

DOMINION OF CANADA)
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Province of Ontario)
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IN THE MATTER OF
Zoning By-law No. 24-108
AND IN THE MATTER OF Section 34(22) of
the *Planning Act*, R.S.O. 1990, C. P.13.
150 Mohawk Road East, Hamilton.

TO WIT:

I, **Lisa Kelsey**, Legislative Coordinator, City Clerk's Office, of the City of Hamilton, **DO SOLEMNLY DECLARE:**

1. That Notice of a Public Meeting for the purpose of informing the public in respect of the proposed Zoning By-law amendment was given on the 31st day of May, 2024 as prescribed by law.
2. That By-law No. 24-108 was approved by the City of Hamilton on the 26th day of June, 2024.
3. That written Notice of Passing of the said By-law was given in accordance with Section 34(22) of the *Planning Act* on the 10th day of July, 2024.
4. That no Notice of Appeal was filed under Section 34(22) of the *Planning Act* on or before the 30th day of July, 2024, being twenty days from the day of the notice given of the approval of the said By-law.
5. That, in accordance with Section 34(22) of the *Planning Act*, I verily believe that the By-law is deemed to come into force on the day it was passed.

AND I MAKE THIS solemn Declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Evidence Act*.

DECLARED before me at the
City of Hamilton
this 31st day of July, 2024

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) 



A Commissioner, etc.

ZAC-23-015

Matthew Joseph Edward Gauthier,
a Commissioner, etc.,
Province of Ontario, for the City of Hamilton.
Expires May 25, 2026

Authority: Item 4, Planning Committee Report 24-009 (PED24063)
CM: June 26, 2024 Ward: 8
Written approval for this by-law was given by Mayoral Decision MDE-2024-15
Dated June 26, 2024

Bill No. 108

CITY OF HAMILTON
BY-LAW NO. 24-108
To Amend Zoning By-law No. 05-200 with Respect to Lands Located at
150 Mohawk Road East, Hamilton

WHEREAS Council approved Item 4 of Report 24-009 of the Planning Committee, at its meeting held on June 26, 2024;

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

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Schedule "A" – Zoning Maps, Map No. 1184 is amended by adding the Transit Oriented Corridor Multiple Residential (TOC3, 879) Zone, for the lands known as 150 Mohawk Road East, Hamilton, the extent and boundaries of which are shown on Schedule "A" to this By-law.
2. That Schedule "C" – Special Exceptions is amended by adding the following new Special Exception:

"879. Within the lands zoned Transit Oriented Corridor Multiple Residential (TOC3) Zone, identified on Map No. 1184 of Schedule "A" – Zoning Maps and described as 150 Mohawk Road East, Hamilton the following special provisions shall apply:


- a) In addition to Section 4.6, the following regulations shall apply:
 - i) A stairwell to a parking garage may encroach into a required rear yard to a maximum of 3.0 metres.
- b) Notwithstanding Section 5.1 a) v), the regulation shall not apply.
- c) Notwithstanding Section 5.2 a) i), the following regulations shall apply:
 - i) A minimum 1.1 metre wide landscape strip which shall contain a visual barrier in accordance with Section 4.19 of this By-law.
- d) Notwithstanding Section 5.2 h), the regulation shall not apply.
- e) In addition to Section 11.3.2, the following regulation shall apply:

- i) The 12 storey Multiple Dwelling existing at the date of passing of this by-law shall be deemed to conform.
- f) Notwithstanding Sections 11.3.2 a) i), 11.3.2 b), 11.3.2 c), 11.3.2 e), 11.3.2 f) iii), 11.3.2 f) iv), and 11.3.2 f) v), the following regulations shall apply:

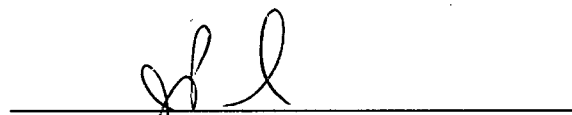
- i) Building Setback from a Street Line Minimum 2.5 metres, except 13.5 metres for a portion of a building greater than 13.5 metres in height.
- ii) Minimum Rear Yard 5.0 metres, except 16.0 metres for a portion of a building greater than 8.0 metres in height and 30.0 metres for a portion of a building greater than 13.5 metres in height and 2.0 metres for a stairwell.
- iii) Minimum Interior Side Yard 7.5 metres, except 32.0 metres for a portion of a building greater than 8.0 metres in height and 3.0 metres for a stairwell.
- iv) Maximum Building Height 36.0 metres.

- 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 provisions of the Transit Oriented Corridor Multiple Residential (TOC3, 879) Zone, subject to the special requirements referred to in Section No. 2 of this By-law.
- 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 this 26th day of June, 2024



A. Horwath
Mayor





J. Pilon
Acting City Clerk



This is Schedule "A" to By-law No. 24-108

Passed the 26 day of June, 2024



 Mayor


 Clerk


Schedule "A"

Map forming Part of
By-law No. 24-108

to Amend By-law No. 05-200
Map 1184

Subject Property

150 Mohawk Road East

 Lands to be added to Zoning By-law No. 05-200 as
Transit Oriented Corridor Multiple Residential
(TOC3, 879) Zone

Scale:
N.T.S

File Name/Number:
ZAC-23-015

Date:
November 16, 2023

Planner/Technician:
MM/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT