

Authority: Item 2, Planning Committee Report 24-001 (PED24001)
CM: January 24, 2024 Ward: City Wide
Written approval for this by-law was given by Mayoral Decision MDE-2024 01
Dated January 24, 2024
Bill No. 003

CITY OF HAMILTON
BY-LAW NO. 24-003

To Amend Hamilton Zoning By-law No. 6593
Respecting Lands Located at 83 and 85 Emerald Street South, 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Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 2 of Report 24-001 of the Planning Committee, at its meeting held on the 24th day of January, 2024 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 No. E14 of the District Maps appended to and forming part of the Zoning By-law No. 6593 (Hamilton), is amended by adding the “E/S-1834-H” (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified, Holding, 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 provisions, as contained in Section 11 of Zoning By-law No. 6593, be modified to include the following special requirements:

- a) Notwithstanding Subsection 11(3)(i)(b), a minimum front yard setback of 5.0 metres shall be required.
 - b) Notwithstanding Subsection 11(3)(iii)(b), a minimum rear yard depth of 13.0 metres shall be required.
 - c) Notwithstanding Subsection 11(6), not less than 12.5% of the area of the lot shall be provided as landscaped area.
 - d) In addition to Subsection 18A(1)(a), 18A(1)(b), 18A-Table 1 and 18A-Table 2, a minimum of 8 parking spaces is required for a multiple dwelling with 60 units or less.
 - e) Notwithstanding Subsection 18A(1)(c) and 18A-Table 3, no loading spaces shall be required for a multiple dwelling.
 - f) Notwithstanding Subsection 18A(11)(a), a minimum of 1.3 metre planting strip shall be required for any parking spaces abutting the rear lot line and a 0.9 metre planting strip shall be required for any parking spaces abutting the southerly side lot line.
 - g) In addition to Section 11, a minimum of four one bedroom units shall be required.
3. That the 'H' symbol applicable to the lands referred to in Section 1 of this By-law, shall be removed conditional upon:
- a) The Holding Provision "E/S-1834-H" (Multiple Dwellings) District, Modified, Holding be removed conditional upon:
 - i) The Owner submitting and receiving approval of a watermain hydraulic analysis (WHA), identifying the modelled system pressures at pressure district level under various boundary conditions and demand scenarios, to demonstrate that the municipal system can support the proposed intensification, to the satisfaction of the Director of Development Engineering and the Director of Hamilton Water.
 - iii) That the Owner enters into an External Works Agreement with the City to complete upgrades on the municipal infrastructure that has been identified through the Functional Servicing Report, submitted in support of the proposed intensification of the subject site, at 100% of the Owner's costs, to the satisfaction of the Director of Development Engineering and the Director of Hamilton Water.
4. 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/S-1834-H” (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified, Holding subject to the special requirements referred to in Section 2 and 3 of this By-law.

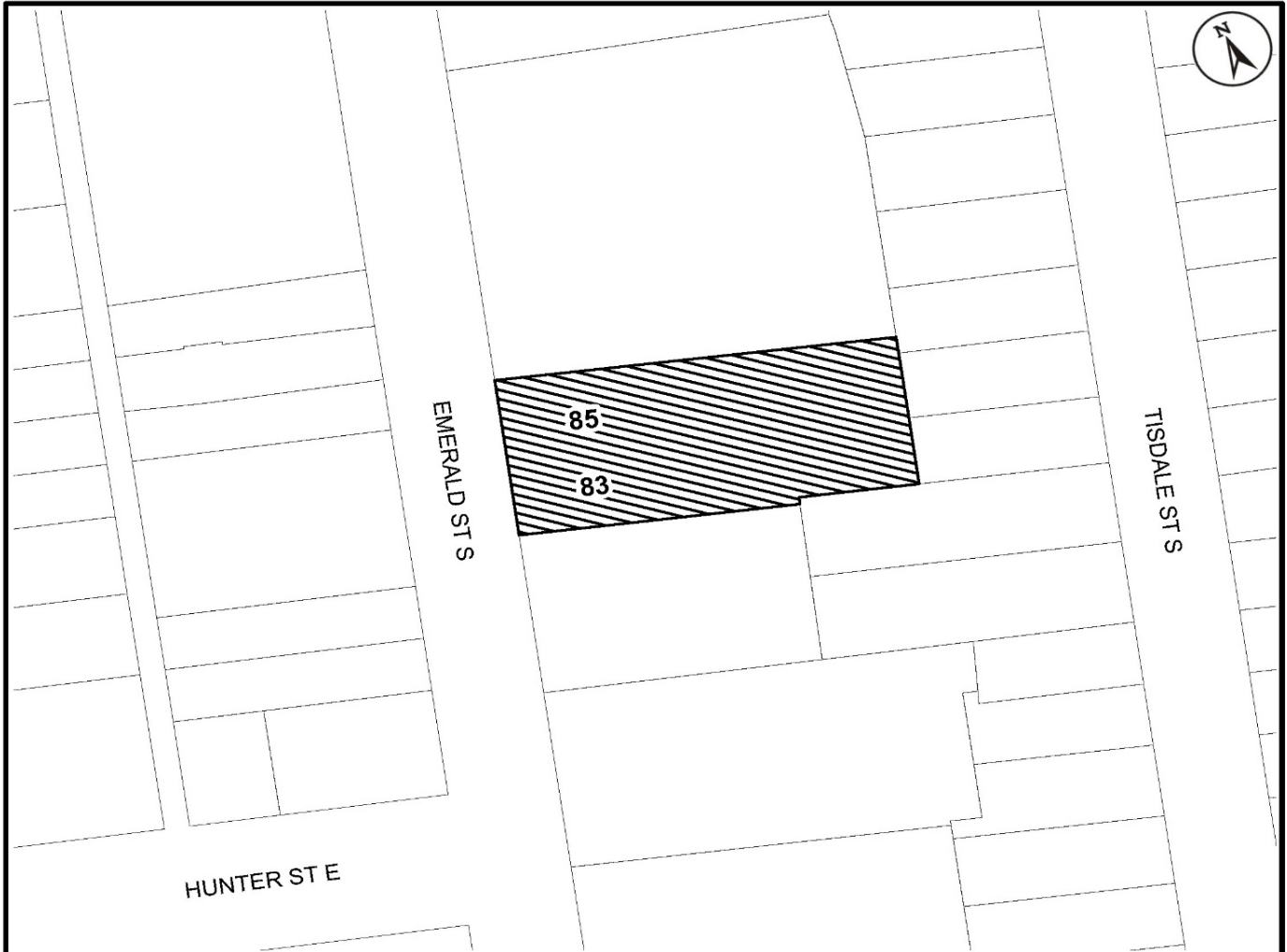
5. That By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1834.
6. That Sheet No. E14 of the District Maps are amended by marking the lands referred to in Section 1 of this By-law as S-1834-H.
7. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this 24th day of January, 2024

A. Horwath
Mayor

J. Pilon
Acting City Clerk

ZAC-22-053



This is Schedule "A" to By-law No. 24-

Passed the day of, 2024

 Mayor

 Clerk

Schedule "A"

Map forming Part of
 By-law No. 24-_____

to Amend By-law No. 6593

Subject Property

83 & 85 Emerald Street South



Lands to be added as "E/S-1834-H" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified, Holding

Scale:
 N.T.S

File Name/Number:
 ZAC-23-053

Date:
 December 13, 2023

Planner/Technician:
 AB/NB



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT