

**Authority:** Item 16, Economic Development  
and Planning Committee  
Report: 08-015 (PED08173)  
CM: August 7, 2008

**Bill No. 286**

## **CITY OF HAMILTON**

### **BY-LAW NO. 08-286**

#### **To Amend Zoning By-law No. 05-200**

#### **Respecting Lands Located at 153 George Street**

**WHEREAS** the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, S.O. 1999, Chap. 14;

**AND WHEREAS** the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law 05-200;

**AND WHEREAS** it is desirable to enact a new Zoning By-law to comprehensively deal with zoning throughout the City;

**AND WHEREAS** the first stage of the new Zoning By-law, being By-law 05-200, came into force on May 25, 2005;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 16 of Report 08-015 of the Economic Development and Planning Committee at its meeting held on the 7<sup>th</sup> day of August, 2008, recommended that Zoning By-law No. 05-200 be amended as hereinafter provided;

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

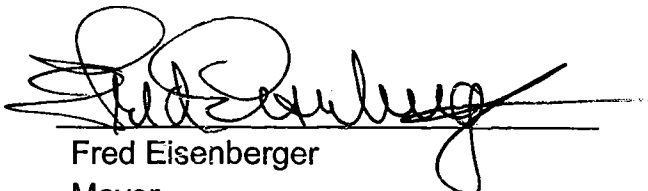
1. That Schedule "A" of By-law 05-200 be amended to include a modification to Map No. 951, as shown on Schedule "A" to this By-law.
2. That Schedule "C" of By-law 05-200 be amended by adding the additional special exceptions as follows:
  - "15. Within the lands zoned Neighbourhood Institutional (I1) Zone, identified on Map 951 of Schedule "A" and described as 153 George Street, the following special provisions shall apply:

## Zoning By-law Respecting Lands Located at 153 George Street

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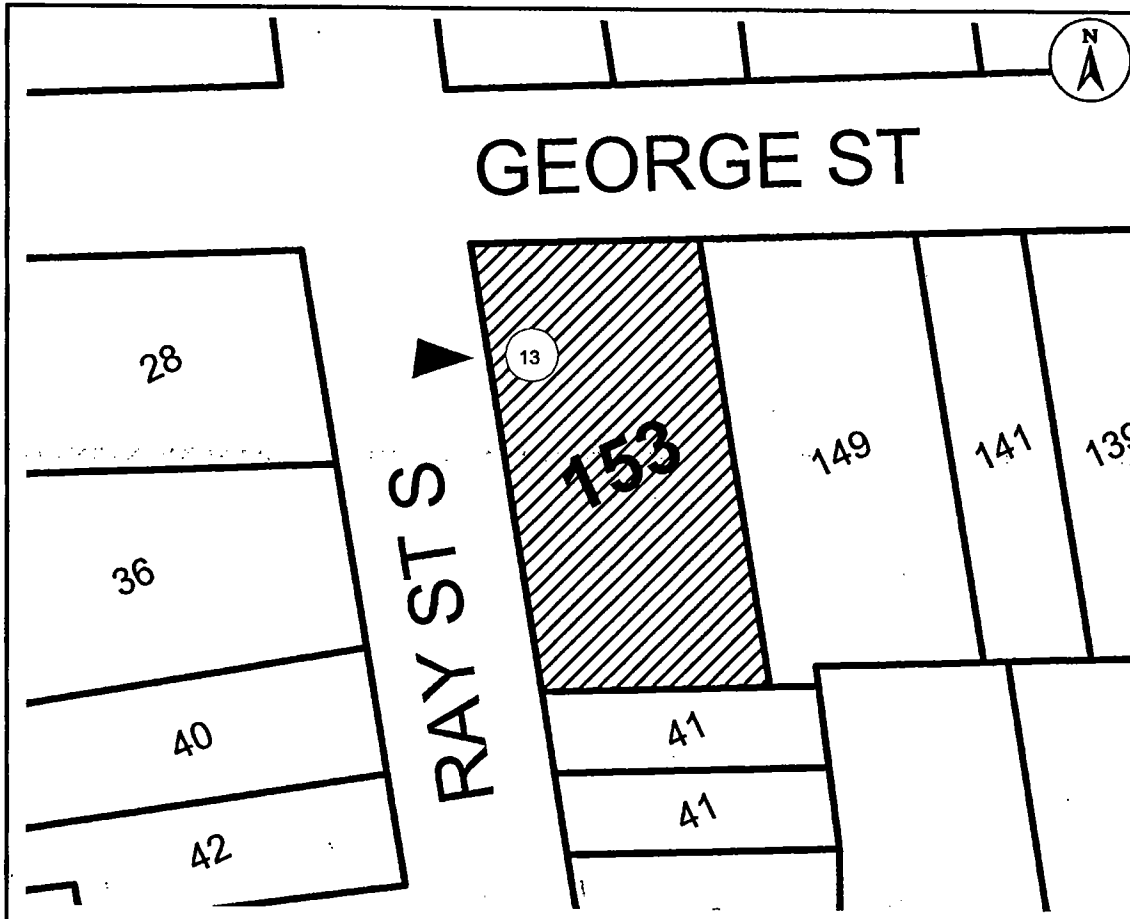
- (a) Notwithstanding Section 8.1-2, g) of this By-law, the minimum rear yard setback for all 3 storey (10.5m in height) structures shall be 4.5m; the minimum rear yard setback for all 2 storey structures shall be 3m; and, the minimum rear yard setback for all single storey structures shall be 1.2m
  - (b) Notwithstanding Section 8.1-2, i) of this By-law, the Maximum Capacity for a Residential Care Facility shall not exceed 24 residents.
  - (c) Notwithstanding Section 8.1-2, j) ii) of this By-law, the existing Residential Care Facility may be expanded to accommodate not more than 24 residents.
  - (d) Notwithstanding Section 8.1-2, k) and Section 5 of this By-law, a minimum of 2 parking spaces shall be provided.
  - (e) Notwithstanding Section 5.1 a) v) of this By-law, parking spaces and aisles shall not be located within 1.5m of a street line.
  - (f) Notwithstanding Section 5.2 a) of this By-law, no visual barrier shall be provided along the lot line of the parking area which abuts a Residential Zone.”
3. That the Clerk is authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.
  4. That this By-law No. 08-286 shall come into force and be deemed to come into force in accordance with Subsection 34(21) of the Planning Act, either upon the date of passage of this By-law or as otherwise provided by the said Subsection.

**PASSED and ENACTED** this 10<sup>th</sup> day of December, 2008.

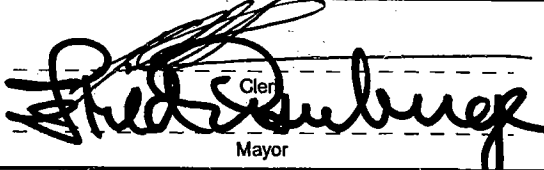
  
Fred Eisenberger  
Mayor

  
Kevin C. Christenson  
City Clerk

# Zoning By-law Respecting Lands Located at 153 George Street




This is Schedule "A" to By-Law No. 08-  
 Passed the ....10... day of .December..., 2008

  
 Clerk  
 Mayor


**Schedule "A"**

Map Forming Part of  
 By-Law No. 08- 286

to Amend By-law No.05-200  
 (Map 951)

Scale: N.T.S.	File Name/Number: ZAC-07-042	 Hamilton
Date: April 8, 2008	Planner/Technician: EJ/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

**Subject Property**

 153 George Street, Hamilton  
 Modify the existing Neighbourhood Institutional "I1" Zone to permit an expansion in the existing residential care facility.