

Authority: Item 9, Planning Committee
Report: 16-021 (PED16233)
CM: December 14, 2016

Bill No. 332

CITY OF HAMILTON

BY-LAW NO. 16-332

To Amend Zoning By-law No. 6593 (Hamilton) Respecting Lands Located at 2750 King Street East, Hamilton

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 9 of Report 16-021 of the Planning Committee at its meeting held on the 14th day of December, 2016, which recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

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. E98 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), as amended, is further amended by changing from “AA” (Agricultural) District to the “E/S-1741” (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 provisions, as contained in Section 11 of Zoning By-law No. 6593, be modified with the following special requirements:

- a. Notwithstanding Subsection 11(2)(ii) of Zoning By-law No. 6593, no building or structure shall exceed eight storeys or 28.0 metres in height, whichever is greater.
 - b. Notwithstanding Subsection 11(3)(i)(b) of Zoning By-law No. 6593, for all other buildings or structures, a front yard depth of at least 3.5 metres shall be provided for the first six storeys and 5.0 metres for the storeys above the sixth.
 - c. Notwithstanding Subsection 11(3)(ii)(b) of Zoning By-law No. 6593, for all other buildings or structures:
 - i. An easterly side yard width of 35.0 metres;
 - ii. The first six storeys may encroach 6.0 metres into the easterly side yard for the portion of the building not greater than 15.0 metres from the front lot line; and,
 - iii. No part of a building or structure shall be located greater than 109.0 metres from the easterly lot line for the first six storeys and no greater than 106.0 metres from the easterly lot line for the storeys above the sixth.
 - d. Notwithstanding Subsection 11(3)(iii) of Zoning By-law No. 6593, all buildings or structures shall be located not closer than 3.0 metres to the southerly zoning boundary.
 - e. Subsection 11(5) of Zoning By-law No. 6593 shall not apply.
 - f. Notwithstanding Subsection 18(3)(vi)(b)(iii) of Zoning By-law No. 6593, a canopy may encroach 12.0 metres into the easterly side yard.
 - g. Notwithstanding Subsection 18(3)(vi)(cc) of Zoning By-law No. 6593, balconies may project 2.0 metres into a required yard.
 - h. Subsection 18A(1)(c) of Zoning By-law No. 6593 shall not apply.
 - i. Notwithstanding Subsection 18A(7) of Zoning By-law No. 6593, every parking space shall have dimensions of not less than 2.6 metres wide and 5.5 metres long. Parking spaces designated as barrier free shall have dimensions of not less than 3.4 metres wide and 5.5 metres long where a shared access median of not less than 1.5 metres separates the spaces along the longer edge.
 - j. A minimum of 0.3 bicycle parking spaces shall be provided for each dwelling unit.
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 of this By-law.

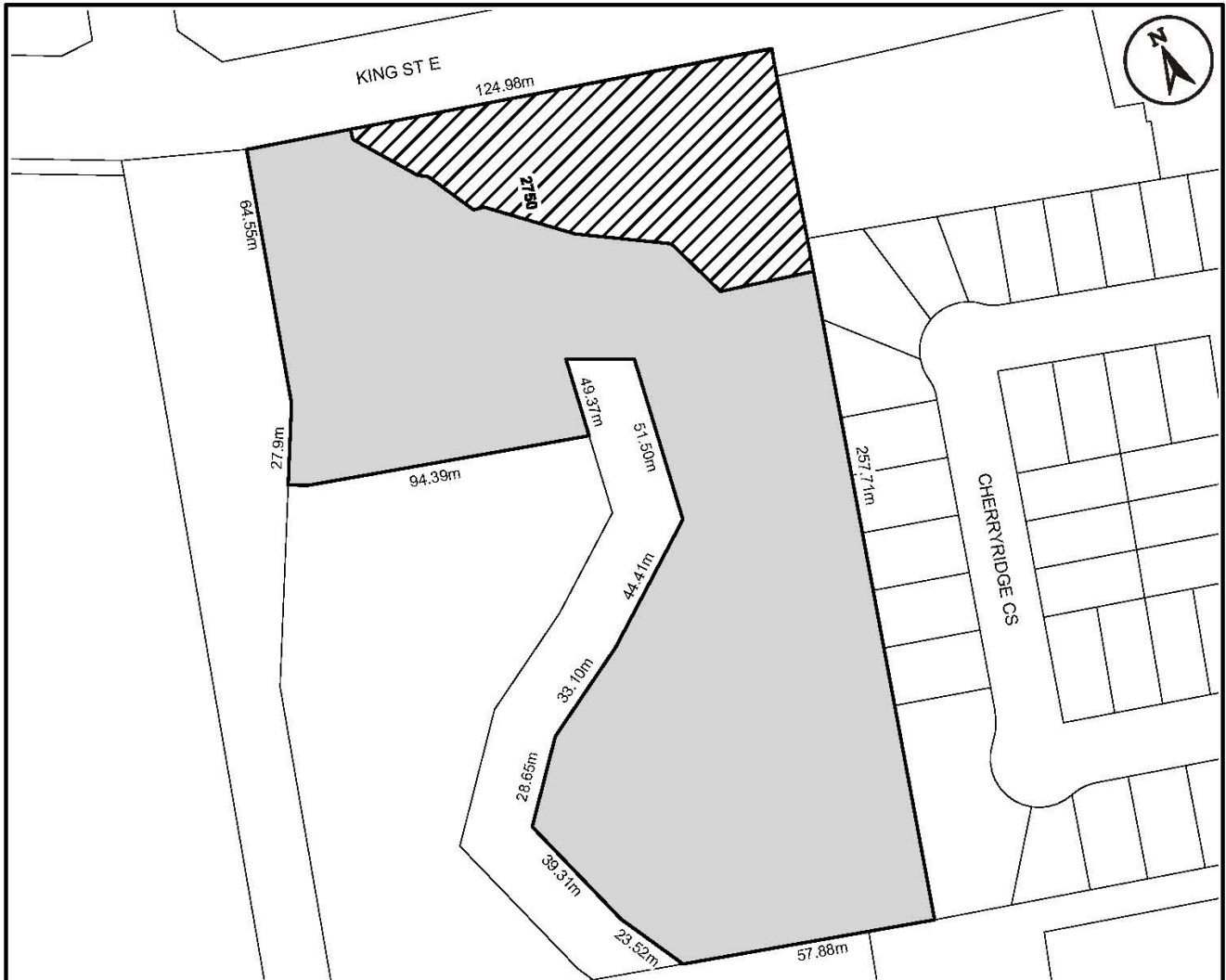
4. That Sheet No. E98 of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as "E/S-1741".
5. That By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1741.
6. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the *Planning Act*.

PASSED this 14th day of December, 2016.

F. Eisenberger
Mayor

R. Caterini
City Clerk

ZAC-15-060



This is Schedule "A" to By-law No. 16- Passed the day of, 2016	_____ Mayor _____ Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 16-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 6593</p>	<p>Subject Property 2750 King Street East</p> <p> Change in zoning from the "AA" (Agricultural) District to the "E/S-1741" (Multiple Dwellings, Lodges, Clubs, Etc.) District, Modified</p> <p> Refer to By-law No. 05-200</p>
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