

Authority: Item 5, Planning Committee
Report: 11-001 (PED010240(a))
CM January 26, 2011

Bill No. 055

CITY OF HAMILTON

BY-LAW NO. 11-055

To Amend Zoning By-law No. 05-200, as Amended, Respecting Lands Located at 273 Parkside Drive, (Flamborough)

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 17 of By-law 05-200;

AND WHEREAS Zoning By-law No. 05-200 was enacted on the 25th day of May, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 5 of Report 11-001 of the Planning Committee, at its meeting held on the 26th day of January, 2011, recommended that Zoning By-law 05-200 be amended as hereinafter provided;

AND WHEREAS the By-law will be in conformity with the Official Plan of the City of Hamilton (Formerly the Official Plan of the Town of Flamborough), upon approval of Official Plan Amendment No. 124, proposed by the City of Hamilton, but not yet approved in accordance with the provisions of the Planning Act.

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

1. That Map No. 445 of Schedule "A" to Zoning By-law No 05-200, is amended, by incorporating additional Neighbourhood Institutional (I1) Zone boundaries, in the form of a Site-Specific Neighbourhood Institutional (I1, 38, H41) Holding Zone for the lands, the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this By-law
2. That Schedule "C" of By-law 05-200 is amended by adding an additional exception as follows:

"38 Notwithstanding Sections 8.1.1 and 8.1.3 of this By-law, within the lands zoned Neighbourhood (I1) Zone, identified on Map No 445 of Schedule "A" to By-law 05-200, and described as 273 Parkside Drive, the following special provisions apply:

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(Flamborough)**

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a) PERMITTED USES

Only the following uses shall be permitted:

- (i) A Single-Detached Dwelling.
- (ii) A Social Services Establishment, which shall be limited to a Youth Centre.

b) REGULATIONS FOR A SINGLE-DETACHED DWELLING

- (i) Minimum Lot Width 7.8 metres for a corner lot.
- (ii) All other regulations in accordance with Section 8.1.3.3.

c) REGULATIONS FOR A YOUTH CENTRE

- (i) Minimum Lot Width 7.8 metres.
- (ii) Minimum Front Yard 2.5 metres.
- (iii) Minimum Flankage Yard 2.0 metres measured along the hypotenuse of the daylighting corner.
2.5m for the flankage side yard.
- (iv) Maximum Building Height 11 metres.

- (v) Parking Notwithstanding Table 5.6.a, a Social Services Establishment, which is comprised of only a Youth Centre, shall require a minimum of 1 space per 125 square

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metres of gross floor
area.”

(vi) All other regulations in accordance with Section 8 1.3.1

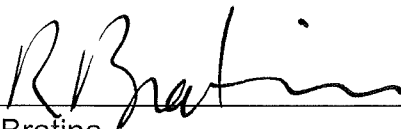
3. That Schedule “D” of By-law 05-200 is amended by adding an additional Holding Provision, as follows:

“41 That notwithstanding Section 8.1 of this By-law, on those lands zoned Neighbourhood Institutional (I1, 38) Zone, on Map 445 of Schedule “A”, known as 273 Parkside Drive (Flamborough), no development shall be permitted until such time as:

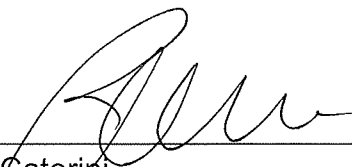
- (i) An Archaeological Assessment has been completed, to the satisfaction of the Director of Planning, City of Hamilton, and the Ministry of Culture and Tourism.”

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.
5. That this By-law No. 11-055 shall come into force and be deemed to have 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 provided by the said Subsection.

PASSED this 9th day of February, 2011.



R. Bratina
Mayor



R. Caterini
City Clerk

OPA-09-011, ZAC-09-041

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<p>This is Schedule "A" to By-Law No 11-055</p> <p>Passed the 9th day of February, 2011</p>	
<p style="text-align: right;"><i>Alan R. Brant</i> Clerk Mayor</p>	
<p style="text-align: center;">Schedule "A"</p> <p style="text-align: center;">Map Forming Part of By-Law No. 11- 055</p> <p style="text-align: center;">to Amend By-law No 05-200</p>	
<p>Subject Property 273 Parkside Drive</p> <p> Lands to be zoned Site-Specific Neighbourhood Institutional (I1, 38, H41) - Holding Zone</p>	
<p>Scale N T S</p>	<p>File Name/Number ZAC-09-041, OPA-09-11</p>
<p>Date November 9, 2010</p>	<p>Planner/Technician CT/AL</p>
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>	