

Authority: Item 4, Planning Committee
Report 16-019 (PED16201)
CM: November 9, 2016

Bill No. 301

CITY OF HAMILTON

BY-LAW NO. 16-301

To Amend Zoning By-law No. 6593 Respecting Lands Located at 61 Clapham Road

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”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as the “The Corporation of the City of Hamilton” and is the successor of the former Regional Municipality, named, “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 area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 day of December 1951 (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item 4 of Report 16-019 of the Planning Committee, at its meeting held on the 9th day of November, 2016, which recommended that Zoning By-law 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.E-105 of the District maps, appended to and forming part of Zoning By-law 6593 (Hamilton) is amended by changing from the “DE-2/S-45A” District to the “RT-30/S-1738-‘H” (Street Townhouse) District, Holding, Modified.

The extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That the "RT-30" (Street Townhouse) District regulations as contained in Section 10F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following requirements:
 - (i) That notwithstanding Section 10F(4)(a), a front yard of a depth of not less than 5.5 metres.
 - (ii) That notwithstanding Section 10F(4)(b), a minimum rear yard of a depth of not less than 6.5 metres for the first storey and 5.8 metres for the second storey.
 - (iii) That notwithstanding Section 10F(4)(d)(i), a side yard abutting a wall that is not a party wall along each side lot line of a width of not less than 1.2 metres on the easterly side lot line and 1.4 metres on the westerly side lot line.
 - (iv) That notwithstanding Section 10F(6), a lot area not less than 149 square metres for each single family dwelling unit and not less than 200 square metres for the end units.
 - (v) That notwithstanding Section 18A(1)(f) and Table 6, the minimum required manoeuvring space shall not apply.
 - (vi) That notwithstanding Section 18A(7), the minimum dimensions of a parking space shall not be less than 3.0 metres by 5.8 metres within a garage and 2.8 metres by 5.5 metres within a driveway.
 - (vii) That notwithstanding Section 18(4), accessory buildings shall not be permitted for any street townhouse units.
 - (viii) A visual barrier shall be provided along the easterly and northerly property boundaries which shall be between 1.5 metres to 2.2 metres in height.
3. That the 'H' symbol applicable to the lands referred to in Section 1 of this By-law shall be removed conditional upon:
 - (i) The owner submitting an updated Functional Servicing Report to address storm water management and site servicing prior to Site Plan Approval and agree in writing to implement the Functional Servicing Report through an

External Works Agreement and all financial requirements to the satisfaction of the Manager of Engineering Approvals.

4. 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 "RT-30" (Street Townhouse) District provisions, subject to the special requirements referred to in Section 2 and 3.
5. By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 10F as Schedule S-1738.
6. That Sheet No. E-105 of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1738.
7. That the Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 9th day of November, 2016.

F. Eisenberger
Mayor

R. Caterini
City Clerk

ZAC-16-018



This is Schedule "A" to By-law No. 16- Passed the day of, 2016	_____ Mayor _____ Clerk
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<h2>Schedule "A"</h2> Map Forming Part of By-law No. 16-_____ to Amend By-law No. 6593	Subject Property 61 Clapham Road Change from "DE-2/S-48A" (Multiple Dwellings) District to the "RT-30/S-1738-H" (Street Townhouse) District, Modified, Holding
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Scale: N.T.S.	File Name/Number: ZAC-16-018	
Date: Aug. 31, 2016	Planner/Technician: CT/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		