

Authority: Item 3, Planning Committee
Report 11-011 (PED11116)
CM: June 29, 2011

Bill No. 168

CITY OF HAMILTON

BY-LAW NO. 11-168

To Amend Zoning By-law No. 6593 (Hamilton) Respecting Lands located at 50 Murray Street West

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 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Plan of the former regional municipality, continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 3 of Report 11-012 of the Planning Committee, at its meeting held on the 29th day of June, 2011, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

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

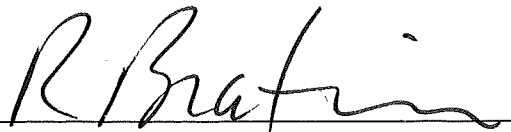
1. That Sheet No. W3 of the District maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended by changing from the "D" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District to the "E/S-1639" (Multiple Dwellings, Lodges, Clubs, Etc.) District, Modified, on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, as contained in Section 11 of Zoning By-law No. 6593, be modified to include the following special provisions:
 - (a) That notwithstanding Sub-section 11(1)(iii) of Zoning By-law No. 6593, a multiple dwelling shall be permitted only within the building existing at the date of the passing of this by-law, being the 29th day of June, 2011, and within any additions to the existing building.
 - (b) That notwithstanding Sub-section 11(2)(iii) of Zoning By-law No. 6593, a maximum building height of 6-storeys or 25.0 metres shall be permitted.
 - (c) That notwithstanding Sub-section 11(3)(i)(b) of Zoning By-law No. 6593, a minimum front yard depth of 5.0 metres shall be provided and maintained.
 - (d) That notwithstanding Sub-section 11(6) of Zoning By-law No. 6593, a minimum landscaped area of 23% shall be provided and maintained.
 - (e) That notwithstanding Sub-section 18(4)(iv) of Zoning By-law No. 6593, a 1-storey accessory parking garage shall be permitted in a side yard.
 - (f) That notwithstanding Sub-section 18A(1)(a) of Zoning By-law No. 6593, parking shall be provided at a rate of 1 parking space per dwelling unit.
 - (g) That notwithstanding Sub-section 18A(1)(b) of Zoning By-law No. 6593, a minimum of 3 visitor parking spaces, in addition to the parking required under Sub-section 2.(f) of this by-law, shall be provided and maintained for a multiple dwelling.
 - (h) That notwithstanding Sub-section 18A(1)(c) of Zoning By-law No. 6593, no loading space shall be required.

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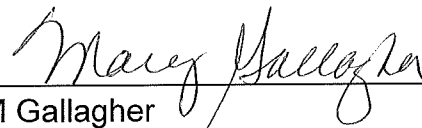
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- (i) That notwithstanding Sub-section 18A(7) of Zoning By-law No. 6593, every required parking space, other than a parallel parking space, shall have dimensions not less than 2.6 metres wide and 5.5 metres long.
 - (j) That notwithstanding Sub-section 18A(8) of Zoning By-law No. 6593, every parallel parking space shall have dimensions not less than 2.4 metres wide and 6.7 metres long.
 - (k) That notwithstanding Sub-section 18A(14g) of Zoning By-law No. 6593, required parking is permitted in a front yard, except that any parking proposed in a front yard shall be closer than 16m to either the easterly or westerly side yard.
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 "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, subject to the special requirements referred to in Section 2.
 4. That Zoning By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1639.
 5. That Sheet No. W3 of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1639.
 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 29th day of June, 2011.



R. Bratina
Mayor

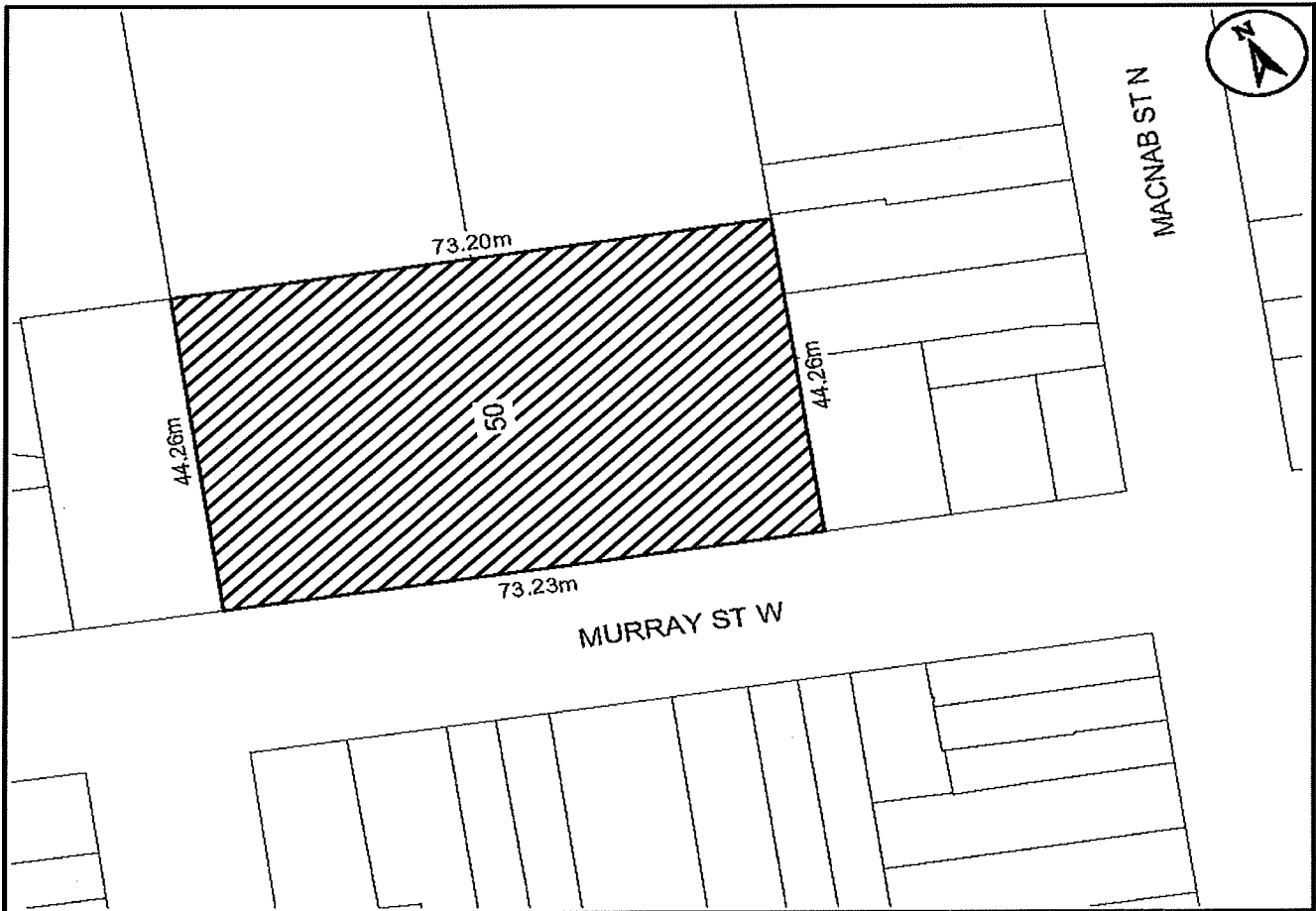


M Gallagher
Acting City Clerk

ZAC-10-048

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This is Schedule "A" to By-Law No. 11-168
Passed the 29TH day of JUNE, 2011

Mary Gallagher
Clerk
R. B. Brown
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 11-168

to Amend By-law No. 6593

Subject Property

50 Murray Street West, Hamilton



Change in Zoning from the "D" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District to the "E/S-1639" (Multiple Dwellings, Lodges, Clubs, Etc.) District

Scale: N.T.S.	File Name/Number: ZAC-10-048
Date: April 19, 2011	Planner/Technician: GM/NB
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

