

**Authority:** Item 9, Planning Committee  
Report 22-006 (PED22090)  
CM: April 27, 2022  
Ward: 8

**Bill No. 099**

## **CITY OF HAMILTON**

### **BY-LAW NO. 22-**

#### **To Amend Zoning By-law No. 6593, Respecting Lands Located at 866 West 5<sup>th</sup> Street, Hamilton**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule 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 municipality known as the “The Corporation of the City of Hamilton” 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 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Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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** 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);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 9 of Report 22-006 of the Planning Committee, at its meeting held on the 27<sup>th</sup> day of April 2022, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

**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 Nos. W9b and W17c of the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton), are amended by changing the zoning from “AA” (Agricultural) District (Block 1) and the “C” (Urban Protected Residential etc.) District (Block 2) to the “RT-30/S-1818” (Street – Townhouse) District, Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”;
2. That the “RT-30” (Street - Townhouse) District provisions, as contained in Section Ten F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:

- a) That notwithstanding Subsection 10F(4) (a), (b), and (c), (5) (b), and (6) (i), the following provisions shall apply for Street Townhouse Dwellings:
  - i. A front yard depth of not less than 3 metres to a building face and 6 metres to a garage, except 1.15 metres to an unenclosed porch and 0.15 metres to a daylight triangle;
  - ii. A rear yard depth of not less than 6 metres;
  - iii. A side yard abutting a wall that is not a party wall, along each side lot line of a width of not less than 1.5 metres for a Street Townhouse Dwelling, not exceeding two storeys in height, except 0.15 metres to a daylight triangle;
  - iv. A distance between buildings not exceeding two storeys in height, of not less than 3.0 metres; and,
  - v. A lot area of not less than 165.0 square metres for each Street Townhouse Dwelling.
- b) Subsection 18 (3)(vi)(d) shall not apply.
- c) Subsection 18A, Table 6 shall not apply.
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 “RT-30/S-1818” (Street – Townhouse) District, Modified provisions; 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** this 27<sup>th</sup> day of April, 2022.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

ZAC-21-036



<p>This is Schedule "A" to By-law No. 22-</p> <p>Passed the ..... day of ....., 2022</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<p><b>Schedule "A"</b></p> <p><b>Map forming Part of</b></p> <p><b>By-law No. 22-_____</b></p> <p><b>to Amend By-law No. 6593</b></p>	<p><b>Subject Property</b></p> <p>866 West 5th Street</p> <p> Block 1 - Change in Zoning from the "AA" (Agricultural) District to the "RT-30/S-1818" (Street Townhouse) District, Modified</p> <p> Block 2 - Change in Zoning from the "C" (Urban Protected Residential Etc.) District, to the "RT-30/S-1818" (Street Townhouse) District, Modified</p>
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Scale: N.T.S	File Name/Number: ZAC-21-036	
Date: March 11, 2022	Planner/Technician: JV/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		