



City of Hamilton

CITY COUNCIL ADDENDUM

19-014

Friday, August 16, 2019, 9:30 A.M.

Council Chambers, Hamilton City Hall

71 Main Street West

5. COMMUNICATIONS

- *5.9 Correspondence from Verna Walker respecting Application for a Zoning By-law Amendment for Lands Located at 336 and 338 King StreetWest, Dundas (PED19157) (Ward 13).

Recommendation: Be received and referred to the consideration of Item 8 of Planning Committee Report 19-012.

- *5.10 Correspondence from Laura Babcock respecting an Open Letter to Council on Ending Hate and Citizen Safety.

Recommendation: Be received and referred to the consideration of Item 10 of General Issues Committee Report 19-014.

10. PRIVATE AND CONFIDENTIAL

*10.2 Personnel Matter respecting Roadway Sign Support Structures (no copy)

Pursuant to Section 8.1, Sub-sections (b), (d), (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (b), (d), (e) and (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City employees; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the City and, the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

*10.3 Bargaining Update (no copy)

Pursuant to Section 8.1, Sub-sections (d) of the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (d) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to labour relations or employee negotiations.

11. BY-LAWS AND CONFIRMING BY-LAW

*11.8 193

To Authorize the Signing of a Transfer Payment Agreement for the Transfer of Audit and Accountability Funds between Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing and the City of Hamilton

Ward: City Wide

*11.9 194

To Permanently Close and Sell a Portion of Wetenhall Court, Hamilton, Ontario, namely Part of Wetenhall Court, Registered Plan 62M-1229, in the City of Hamilton, designated as Parts 4, 5 and 6, Plan 62R-21136, being Part of PIN 17399-0500 (LT); City of Hamilton

Ward: 11

*11.10 195

To Amend Zoning By-law No. 6593

Respecting Lands Located at 360 Mohawk Road West
ZAC-18-046

Ward: 8

- *11.11 196
To Amend Zoning By-law No. 3581-86
Respecting Lands Located at 336 and 338 King Street West
in the former Town of Dundas
ZAR-19-020
Ward: 13
- *11.12 197
To Amend By-law No. 12-282, as amended by By-law No. 19-108, Respecting Tariff
of Fees
Ward: City Wide
- *11.13 198
To Establish City of Hamilton Land Described as Parts 1 and 4 on Plan 62R-20060
as Part of Acadia Drive
Ward: 7
- *11.14 199
To Amend Zoning By-law No. 05-200, as amended by By-law 18-114
Respecting Lands Located at 154 Main Street East and 49 Walnut Street South
ZAR-17-074/UHOPA-18-018
Ward: 2
- *11.15 200
To Amend Zoning By-law No. 05-200, as amended by By-law 19 199, respecting
lands located at 154 Main Street East and 49 Walnut Street South (Hamilton)
ZAH-19-043
Ward: 2
- *11.16 201
To Appoint a Deputy Fire Chief



Hamilton

Office of the City Clerk
71 Main Street West, Hamilton ON L8P 4Y5
Phone: 905-546-2424 Fax: 905-546-2095
www.hamilton.ca

July 26, 2019

File(s): ZAR-19-020

**NOTICE OF PUBLIC MEETING
OF THE PLANNING COMMITTEE**

DATE: August 13, 2019
TIME: 9:30 a.m.
LOCATION: Council Chambers, 2nd Floor
City Hall
71 Main Street West, Hamilton

Owner: King@Dundas Inc. (c/o Sergio Manchia)

Applicant/Agent: MHBC Planning (c/o Kelly Martel)

Subject Property: 336 - 338 King Street West, Hamilton (Dundas) (Ward 13)

Purpose and Effect of Application:

Zoning By-law Amendment (File No. ZAR-19-020)

The purpose and effect of this proposed **Zoning By-law Amendment** is to change the Zoning on the subject lands from the Holding – Medium to High Density Multiple Dwelling Zone (H-RM3/S-127), Modified, to the Holding – Low to Medium Density Multiple Dwelling Zone (H-RM1/S-127a), Modified, in order to permit six townhouse (block townhouse) dwellings accessed by a rear lane, for lands located at 336 and 338 King Street West (Dundas), as shown on the attached Location Map.

The proposed Official Plan Amendment, and information and material related to it, will be available in the staff report for public inspection.

I'm in full agreement of new plan of 340 King St. W & Dundas
Public Input: *6 townhouses* *Veera M. Walker* *L8P 4Y5*
107

The Planning Committee will consider this application at a Public Meeting at the above noted time and location. You are invited to attend at that time to present your views regarding the proposal. You may also submit written comments to the Legislative Coordinator, Planning Committee, City of Hamilton, 71 Main Street West, 1st Floor, Hamilton, Ontario, L8P 4Y5. Comments must be received by noon Monday, August 12, 2019. Any written comments received after the deadline will be included on the **Friday, August 16, 2019** Council agenda.

Re: Application by MHBC Planning (c/o Kelly Martel) for Zoning
By-law Amendment for Lands Located at Property Address,
Dundas, (Ward 13)

Page 2 of 2

Please note that the owner of any land that contains seven or more residential units must post the notice in a location that is visible to all residents.

If you wish to be notified of the decision of the City of Hamilton on the proposed zoning by-law amendment, you must make a written request to the Legislative Coordinator, Planning Committee, 71 Main Street West, 1st Floor, Hamilton, Ontario, L8P 4Y5.

Appeals:

In accordance with the provisions of the *Planning Act*,

Zoning By-Law Amendment Application

- i. If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Hamilton before the proposed by-law is passed, the person or public body is not entitled to appeal the decision of Council, City of Hamilton to the Local Planning Appeal Tribunal (LPAT).
- ii. If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Hamilton before the proposed by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal (LPAT) unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Collection of Information

Information respecting this application is being collected under the authority of the *Planning Act*, R.S.O. 1990, c.P.13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public **and will appear on the City's website unless you expressly request within your communication that City remove your personal information.**

Additional Information:

The staff report will be available to the public on or after August 7, 2019 and may be obtained from the Planning and Economic Development Department, Planning Division, 71 Main Street West, 5th Floor, Hamilton, between 8:30 a.m. and 4:30 p.m. If you require additional information, please contact Andrea Dear at 905.546.2424 ext. 7856 or by e-mail at andrea.dear@hamilton.ca.

Legislative Coordinator
Planning Committee

Pilon, Janet

Subject: Open Letter to Council on Ending Hate and Citizen Safety

From: laura babcock

Sent: August 14, 2019 9:16 PM

To: Brad Clark <bradclark@bell.net>; Collins, Chad <Chad.Collins@hamilton.ca>; Farr, Jason <Jason.Farr@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>; Fred Eisenberger <fredeisenberger@gmail.com>; Jackson, Tom <Tom.Jackson@hamilton.ca>; John-Paul Danko <jpdanko@blurmedia.ca>; Merulla, Sam <Sam.Merulla@hamilton.ca>; Nann, Nrinder <Nrinder.Nann@hamilton.ca>; Partridge, Judi <Judi.Partridge@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>; Pearson, Maria <Maria.Pearson@hamilton.ca>; Samantha Craggs - CBC <samantha.craggs@cbc.ca>; VanderBeek, Arlene <Arlene.VanderBeek@hamilton.ca>; Whitehead, Terry <Terry.Whitehead@hamilton.ca>; Wilson, Maureen <Maureen.Wilson@hamilton.ca>; Johnson, Brenda <Brenda.Johnson@hamilton.ca>; Office of the Mayor <mayor@hamilton.ca>

Cc: Andrew Dreschel <adreschel@thespec.com>; Becky Coles <becky.coles@bellmedia.ca>; Bill Kelly <bkelly@900chml.com>; Denise Christopherson <DChristopherson@ywcahamilton.org>; Crawford, G.; James McMillan; John Moore <jmoore@newstalk1010.com>; Keanin Loomis <k.loomis@hamiltonchamber.ca>; Lisa Hepfner (CHCH) <Lisa.Hepfner@chch.com>; Lorraine, Jessie; Richards, Jim (NewsTalk1010) <jrichards@newstalk1010.com>; Ryan McGreal <editor@raisethehammer.org>; news@newstalk1010.com; news@thespec.com

Subject: Open Letter to Council on Ending Hate and Citizen Safety

August 14, 2019

Dear Councillors and Mayor,

It's time.

Time to address the growing threat in our community.

Time to stand together and to speak with a united voice against hate.

Time to ensure residents are protected as they stand up against hate in our community, whether in the forecourt of City Hall, or anywhere else in our city.

Despite the great turnout this past Saturday in the City Hall forecourt, including many community leaders, people who were there to stand against hate, some with their children, felt threatened.

They felt threatened when police allowed a bus to drive up onto the sidewalk where adults and children were standing. It was a brazen act of intimidation. Police then negotiated with the driver of the bus for over half an hour, resulting in them letting him drive the "Hate Bus" away and park it at the rear of City Hall before he joined the Yellow Vests. The driver faced no consequence. The video of the crowd calling for the "Hate Bus" to leave has been viewed almost 8,000 times. The nation is watching how we deal with this threat.

They felt threatened when the driver of the bus posted a video on YouTube where he claimed he planned to return to a future rally and once again park his bus on the sidewalk in front of City Hall!

They felt threatened when police decided to arrest a known anti-hate protestor, resulting in all officers leaving the scene to escort the lone protestor to the rear of City Hall, leaving anti-hate protestors unprotected. A video has been posted showing the Yellow Vest group celebrating the police arresting the anti-hate protestor.

Now, people are expressing concern about bringing their children to a unity rally this Saturday in broad daylight on the forecourt of our City Hall. They are now afraid to bring their kids to our Hamilton sign where kids routinely play! Our city's front porch is considered a threatening environment.

Our inertia has allowed this threat to grow.

Yes, it's time.

It's time to show up and to speak up. Not just as individuals, as some have done already, but also as our Council. Your primary responsibility is keeping Hamiltonians safe.

In response to this serious threat, we respectfully request:

1. As many councillors and city staff as possible show up Saturday between 10 - 2 to send a message of unity and repudiation of hate. A few minutes will not suffice as the hate groups waited for the crowd to thin out last week and felt emboldened when it did.
2. A clear, equitable and unambiguous strategy communicated by Police before Saturday that commits to them attending the event, protecting all residents and enforcing the law on any illegal activity.
3. Ensure the City's new consultant, hired to deal with hate, report directly to the City Manager so the community is reassured that this role is of critical importance to the City and not merely a public relations exercise. No other reporting structure will suffice.

The threat is not just about a small group promoting hate at our City Hall. According to Statistics Canada Hamilton has the most reported incidents of hate crimes in Canada. Our citizens deserve to live in a safe, inclusive, united community.

It's time.

Sincerely,

Laura Babcock & Graham Crawford

Authority: Item 7, Audit, Finance and
Administration Committee
Report 19-011
CM: August 16, 2019

Bill No.193

CITY OF HAMILTON

BY-LAW NO. 19-

**To Authorize the Signing of a Transfer Payment Agreement for the Transfer of
Audit and Accountability Funds between Her Majesty the
Queen in right of Ontario as represented by the Minister of Municipal Affairs and
Housing and the City of Hamilton and the City of Hamilton**

WHEREAS the Council of the City of Hamilton wishes to enter into a Transfer Payment Agreement in order to participate in the Audit and Accountability Fund;

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

1. The Mayor and City Clerk are hereby authorized to execute a Transfer Payment Agreement for the Transfer of Audit and Accountability Funds between Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing and the City of Hamilton, in a form satisfactory to the City Solicitor and with content acceptable to the General Manager of Finance and Corporate Services.
2. This by-law shall come into force on the day it is passed.

PASSED this 16th day of August, 2019.

A. Vanderbeek
ACTING MAYOR

A. Holland
CLERK

Authority: Item 1, Public Works Committee
Report 19-002 (PW19011)
CM: August 16, 2019
Ward: 11

Bill No. 194

CITY OF HAMILTON

BY-LAW NO. 19-

To Permanently Close and Sell a Portion of Wetenhall Court, Hamilton, Ontario, namely Part of Wetenhall Court, Registered Plan 62M-1229, in the City of Hamilton, designated as Parts 4, 5 and 6, Plan 62R-21136, being Part of PIN 17399-0500 (LT); City of Hamilton

WHEREAS Sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS Section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

WHEREAS highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law; and

WHEREAS at its meeting of February 13, 2019, Council approved of Item 8.2 of Public Works Committee Report 19-002, and authorized the City of Hamilton to permanently close and sell a portion of Wetenhall Court, Hamilton, namely Part of Wetenhall Court, Registered Plan 62M-1229, in the City of Hamilton, designated as Parts 4, 5 and 6, Plan 62R-21136, being Part of PIN 17399-0500 (LT); City of Hamilton;

WHEREAS notice to the public of the proposed sale of the portion of Wetenhall Court has been given in accordance with the requirements of the Sale of Land Policy By-law.

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

1. The portion of Wetenhall Court set out as:

To Permanently Close and Sell a Portion of Wetenhall Court, Hamilton, Ontario, namely Part of Wetenhall Court, Registered Plan 62M-1229, in the City of Hamilton, designated as Parts 4, 5 and 6, Plan 62R-21136, being Part of PIN 17399-0500 (LT); City of Hamilton

Page 2 of 2

Part of Wetenhall Court, Registered Plan 62M-1229, in the City of Hamilton, designated as Parts 4, 5 and 6, Plan 62R-21136, being part of PIN 17399-0500 (LT)

is permanently closed.

2. The soil and freehold of Parts 4, 5 and 6, Plan 62R-21136, hereby permanently closed, be sold to Hamilton Airport Lands Limited Partnership, by its General Partner, 11035380 Canada Inc. and GreyCan 8 Properties Limited Partnership, by its General Partner, GreyCan 8 Properties Inc., for the sum of Two Dollars (\$527,228.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED this 16th day of August, 2019.

A. VanderBeek
Acting Mayor

A. Holland
City Clerk

Authority: Item 6, Planning Committee
Report 19-012 (PED19149)
CM: August 16, 2019
Ward: 8

Bill No. 195

CITY OF HAMILTON

BY-LAW NO. 19-195

To Amend Zoning By-law No. 6593 Respecting Lands Located at 360 Mohawk Road West

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”;

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”;

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 of the City of Hamilton;

WHEREAS, the Council of the Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which By-law was approved by the Ontario Municipal Board by Order, dated the 7th day of December 1951, (File No. P.F.C. 3821);

WHEREAS, the Council of the City of Hamilton, in adopting Item 6 of Report 19-012 of the Planning Committee, at its meeting held on the 16th day of August, 2019, 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.

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

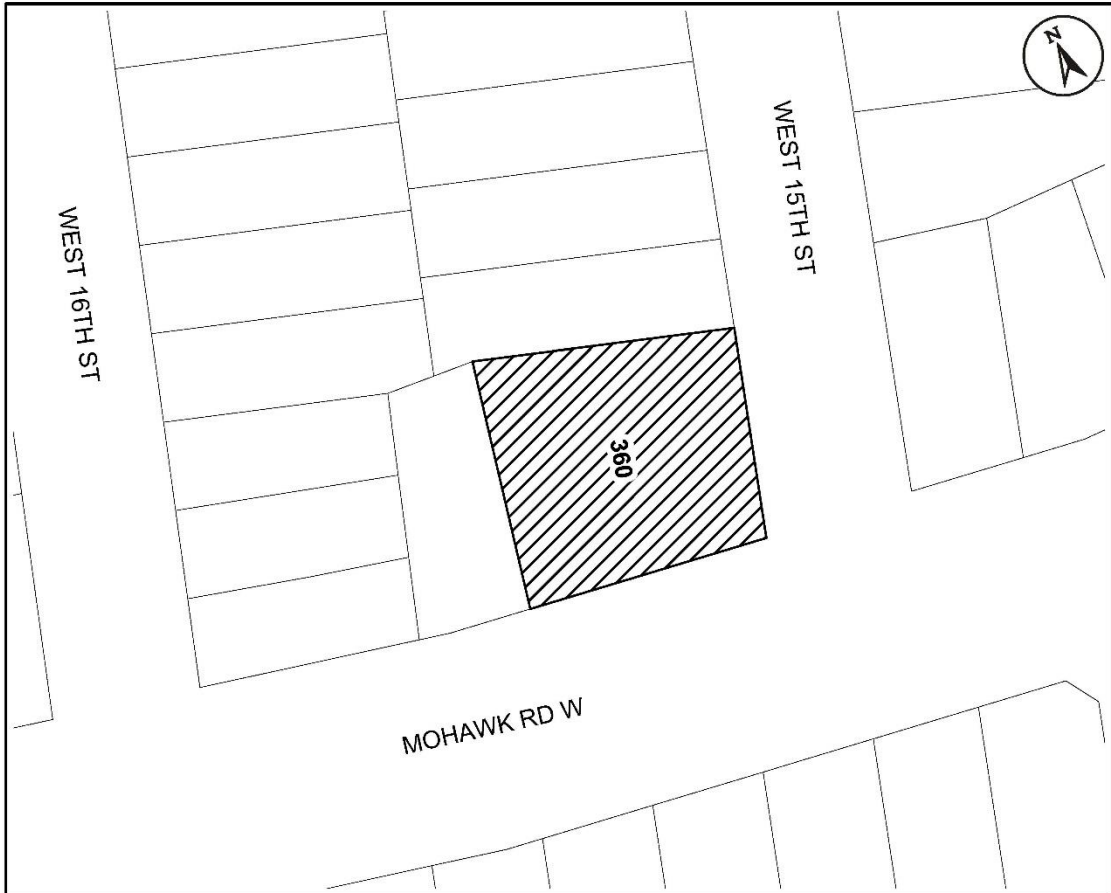
1. That Sheet No. W17c of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton) is amended, by changing the zoning from the “C” (Urban Protected Residential, etc.) District to the “D/S-1785” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. That the “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District provisions are contained in Section 10 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:
 - (a) That notwithstanding Subsection 4(ii), for a two family dwelling a width of at least 13.5 metres and an area of at least 480 square metres.
 - (b) In addition to Section 10, driveway access shall be prohibited from Mohawk Road West.
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 “D” District provisions, subject to the special requirements in Section 2 of this By-law.
4. That By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1785.
5. That Sheet No. W17c of the District maps be amended by making the lands referred to in Section 1 of this By-law as Schedule S-1785.
6. 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 16th day of August , 2019

A. VanderBeek
Acting Mayor

J. Pilon
Acting City Clerk



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| This is Schedule "A" to By-law No. 19- Passed the day of, 2019 | ----- Mayor ----- Clerk |
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| <h2 style="margin: 0;">Schedule "A"</h2> <h3 style="margin: 0;">Map Forming Part of By-law No. 19-_____</h3> <h3 style="margin: 0;">to Amend By-law No. 6593</h3> | Subject Property 360 Mohawk Road West Change in Zoning from the "C" (Urban Protected Residential, etc.) District to the "D/S-1785" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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|----------------------------------------------|----------------------------------------|--|
| Scale: N.T.S. | File Name/Number: ZAC-18-046 | |
| Date: June 18, 2019 | Planner/Technician: MS/AL | |
| PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT | | |

Authority: Item 8, Planning Committee
Report 19-012 (PED19157)
CM: August 16, 2019
Ward: 13

Bill No. 196

**CITY OF HAMILTON
BY-LAW NO.**

**To Amend Zoning By-law No. 3581-86
Respecting Lands Located at 336 and 338 King Street West
in the former Town of Dundas**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999. Chap. 14, Sch. C. did incorporate, as of January 1, 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 Town of Dundas” and is the successor to 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 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. 3581-86 (Dundas) was enacted on the 22nd day of May 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 8 of Report PED19-012 of the Planning Committee, at its meeting held on the 16th day of August, 2019, recommended that Zoning By-law No. 3581-86 (Dundas) be amended as hereinafter provided; and,

WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan.

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

1. That Schedule “L” (Spencer Creek) appended to and forming part of Zoning By-law No. 3581-86 (Dundas) is amended by changing the zoning from Holding – Medium to High Density Multiple Dwelling Zone (H-RM3/S-127), Modified to the Low to Medium Density Multiple Dwelling Zone (RM1/S-127a) Zone, Modified on the lands to the extent and boundaries of which are shown on Schedule “A” which forms part of this By-law.
2. That Section 32 “EXCEPTIONS” of Zoning By-law No. 3581-86 (Dundas), be amended by deleting in its entirety, S-127 and replacing it with the following subsections:

“S-127a”

- i) Notwithstanding Subsections 6.6.2, 6.6.8, and 6.6.9, and in addition to 6.6.9 (i), (ii), (iii) and (iv), the following special regulations shall apply:

6.0 GENERAL REGULATIONS

6.6 ENCROACHMENTS INTO YARDS

6.6.2 CANOPIES

A canopy may project:

- (i) into a required front yard, not more than 1.0 metres provided that no such projection be closer to a street line than 0.3 metres; and,
- (ii) into the required easterly side yard not more than 0.85 metres provided that no such projection shall be closer to a street line than 0.05 metres.

6.6.8 UNCOVERED PORCHES

A terrace, uncovered porch, platform or ornamental feature which does not extend more than 2.0 metres above the floor level of the second storey may project 3.0 metres into a required yard.

6.6.9 UNENCLOSED PORCHES

A roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level including eaves and gutters may project into a required yard to a distance of not more than 3.0 metres, and shall be permitted to be 0.0 metres from the easterly side lot line.

- ii) Subsection 6.11.3 shall not apply.
- ii) In addition to Subsection 7.3, no vehicular access or parking space shall be permitted in the side yard abutting the Brock Street South street line.
- iii) Notwithstanding Subsection 7.12.1.3, 1.0 parking space per dwelling unit shall be provided.
- iv) Notwithstanding Subsections 12.3.1.1, 12.3.2.1, 12.3.2.2, 12.3.2.3, 12.3.3, 12.3.4.2, 12.3.6.1, 12.3.6.2, the following special regulations shall apply:

12.3 REGULATIONS FOR MAISONETTE DWELLINGS AND
TOWNHOUSE DWELLINGS

12.3.1 AREA REQUIREMENTS

12.3.1.1 LOT FRONTAGE

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|---------|-----------|
| Minimum | 20 metres |
|---------|-----------|

12.3.2 YARD REQUIREMENTS

12.3.2.1 FRONT YARD

| | |
|---------|----------------------------------------------------------------------------------------------------------|
| Minimum | 1.4 metres, except that a minimum front yard setback of 0.87 metres may be provided to a daylight radius |
|---------|----------------------------------------------------------------------------------------------------------|

12.3.2.2 SIDE YARD

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|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Minimum | 0.9 metres for an easterly side yard, except that a minimum side yard setback of 0.87 metres may be provided to a daylight radius: and, 6.0 metres for a westerly side yard |
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12.3.2.3 REAR YARD

| | |
|---------|------------|
| Minimum | 1.5 metres |
|---------|------------|

12.3.3 HEIGHT

Maximum 15.7 metres

12.3.4 DENSITY

12.3.4.2 TOWNHOUSE DWELLINGS

Maximum - 81 dwelling units per hectare

12.3.6 LANDSCAPING REQUIREMENTS

12.3.6.1 LANDSCAPED AREA

Minimum 12 per cent of the site area shall be landscaped

12.3.6.2 BUFFER STRIP

The landscaped area requirements contained in subclause 12.3.6.1 shall include a buffer strip of not less than 0.4 metres in width which shall be provided and maintained adjacent to every portion of any lot line that abuts any R1, R2, R3, R3A, R4, or R6 Zone.

3. That the Town of Dundas Zoning By-law No. 3581-86 is amended by adding this By-law to Section 32 as Schedule "S-127a".
4. That Schedule "A" of the Zoning Schedule Key Map is amended by marking the lands referred to in Section 2 of this By-law as "RM1/S-127a".
5. 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 16th day of August, 2019

A. VanderBeek
Acting Mayor

A. Holland
City Clerk

To Amend Zoning By-law No. 3581-86
 Respecting Lands Located at 336 and 338 King Street West
 in the former Town of Dundas



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| This is Schedule "A" to By-law No. 19- Passed the day of, 2019 | ----- Mayor ----- Clerk |
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| <h2 style="margin: 0;">Schedule "A"</h2> <h3 style="margin: 0;">Map Forming Part of By-law No. 19-_____</h3> to Amend By-law No. 87-57 | Subject Property 336 - 338 King Street West Change in Zoning from Holding - Medium to High Density Multiple Dwelling Zone (H-RM3/S-127), Modified, to the Low to Medium Density Multiple Dwelling Zone (RM1/S-127a), Modified |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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|----------------------------------------------|---------------------------------|----------|
| Scale: N.T.S. | File Name/Number: ZAR-19-020 | |
| Date: August 13, 2019 | Planner/Technician: AD/NB | |
| PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT | | Hamilton |

Authority: Item 4, Planning Committee
Report 19-012 (PED19146(a))
CM: August 16, 2019
Ward: City Wide

Bill No. 197

CITY OF HAMILTON

BY-LAW NO.

**To Amend By-law No. 12-282, as amended by By-law No. 19-108, Respecting
Tariff of Fees**

WHEREAS Section 69 of the *Planning Act*, R.S.O 1990, Chapter 13, as amended, authorizes municipalities to enact a by-law to prescribe a Tariff of Fees for the processing of applications made in respect of planning matters;

AND WHEREAS Section 391 of the Municipal Act, 2001, S.O.2001, c. 25, as amended, authorizes municipalities to enact by-laws to impose fees on any class of person for services or activities provided or done by or on behalf of the municipality;

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

1. That By-law No. 12-282, as amended by By-law No. 19-108, be updated to include the following new fee in Schedule "A":

| | |
|----------------------------------------------------------------------------------------------|----------|
| Official Plan Amendment – Urban Boundary Expansion (comprised of Phase 1 and Phase 2 fee) | \$67,875 |
| a) Phase 1 – Services up to City Council Report | \$56,204 |
| b) Phase 2 – Services subsequent to Council Resolution approval | \$11,671 |

2. The new fee for Official Plan Amendment – Urban Boundary Expansion is hereby approved and adopted.
3. The fee shall be paid at the time of and with the making of an Official Plan Amendment – Urban Boundary Expansion application.
4. No application for an Official Plan Amendment – Urban Boundary Expansion shall be deemed to have been made, provided or completed, and no application

To Amend By-law No. 12-282, as amended by By-law No. 19-108, Respecting Tariff of Fees

shall be received, unless the appropriate fee is paid in accordance with this By-law.

5. The amount of the fee for an Official Plan Amendment – Urban Boundary Expansion shall be adjusted annually by the percentage change during the preceding year of the Consumer Price Index (CPI) for Toronto, and the resulting figures shall be rounded off to the nearest five (\$5.00) dollar interval.
6. This By-law shall be deemed to have come into force on August 16, 2019.

PASSED and ENACTED this 16th day of August, 2019.

A. VanderBeek
Acting Mayor

A. Holland
City Clerk

Authority: Item 3, Public Works Committee
Report 19-011 (PW19063)
CM: August 16, 2019
Ward: 7

Bill No. 198

CITY OF HAMILTON

BY-LAW NO. 19-

**To Establish City of Hamilton Land Described as Parts 1 and 4 on Plan 62R-20060
as Part of Acadia Drive**

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

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

1. The land, owned by and located in the City of Hamilton, described as Parts 1 and 4 on Plan 62R-20060, is established as a public highway, forming part of Acadia Drive.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 16th day of August, 2019.

A. Vanderbeek
Acting Mayor

A. Holland
City Clerk

Authority: Item 7, Planning Committee
Report 18-013 (PED18196)
CM: September 12, 2018
Ward: 2

Bill No. 199

CITY OF HAMILTON

BY-LAW NO.

To Amend Zoning By-law No. 05-200, as amended by By-law 18-114 Respecting Lands Located at 154 Main Street East and 49 Walnut Street South

WHEREAS Council approved Item 7 of Report 18-013 of the Planning Committee, at its meeting held on September 12, 2018;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan.

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

1. That Maps 952 and 953 of Schedule "A", appended to an forming part of By-law No. 05-200, as amended, is hereby further amended by changing the zoning from the Downtown Mixed Use (D1, H17, H19, H20) Zone to the Downtown Mixed Use (D1, 702, H17) Zone for the extent and boundaries of which are more particularly shown on Schedule "A" annexed hereto and forming part of this By-law.
2. That Schedule "C" Special Exceptions for Specific Lands of Zoning By-law No. 05-200, as amended by By-law 18-114, is hereby further amended by deleting the former Special Exemption 702 and replacing with the following new section:

"702. Within the lands zoned Downtown Mixed Use (D1, 702, H17) Zone, identified on Maps 952 and 953 of Schedule "A" Zoning Maps and described as 154 Main Street East and 49 Walnut Street South the following special provisions shall apply:

 - a) Notwithstanding Section 5.2b), 5.7 c), 6.0 c) i), ii) and iii) and e), and 6.1.3 b) ii) the following special provisions shall also apply:
 - b) REGULATIONS

**To Amend Zoning By-law No. 05-200
Respecting Lands Located at 154 Main Street East and 49 Walnut Street South
Owned By 1970703 Ontario Inc.**

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| a) Building Height | ii) Maximum 80.0 metres. |
| b) Minimum Building Stepback from the building base façade above the 7 th storey | <p>i) 3.0 metres from Main Street East building base façade height, 2.2 metres from the Walnut Street South building base façade height, 44.6 metres from the Jackson Street East base façade height, and 3.0 metres from the easterly side building base façade height.</p> <p>ii) That the building base façade height shall be 24.0 metres, except for that portion of the building that is located within 40.9 metres from the Jackson Street East lot line which shall have a building base façade height of 22.0 metres.</p> <p>The following additional stepback shall be required for any portion of a building exceeding 44.0 metres in height:</p> |
| c) Minimum Stepback | <p>i) Minimum of 6.5 metres from a lot line abutting a laneway.</p> <p>ii) Minimum of 6.0 metres from all side and rear lot lines except any flankage lot line.</p> |
| d) Maximum Lot Coverage | 87.5% |
| e) Parking | No parking space shall be less than 2.7 metres in width by 6.0 metres in length. |
| f) Bicycle Parking | 12 short term bicycle parking spaces for all uses. |

3. That Schedule F” – Figure 1 of By-law 05-200 be amended by identifying the lands shown in Schedule “A” with a maximum height of 80 metres.

**To Amend Zoning By-law No. 05-200
Respecting Lands Located at 154 Main Street East and 49 Walnut Street South
Owned By 1970703 Ontario Inc.**

4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of the By-law, in accordance with the Planning Act.
5. That this By-law No. 19_____ shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the Planning Act, either upon the date of passage of this By-law or as otherwise provided by the said Sub-section.

PASSED this 16th day of August, 2019

A. VanderBeek
Acting Mayor

J. Pilon
Acting City Clerk

UHOPA-18-018 and ZAR-17-074



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| <p>This is Schedule "A" to By-law No. 19-</p> <p>Passed the day of, 2019</p> | <p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p> |
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| <p>Schedule "A"</p> <p>Map Forming Part of</p> <p>By-law No. 19-_____</p> <p>to Amend By-law No. 05-200</p> <p>Maps 953 & 995</p> | <p>Subject Property</p> <p>154 Main Street East & 49 Walnut Street South</p> <p> Change in Zoning from the Downtown Central Business District (D1, H17, H18, H20) Zone to the Downtown Mixed Use (D1, 702, H17) Zone Holding</p> |
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| <p>Scale: N.T.S.</p> | <p>File Name/Number: ZAR-17-074/UHOPA-18-018</p> | <p>Hamilton</p> |
| <p>Date: August 14, 2019</p> | <p>Planner/Technician: DB/AL</p> | |
| <p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p> | | |

Authority: Item 31, Planning and Economic
Development Committee
Report: 06-005
CM: April 12, 2006
Ward: 2

Bill No. 200

CITY OF HAMILTON

BY-LAW NO. 19-

To Amend Zoning By-law No. 05-200, as amended by By-law 19-199, respecting lands located at 154 Main Street East and 49 Walnut Street South (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 first stage of the new Zoning By-law, being Zoning By-law No. 05-200, came into force on the 25th day of May, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April 2006, recommended that the Director of Development and Real Estate be authorized to give notice and prepare by-laws for presentation to Council, to remove the "H" Holding Provision from By-laws where the conditions have been met;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan.

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

1. That Maps 953 and 995 of Schedule "A" – Zoning Maps of Zoning By-law No. 05-200, as amended by By-law No. 19-199, is hereby further amended by changing the zoning from the Downtown Mixed Use (D1, 702, H17) Zone, to the Downtown Mixed Use (D1, 702) Zone, on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. 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 Downtown Mixed Use (D1, 702) Zone, provisions.
3. 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 16th day of August, 2019.

A. VanderBeek
Acting Mayor

J. Pilon
Acting City Clerk

ZAH-19-043



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| <p>This is Schedule "A" to By-law No. 19-</p> <p>Passed the day of, 2019</p> | <p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p> |
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| <p>Schedule "A"</p> <p>Map Forming Part of By-law No. 19-_____</p> <p>to Amend By-law No. 05-200 Maps 953 & 995</p> | <p>Subject Property 154 Main Street East & 49 Walnut Street South</p> <p> Change in Zoning from the Downtown Central Business District (D1, 702, H17) Zone to the Downtown Mixed Use (D1, 702) Zone</p> |
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| Scale: N.T.S. | File Name/Number: ZAH-19-043 | |
| Date: August 14, 2019 | Planner/Technician: DB/AL | |
| PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT | | |

Authority: Item 9, Emergency &
Community Services
Report 19-009 (HSC19005(a))
CM: August 16, 2019
Ward: City Wide

Bill No. 201

**CITY OF HAMILTON
BY-LAW NO.**

To Appoint a Deputy Fire Chief

WHEREAS Randy Moss, previously appointed as Deputy Fire Chief, has retired;

WHEREAS Council wishes to appoint certain persons as Deputy Fire Chief pursuant to the Hamilton Fire Department Establishing and Regulating By-law No. 19-034.

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

1. Dan Milovanovic is appointed as Deputy Fire Chief pursuant to the Hamilton Fire Department Establishing and Regulating By-law No. 19-034 until such time as that appointment is terminated or a successor is appointed.
2. This By-law comes into force retroactively as of August 12, 2019.

PASSED this 16th day of August ,2016

A. VanderBeek
Acting Mayor

J. Pilon
Acting City Clerk