

**Authority:** Item 2, Planning Committee  
Report 23-008 (PED23103)  
CM: May 24, 2023  
Ward: 1

**Bill No. 096**

## **CITY OF HAMILTON**

### **BY-LAW NO. 23- 096**

#### **To Amend Zoning By-law No. 05-200 Respecting Lands Located at 81 Chatham Street, Hamilton**

**WHEREAS** Council approved Item 2 of Report 23-008 of the Planning Committee, at its meeting held on May 16, 2023; and,

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item of Report 23 - of the Planning Committee, at its meeting held on the day of May 16, 2023, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

**AND** this By-law conforms with the Urban Hamilton Official Plan;

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

1. That Map 950 of Schedule “A” – Zoning Maps is amended by changing the zoning from the Low Density Residential – Small Lot (R1a) Zone to a Low Density Residential – Small Lot (R1a, 845) Zone the extent and boundaries of which are more particularly shown on Schedule “A” attached to this By-law.
2. That Schedule “C” – Special Exceptions is amended by adding the following new Special Exception:

“845. Within the lands zoned Low Density Residential – Small Lot (R1a) Zone, identified on Map 950 of Schedule “A” – Zoning and described as 81 Chatham Street, the following special provisions shall apply:

- a) In addition to Section 3: Definitions, as it relates to the definitions of “Landscaped Area” and “Landscaping” and notwithstanding Section 5.2 a) i), the following regulations shall apply:
  - i) A required landscape strip may contain a retaining wall with a maximum height of 0.6 metres along the easterly side yard;
  - ii) A required landscape strip may contain a concrete pad and associated fencing for the purposes of waste storage for a

maximum length of 4.6 metres along the easterly side yard;  
and,

- iii) No landscape strip shall be required for a maximum length 5.9 metres along the easterly side yard.
  - b) Notwithstanding Section 5.2 i) and 5.5 the following special provisions shall apply:
    - i) The minimum aisle width for parking spaces with a 90° angle shall be 5.49 metres.
    - ii) Section 5.5 shall not apply.
  - c) Notwithstanding Section 5.2 e) i) a), all parking spaces and driveways shall be provided and maintained with permeable pavers.
  - d) In addition to Section 15.2.1, a Multiple Dwelling with a maximum of six dwelling units, subject to the requirements of Section 15.2.2.1, shall also be permitted.
  - e) Notwithstanding Section 15.2.2.1 c), the following regulation shall apply:
    - i) Minimum Setback from the Front Lot Line 1.3 metres
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 Low Density Residential – Small Lot (R1a, 845) Zone, provisions subject to the special requirements referred to in Section No. 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 24<sup>th</sup> day of May, 2023

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A. Horwath  
Mayor

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A. Holland  
City Clerk



This is Schedule "A" to By-law No. 23-  Passed the ..... day of ....., 2023	----- Mayor  ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 5px 0;">Map forming Part of By-law No. 23-_____</p> <p style="margin: 5px 0;">to Amend By-law No. 05-200 Map 950</p>	<p><b>Subject Property</b>                  81 Chatham Street, Hamilton</p> <p> Change in zoning from the Low Density Residential - Small lot (R1a) Zone to a site specific Low Density Residential - Small Lot (R1a, 845) Zone</p>
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Scale: N.T.S	File Name/Number: ZAC-23-007	
Date: April 17, 2023	Planner/Technician: JA/VS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		Hamilton