

Authority: Item 11, Planning Committee
Report 18-012 (PED18188)
CM: August 17, 2018
Ward: 8

Bill No. 241

CITY OF HAMILTON

BY-LAW NO. 18-241

To Amend Zoning By-law No. 6593 (Hamilton) Respecting Land Located at 517 Stone Church Road West (Hamilton)

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 11 of Report 18-012 of the Planning Committee, at its meeting held on the 17th day of August, 2018, which recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan approved August 16, 2013.

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

1. That Sheet No. W-27c of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton) is amended, by changing from the "D/S-198" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, Modified to the "D/S-198a" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, Modified, on lands the extent and boundaries of which are shown on plan hereto annexed as Schedule "A".

2. That the “D” (Urban Protected Residential – One and Two Family Dwelling, Etc.) District regulations, as contained in Section 10 of Zoning By-law No. 6593, the Supplementary Requirements and Modification of Zoning By-law No. 6593, the Parking and Loading Requirements, as contained in Section 18A of Zoning By-law No. 6593, and the Residential Conversion Requirements, as contained in Section 19 of Zoning By-law No. 6593, be modified to include the following special requirements:
 - a) Notwithstanding Section 10 (2) no building shall exceed two storeys, no structure shall exceed 9 metres in height.
 - b) Notwithstanding Section 10 (3) (i) a front yard of a depth of at least 6.0 metres.
 - c) Notwithstanding Section 10 (3) (ii) for a building or structure not over two and a half storeys or 11.0 metres in height, a side yard along each side lot line, of a width of at least 1.2 metres.
 - d) Notwithstanding Section 10 (3) (iii) a rear yard of a depth of at least 7.5 metres.
 - e) Notwithstanding Section 10 (4) (ii) for a two family dwelling a lot width of at least 9.0 metres and a lot area of at least 325 square metres.
 - f) Notwithstanding Section 18A (1) (a) no parking shall be required for a second dwelling unit.
 - g) Notwithstanding Section 19 (1) any semi-detached dwelling in a “D/S-198a” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, Modified may be converted to contain not more than two dwelling units.
 - h) Notwithstanding Section 19 (1) (i) two dwelling units shall have a combined maximum gross floor area of 1948.26 square metres.
 - i) Notwithstanding Section 19 (1) (iv) an exterior stairway and exterior exit shall be permitted.
3. That By-law No. 6593 (City of Hamilton) is amended by adding this By-law to Section 19B as Schedule S-198a.
4. That Sheet No. W-27c of the District maps is amended by making the lands referred to in Section 1 of this By-law as Schedule S-198a.
5. 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” (Urban Protected Residential – One and Two Family Dwelling, Etc.) District provisions, Modified, subject to the special requirements referred to in Section 2 of this By-law.
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 17th day of August, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAR-17-075



This is Schedule "A" to By-law No. 18- Passed the day of, 2018	----- Mayor ----- Clerk
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<h2>Schedule "A"</h2> <h3>Map Forming Part of By-law No. 18-_____</h3> to Amend By-law No. 6593	<p>Subject Property</p> <p> 517 Stone Church Road West</p> <p>Change in Zoning from the "D/S-198" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, Modified to the "D/S-198a" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, Modified.</p>
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Scale: N.T.S.	File Name/Number: ZAR-17-075	
Date: July 13, 2018	Planner/Technician: AC/JAL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		