A”, are modified to include the following special requirements:

(a) Notwithstanding Subsections 10F(3), (4), (5) and (6) of Zoning By-law No. 6593, the following provisions shall apply to single family dwelling units:

- i. The maximum height of a structure shall be 11.5 metres;
- ii. The minimum front yard depth to a garage shall be 6.0 metres and 4.5 metres to a dwelling;
- iii. The minimum rear yard depth shall be 6.0 metres;
- iv. The minimum side yard depth shall be 1.2 metres, except 1.5 metres for a side yard abutting a daylight triangle and 6.0 metres for a side yard abutting Stone Church Road East;
- v. The minimum lot frontage shall be 6.0 metres; and,
- vi. The minimum lot area shall be 165 square metres.

3. The By-law No. 6593 is amended by adding this by-law to Section___ as Schedule “A”;

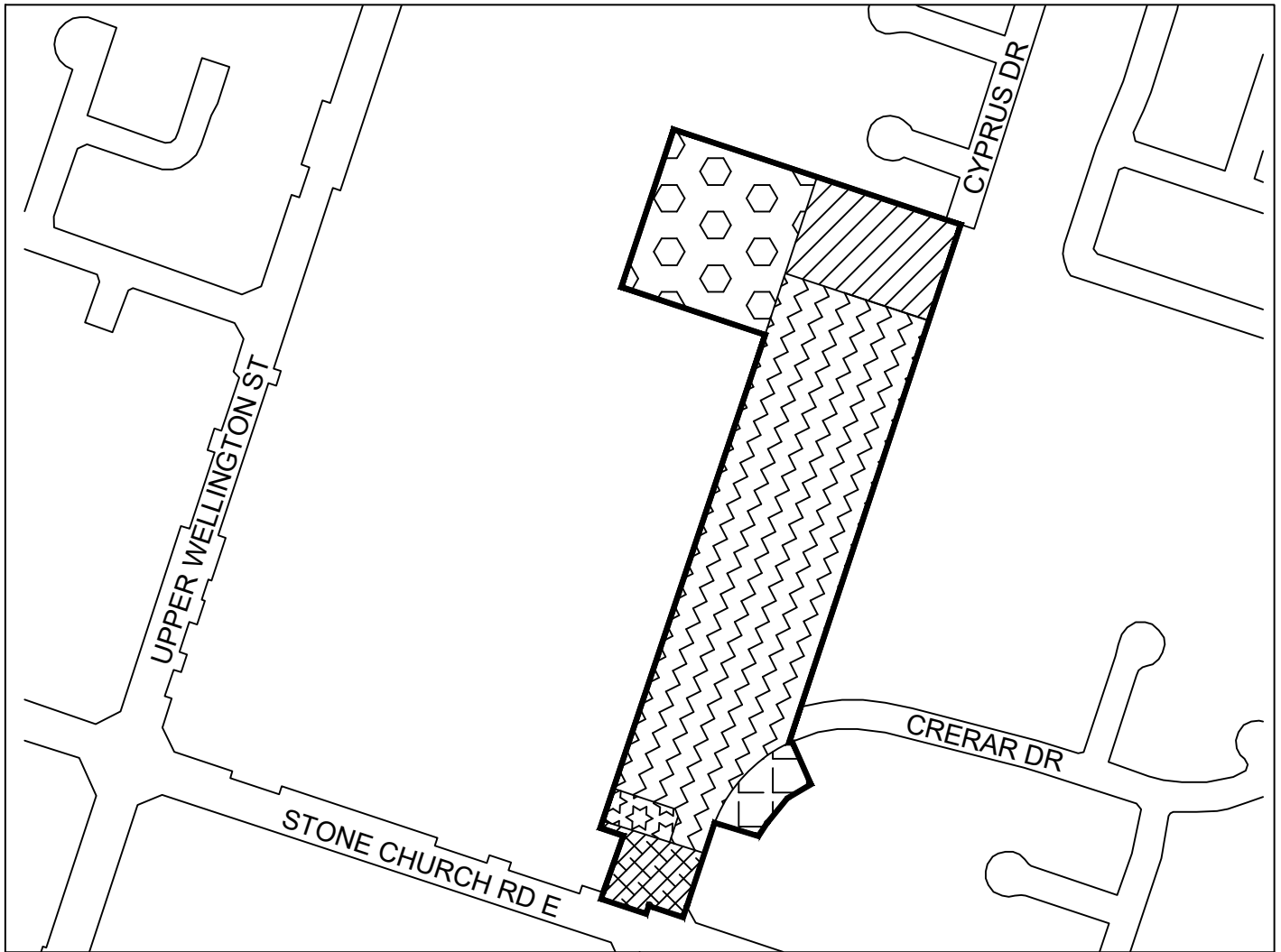
4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED AND ENACTED this ____ day of _____, 2021.

Mayor

Clerk

ZAC-20-_____



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

Passed the _____ day of _____, 2019

Clerk

Mayor

DRAFT Schedule "A"

Map Forming part of
By-law No. 6593-

to Amend By-law No. 6593

Subject Property

311-313 Stone Church Road West in the City of Hamilton.



Block 1 - Lands to be removed from Zoning By-law No. 6593.



Block 2 - Lands to be rezoned from "AA" (Agricultural) District to "C/S-____(a)" (Urban Protected Residential Etc.) District, Modified



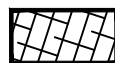
Block 3 - Lands to be rezoned from "AA" (Agricultural) District to "RT-20/S-____" (Townhouse- Maisonette) District, Modified



Block 4 - Lands to be rezoned from "AA" (Agricultural) District to "C/S-____(b)" (Urban Protected Residential Etc.) District, Modified



Block 5 - Lands to be rezoned from "AA" (Agricultural) District to "RT-30/S-____" (Street Townhouses) District, Modified



Block 6 - Lands to be rezoned from "C" (Urban Protected Residential, Etc.) District to "RT-30/S-____" (Street Townhouses) District, Modified

Scale:
N.T.S

File Name/Number:
281-18

Date:
2020-10-22

Planner/Technician:
L. DRENNAN

PLANNING AND ECONOMIC
DEVELOPMENT DEPARTMENT