

CITY OF HAMILTON

BY-LAW NO. - ____

To Amend Zoning By-law No. 6593, Respecting Lands Located at 117 Forest Avenue and 175 Catherine Street South, in the City of Hamilton

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1st, 2001, the municipality “City of Hamilton”;

AND 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”;

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-law 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 6593 (Hamilton) was enacted on the 25th day of July 1950, which was approved by the Ontario Municipal Board by Order dated the 7th date of December 1951, (File. No. O.F. C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item ____ of Report 24-____ of the Planning Committee at its meeting held on the ____ day of _____, 2024, 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 upon final approval of Official Plan Amendment No. _____, approved by the Minister under the Planning Act on March 16, 2011;

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

1. That Map No. ____ of Schedule “A” – Zoning Maps, to Zoning By-law No. 6593 is hereby further amended as follows:
 - (a) By rezoning the lands and boundaries of which are shown on Block No. 1 on Schedule “A” from “E-3/S-601a” (High Density Multiple Dwellings) District, Modified to the “E-3/S-____” (High Density Multiple Dwellings) District, Modified.
2. That Section 19B – Special Requirements of Zoning By-law No. 6593 is hereby further amended as follows:
 - 2.1 That the “E3” regulations as contained in Section 11C of the Former City of Hamilton Zoning By-law No. 6593, applicable to the lands known municipally as 117 Forest Avenue and 175 Catharine Street are further modified to include the following special requirements for the lands zoned “E-3/S-____” (High Density Multiple Dwellings) District, Modified:
 - (a) Notwithstanding Subsections 11C(1a), (2), (2a), (4) and (5) of Zoning By-law No. 6593, the following provisions shall apply to multiple dwellings:

- i. For the purposes of this By-law, Forest Avenue shall be considered the front lot line;
- ii. The maximum permitted height of a structure shall be 75.0 metres;
- iii. The minimum permitted front yard depth shall be 1.75 metres;
- iv. The minimum permitted flankage side yard depth to a building 4 -storeys in height shall be 3.5 metres;
- v. The minimum permitted flankage side yard depth to a building 6-storeys in height shall be 18.0 metres;
- vi. The minimum permitted flankage side yard depth to a building 24-storeys in height shall be 36.0 metres;
- vii. The minimum permitted exterior side yard depth shall be 11.0 metres;
- viii. The minimum permitted rear yard depth to a building 24-storeys in height shall be 10.5 metres;
- ix. For any new building, the permitted gross floor area shall not be greater than the lot area multiplied by a floor area ratio factor of 4.15; and,
- x. The minimum permitted amenity area shall be 4.0 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area, and 6.0 square metres for each dwelling unit greater than 50 square metres of gross floor area.

(b) Notwithstanding Subsection 18(3) (b), (cc) and Subsection 18(4) (v) of Zoning By-law No. 6593, the following provisions shall apply to the lands zoned E-3/S-___:

- i. A canopy, cornice, eave or gutter may be located within a minimum of 1.0 metre of any property line;
- ii. A bay, balcony or dormer may be located a minimum of 1.25 metres from any property line;
- iii. Air conditioners, pumps and other similar mechanical equipment shall be setback a minimum of 1.5 metres from a street line and 1.0 metres from a side lot line.

(c) Notwithstanding Subsection 18(A) (1)(a), (1)(b), 1(c), (3)(vi)(ee), (7), (11) of Zoning By-law No. 6593, the following provisions shall apply to the lands zoned E-3/S-___:

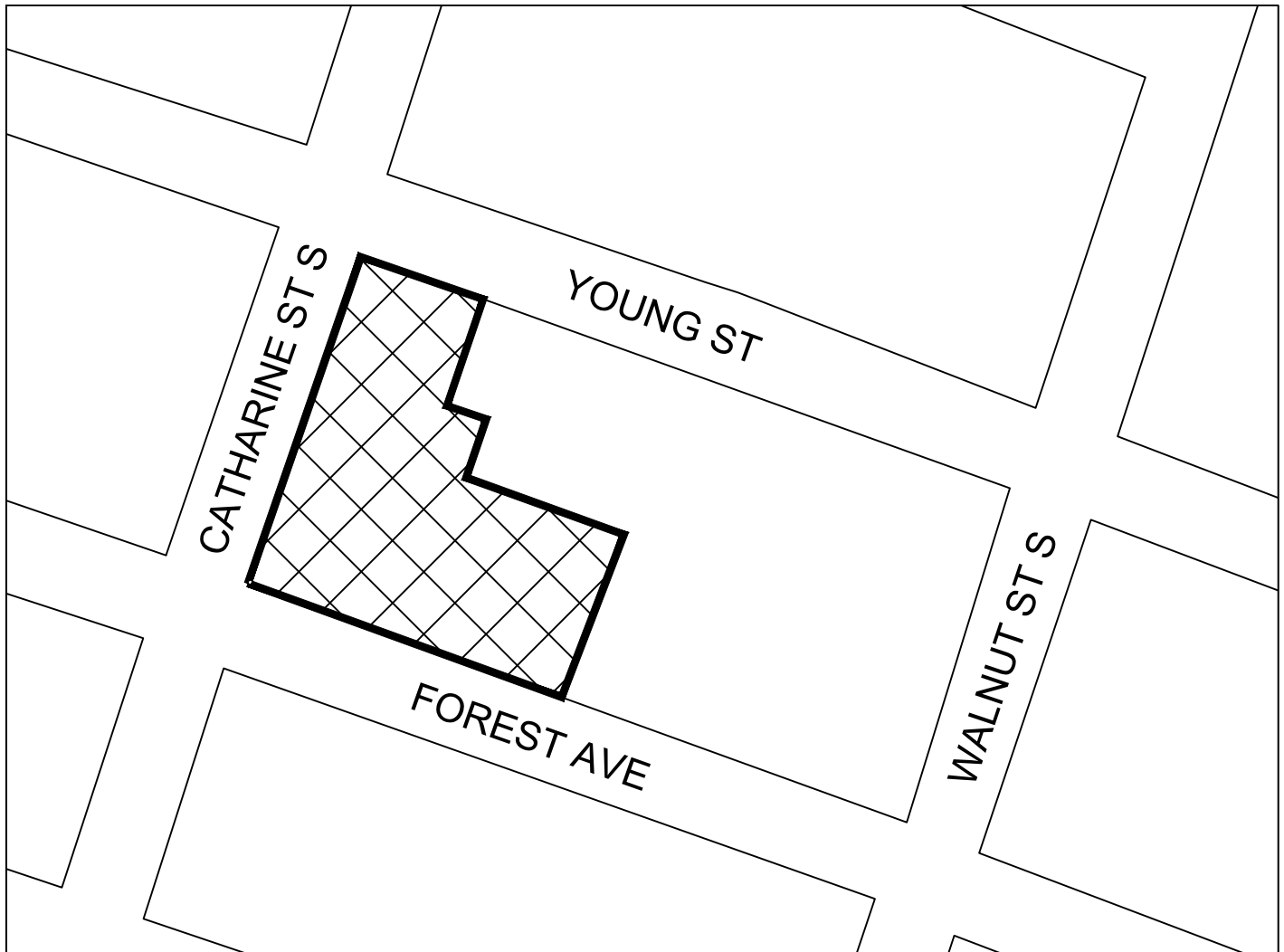
- i. The minimum parking space size of not more than 10% of such required parking spaces shall be a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only;
- ii. The minimum parking ratio required for multiple dwellings shall be 0.45 spaces per unit and shall be inclusive of visitor parking;
- iii. The foundation wall for a building or structure located partially above grade and used for parking purposes in conjunction with a multiple dwelling may project into a required front, side or rear yard;
- iv. A minimum 0.05 short term bicycle parking spaces per Class A dwelling Unit shall be required within a bicycle parking area at grade;
- v. A minimum 0.5 long term bicycle parking spaces per Class A dwelling unit shall be required within a secure enclosed bicycle parking area; and,
- vi. The boundary of a loading area shall be setback a minimum of 1.2 metres from an adjoining residential district boundary; and,
- vii. A minimum of 1 loading space, measuring 9.0 metres long and 3.7 metres wide shall be required.

3. The By-law No. 6593 is amended by adding this by-law to Section__ as Schedule “A”;
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 AND ENACTED this ____ day of _____, 2024.

Mayor

Clerk



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

Passed the _____ day of _____, 2024

Clerk

Mayor

DRAFT **Schedule "A"**

Map Forming part of
By-law No. 24_____

to Amend By-law No. 6593

Subject Property

117 Forest Avenue and 175 Catharine Street South, Hamilton



Block 1 - Change in zoning from "E-3/S-601a" (High Density Multiple Dwellings) District, Modified to "E-3/S-____" (High Density Multiple Dwellings) District, Modified.

Scale:
N.T.S

File Name/Number:

Date:

Planner/Technician:

PLANNING AND ECONOMIC
DEVELOPMENT DEPARTMENT