

Draft Amendment to Zoning By-Law No. 464



CITY OF HAMILTON

DRAFT BY-LAW NO. - ____

To Amend Zoning By-law No. 464, Respecting Lands Located at 78 and 80 Marion Street and 3302 Homestead Drive, 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 464 (Glanbrook) was enacted on the 16th day of March 1992, which was approved by the Ontario Municipal Board by Order dated the 31st date of May 1993, (File. No. R920300);

AND WHEREAS the Council of the City of Hamilton, in adopting Item ____ of Report 17-____ of the Planning Committee at its meeting held on the ____ day of _____, 2017, recommended that Zoning By-law No.464 (Glanbrook), 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 Schedule “F”- Mount Hope Urban Settlement Area appended to and forming part of Zoning By-law No. 464 (Township of Glanbrook), as amended, is hereby further amended as follows:
 - (a) By changing the zoning from the Deferred Development “DD” Zone to Residential “R4-xxx(A)” Zone, Modified, the lands comprised in “Block 1”;
 - (b) By removing the Deferred Development “DD” Zone, Modified, the lands comprised in “Block 2”;
 - (c) By removing the Deferred Development “DD” Zone, Modified, the lands comprised in “Block 3”;



- (d) By changing the zoning from the Residential “H-R3-122” to Residential “R4-xxx(A)” Zone, Modified, the lands comprised in “Block 4”;
- (e) By changing the zoning from the Existing Residential “ER” Zone to Residential “R4-xxx(A)” Zone, Modified, the lands comprised in “Block 5”;
- (f) By changing the zoning from the Public “P” Zone to Residential “R4-xxx(A)” Zone, Modified, the lands comprised in “Block 6”;
- (g) By changing the zoning from the Deferred Development “DD” Zone to Residential “R4-xxx(A)” Zone, Modified, the lands comprised in “Block 7”;
- (h) By changing the zoning from the Deferred Development “DD” Zone to Residential “R4-xxx(B)” Zone, Modified, the lands comprised in “Block 8”;
and,
- (i) By changing the zoning from the Deferred Development “DD” Zone to Residential “R4-xxx(C)” Zone, Modified, the lands comprised in “Block 9”.

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 44, “Exceptions to the Provisions of the By-law”, as amended, of Zoning By-law No. 464, is hereby further amended by modifying the “R4-xxx” Zone provisions as follows:

R4-xxx(A)

Notwithstanding the provisions pursuant to SECTION 16: RESIDENTIAL “R4” ZONE of Zoning By-law No. 464, the following provisions shall apply:

- | | | | |
|------|-----|-------------------------------|---|
| 16.2 | (a) | Minimum Lot
Frontage | 10.0 metres. |
| 16.2 | (b) | Minimum Lot Area | 270 square metres. |
| 16.2 | (c) | Maximum Lot
Coverage | 50 percent. |
| 16.2 | (d) | Minimum Front
Yard | 4.5 metres, except for that portion of a
building providing an access driveway to a
garage which shall be 6.0 metres. |
| 16.2 | (e) | Minimum Interior
Side Yard | 1.2 metres on one side, and 0.6 metre on
the other. |



- 16.2 (e)(i) Minimum Exterior Side Yard 3.0 metres.
- 16.2 (f) Minimum Rear Yard 7.0 metres.
- 16.2 (g) Maximum Height 11.0 metres.

3. That Section 44, “Exceptions to the Provisions of the By-law”, as amended, of Zoning By-law No. 464, is hereby further amended by modifying the “R4-xxx” Zone and “R4-xxx(A)” Zone provisions as follows:

R4-xxx(B)

Notwithstanding the provisions pursuant to SECTION 16: RESIDENTIAL “R4” ZONE of Zoning By-law No. 464, the following provisions shall apply:

- 16.2 (f) Minimum Rear Yard 6.0 metres.

All other regulations of the Residential “R4-xxx(A)” Zone shall apply.

4. That Section 44, “Exceptions to the Provisions of the By-law”, as amended, of Zoning By-law No. 464, is hereby further amended by modifying the “R4-xxx” Zone and “R4-xxx(A)” Zone provisions as follows:

R4-xxx(C)

Notwithstanding the provisions pursuant to SECTION 16: RESIDENTIAL “R4” ZONE of Zoning By-law No. 464, the following provisions shall apply:

- 16.2 (a) Minimum Lot Frontage 9.0 metres.

All other regulations of the Residential “R4-xxx(A)” Zone shall apply.

5. That Section 44, “Exceptions to the Provisions of the By-law”, as amended, of Zoning By-law No. 464, is hereby further amended by modifying the “R4-xxx” Zone provisions as follows:

Notwithstanding the provisions pursuant to SECTION 7.26: ENCROACHMENT INTO YARDS Zoning By-law No. 464, the following provisions shall apply:

- 7.26 (a) Encroachments into Yards Window projections, with or without foundations, architectural elements, and porches such as, but not limited to fireplaces, chimneys, pilasters, corbels and



bay windows, which may project into any required yard a distance of not more than 0.6 metre, provided a 0.6 metre setback is maintained, except for a porch may encroach up to 1.5 metres into a front, exterior side, or rear yard.

- 7.26 (b) Encroachment into Yards Balconies, canopies, fruit cellars and/or unenclosed porches which may project into any yard a distance of not more than 1.5 metres for a front or rear yard, or into any side yard a distance of not more than 0.6 metres, provided a 0.6 metre setback is maintained.

Notwithstanding the provisions pursuant to SECTION 7.35: MINIMUM PARKING REQUIREMENTS of Zoning By-law No. 464, the following provisions shall apply:

- 7.35 (a) Minimum Parking Requirements The minimum dimensions for a 90 degree perpendicular parking space within a garage shall be no less than 3.0 metres in width and 5.8 metres in length.
- 7.35 (a) Minimum Parking Requirements Additional encroachments shall be permitted within a garage for stairs which shall be limited to a maximum of three (3) risers and to allow for door swings within a garage parking space.

6. The By-law No. 464 is amended by adding this by-law to Section__ as Schedule__;
7. 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.

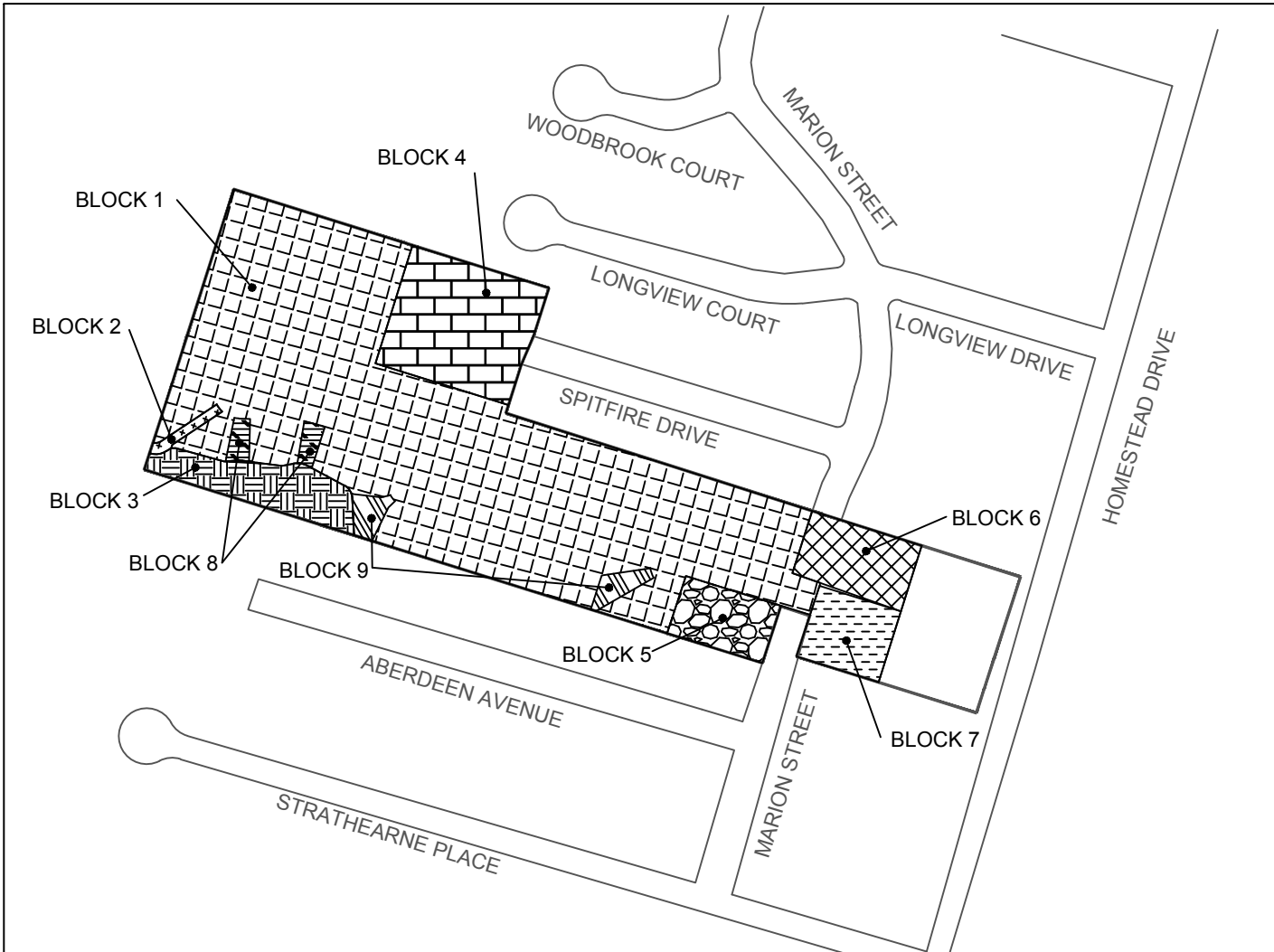
PASSED AND ENACTED this ____ day of _____, 2018.

Mayor

Clerk

ZAC-18-_____





This is Schedule "A" to By-law No. 18-_____
 Passed the ____ day of _____, 2018

Subject Property

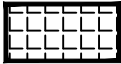
78 and 80 Marion Street and 3302 Homestead Drive in the City of Hamilton.

**DRAFT
 Schedule "A"**

Map Forming part of
 By-law No. 464-
 to Amend By-law No. 464

 Clerk

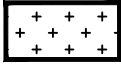
 Mayor



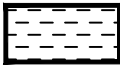
Block 1 - change in zoning from "DD" to "R4-xxx(A)" Zone



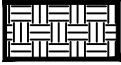
Block 6 - change in zoning from "P" to "R4-xxx(A)" Zone



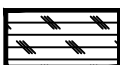
Block 2 - to be removed from By-law No. 464



Block 7 - change in zoning from "DD" to "R4-xxx(A)" Zone



Block 3 - to be removed from By-law No. 464



Block 8 - change in zoning from "DD" to "R4-xxx(B)" Zone



Block 4 - change in zoning from "H-R3-122" to "R4-xxx(A)" Zone



Block 9 - change in zoning from "DD" to "R4-xxx(C)" Zone



Block 5 - change in zoning from "ER" to "R4-xxx(A)" Zone

Scale: N.T.S	File Name/Number: 211-17
Date: 16/11/2018	Planner/Technician: C.AGRO
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

Draft Amendment to Zoning By-Law No. 05-200



CITY OF HAMILTON

DRAFT BY-LAW NO. - ____

To Amend Zoning By-law No. 05-200, Respecting Lands Located at 78 Marion 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. 05-200 was consolidated as of the 15th day of March 2017;

AND WHEREAS the Council of the City of Hamilton, in adopting Item ____ of Report 18-____ of the Planning Committee at its meeting held on the ____ day of _____, 2018, recommended that Zoning By-law No. 05-200, 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 upon final approval of Official Plan Amendment No.____;

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

1. That Map No. __ of Schedule “A” – Zoning Maps, of Zoning By-law No. 05-200, be amended as follows:
 - (a) By adding to the City of Hamilton Zoning By-law No. 05-200, the lands the extent and boundaries are shown as Schedule “A” to this By-law;
 - (b) By establishing a Conservation/Hazard Land (P5) Zone, to the lands the extent and boundaries are shown as “Block 1” on Schedule “A” to this By-law; and,



(c) By establishing an Open Space (P4) Zone to the lands the extent and boundaries are shown as “Block 2” on Schedule “A” to this By-law.

2. That Schedule “C” – Special Exceptions, of Zoning By-law No. 05-200, is hereby amended by adding an additional exception as follows:

Within the lands zoned Open Space (P4) Zone, identified as “Block 2” of Schedule “A” to this By-law, the following special provisions shall apply:

(a) Notwithstanding Subsection 7.4.1, a stormwater management drainage easement and a public walkway connection shall be permitted.

3. The By-law No. 05-200 is amended by adding this by-law to Section__ as Schedule__; and,

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.

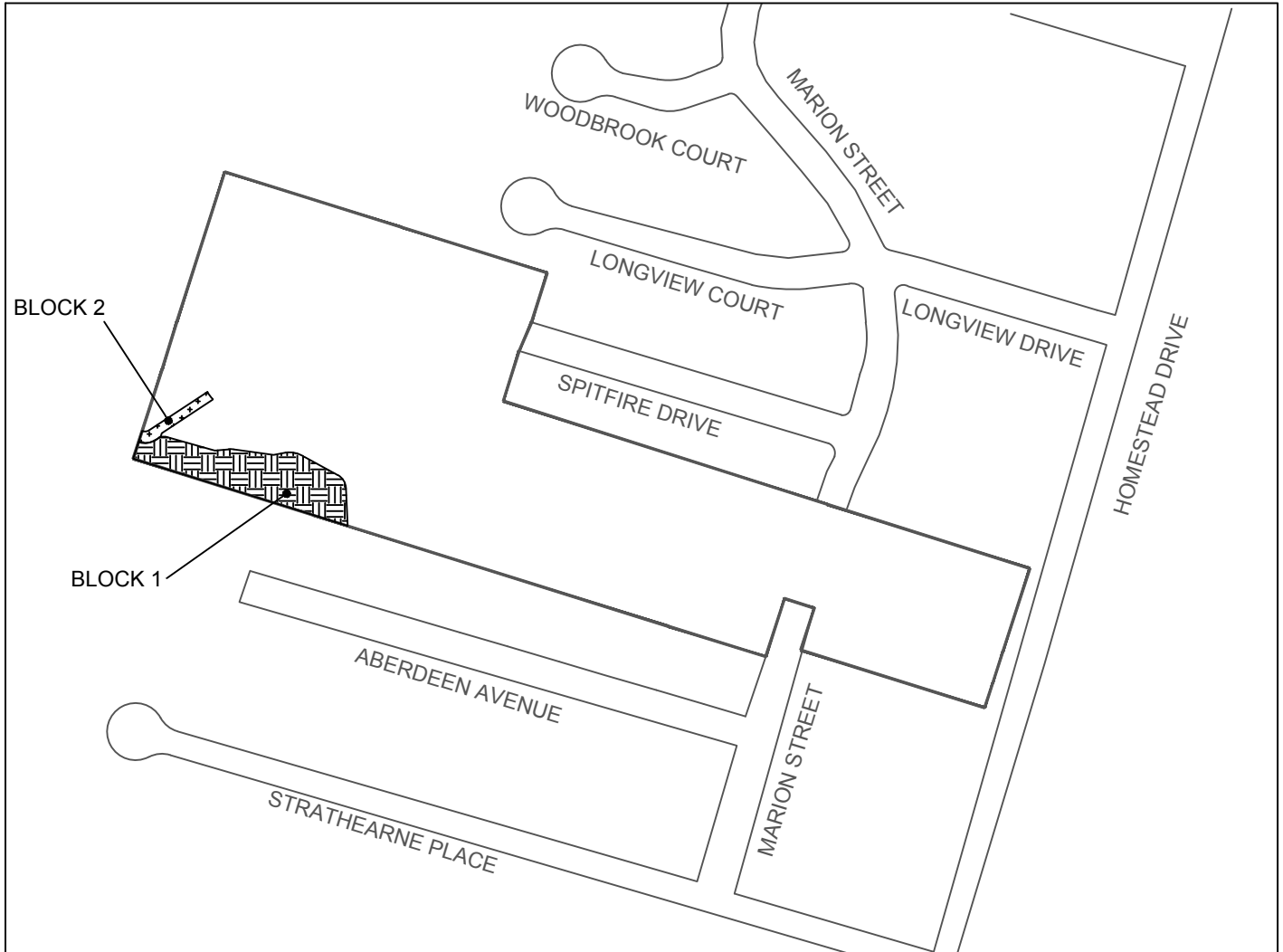
PASSED AND ENACTED this ____ day of _____, 2018.

Mayor

Clerk

ZAC-18-_____





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

Passed the _____ day of _____, 2018

Clerk

Mayor

DRAFT Schedule "A"

Map Forming part of
By-law No. 05-200-

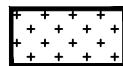
to Amend By-law No. 05-200

Subject Property

78 Marion Street in the City of Hamilton.



Block 1 - Lands to be added to the
Zoning By-law No. 05-200 and zoned
Conservation / Hazard Land (P5)
Zone



Block 2 - Lands to be added to the
Zoning By-law No. 05-200 and zoned
Open Space (P4) Zone

Scale:
N.T.S

File Number:
211-17

Date:
17/05/2018

Technician:
C.AGRO

PLANNING AND ECONOMIC
DEVELOPMENT DEPARTMENT