

Authority: Item 3, Planning Committee Report 24-013 (PED24068)
CM: September 25, 2024 Ward: 15
Written approval for this by-law was given by Mayoral Decision MDE-2024 19
Dated September 25, 2024

Bill No. 166

**CITY OF HAMILTON
BY-LAW NO. 24-166**

To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 173 and 177 Dundas Street East, Flamborough

WHEREAS Council approved Item 3 of Report 24-013 of the Planning Committee, at its meeting held on September 25, 2024;

AND WHEREAS this By-law complies with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No. 205;

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Schedule “A” – Zoning Maps, Map No. 516 is amended by adding lands to the Low Density Residential (R1, 898) Zone, for the lands known as 173 and 177 Dundas Street East, Flamborough, the extent and boundaries of which are shown on Schedule “A” to this By-law.
2. That Schedule “C”: Special Exceptions is amended by adding the following new Special Exception:

“898. Within the lands zoned Low Density Residential (R1) Zone, identified on Map No. 516 of Schedule “A” – Zoning Maps and described as 173 and 177 Dundas Street East, Flamborough, the following special provisions shall apply:

- a) Notwithstanding Sections 15.1.2.3 a), b), c), and g), 5.7.4 a), 4.9 a), 4.35 and the definition of “Parking Space, Electric Vehicle” in Section 3:
 - i) Minimum Lot Area for Each Dwelling Unit Minimum 100 square metres for units fronting onto Dundas Street East and a minimum of 140 square metres for all other street townhouses.
 - ii) Minimum Unit Width for Each Dwelling Unit Minimum 4.9 metres for the units adjacent to Dundas Street East

- and a minimum of 5.3 metres for all other Street Townhouse Dwellings.
- iii) Minimum Setback from the Front Lot Line Minimum 2.5 metre setback from the street line for the units adjacent to Dundas Street East and a minimum of 4.0 metres for all other Street Townhouse Dwellings.
- iv) Maximum Building Height 11 metres.
- v) Mechanical and Unitary Equipment Within a required front yard, provided such equipment shall have a minimum setback of 1.7 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping for units adjacent to Dundas Street East, all other street townhouses require a minimum setback of 3.0 metres.
- vi) Landscape Requirements A minimum of 50% for units adjacent to Dundas Street East and 35% for all other Street Townhouse Dwellings for landscaped area in the Front Yard.
- vii) Minimum Electric Vehicle Parking Rate 1 residential parking space per unit, excluding any visitor parking space.
- viii) Definition of Parking Space, Electric Vehicle Shall mean a parking space that is in proximity to electrical wiring, or to conduit that provides an opportunity for the installation of wiring, to support future electric vehicle charging equipment which is capable of providing Level 2, or greater, electric vehicle charging

in accordance with the SAE
International J1772 standard.

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 provisions of the Low Density Residential (R1, 898) Zone, subject to the special requirements referred to in Sections 2 of this By-law.
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 25th day of September, 2024.

A. Horwath
Mayor

M. Trennum
City Clerk

UHOPA-18-020 and ZAC-18-045

Not Final and Binding



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. 05-200
Map 516

Subject Property

173 & 177 Dundas Street East



Lands to be added to Zoning By-law No. 05-200 as
Low Density Residential (R1, 898) Zone

Scale: N.T.S.	File Name/Number: ZAC-20-045 & UHOPA-18-020
Date: May 24, 2024	Planner/Technician: AB/AL



Hamilton