

Authority: Item 9, Planning and
Economic Development
Committee Report 05-019
(PED05116)
CM: September 28, 2005

Bill No. 280

CITY OF HAMILTON

BY-LAW NO. 05-280

**To Amend Zoning By-law No. 6593,
Respecting Lands Located at 87 Edgehill Drive, 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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 05-019 of the Planning and Economic Development Committee at its meeting held on the 28th day of September, 2005, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

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

1. That Sheet No. W-37c of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

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- (a) by changing the zoning from “AA” (Agricultural) District to “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified, the lands composed of Block 1;
- (b) by changing the zoning from “AA” (Agricultural) District to “C” (Urban Protected Residential, etc.) District, Modified, the lands composed of Block 2; and,
- (c) by changing the zoning from “AA” (Agricultural) District to “A” (Conservation, Open Space, Park & Recreation) District the lands composed of Block 3.

the extent and boundaries of which are shown on a plan hereto annexed as Schedule ‘A’.

2. That the “D” (Urban Protected Residential – One and Two Family Dwellings, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands shown as Block 1 on Schedule ‘A’, be modified to include the following special requirements:

- (a) notwithstanding Section 10(4)(i) of Zoning By-law No. 6593, for a single family dwelling a lot width of at least 11.0 metres and an area of at least 325.0 square metres shall be provided and maintained.
- (b) notwithstanding Section 10(3)(i) of Zoning By-law No. 6593, the following shall apply:
 - 1) a front yard having a depth of not less than 3.0 metres to the main wall of the dwelling;
 - 2) a front yard having a depth of not less than 6.0 metres to the garage or carport.
- (c) lot coverage of all buildings and structures shall not exceed 45% of the lot area.
- (d) lot coverage shall mean the percentage of the lot area covered by every building and/or structure including accessory buildings.
- (e) notwithstanding Section 2(6) and 10(3)(ii) of Zoning By-law No. 6593, for a single family dwelling a portion of one required side yard that abuts the wall of an attached garage shall be permitted a minimum side yard of 0.60 metres, except that,
 - (1) in the case of a corner lot, a side yard having a flankage width of not less than 1.2 metres shall be provided and maintained.

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3. That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands shown as Block 2 on Schedule 'A', be modified to include the following special requirements:
 - (a) notwithstanding Section 9(3)(i) of Zoning By-law No. 6593, the following shall apply:
 - 1) a front yard having a depth of not less than 3.0 metres to the main wall of the dwelling;
 - 2) a front yard having a depth of not less than 6.0 metres to the garage or carport.
4. 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 "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, "C" (Urban Protected Residential, etc.) District, and "A" (Conservation, Open Space, Park & Recreation) District provisions, subject to the special requirements referred to in Sections 2 and 3, applicable to the lands described in Sections 1(a) and 1(b).
5. By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1534.
6. Sheet No. W-37c of the District Maps is amended by marking the lands referred to in Sections 1(a) and 1(b) of this By-law as S-1534.
7. 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 28th

day of September, 2005.

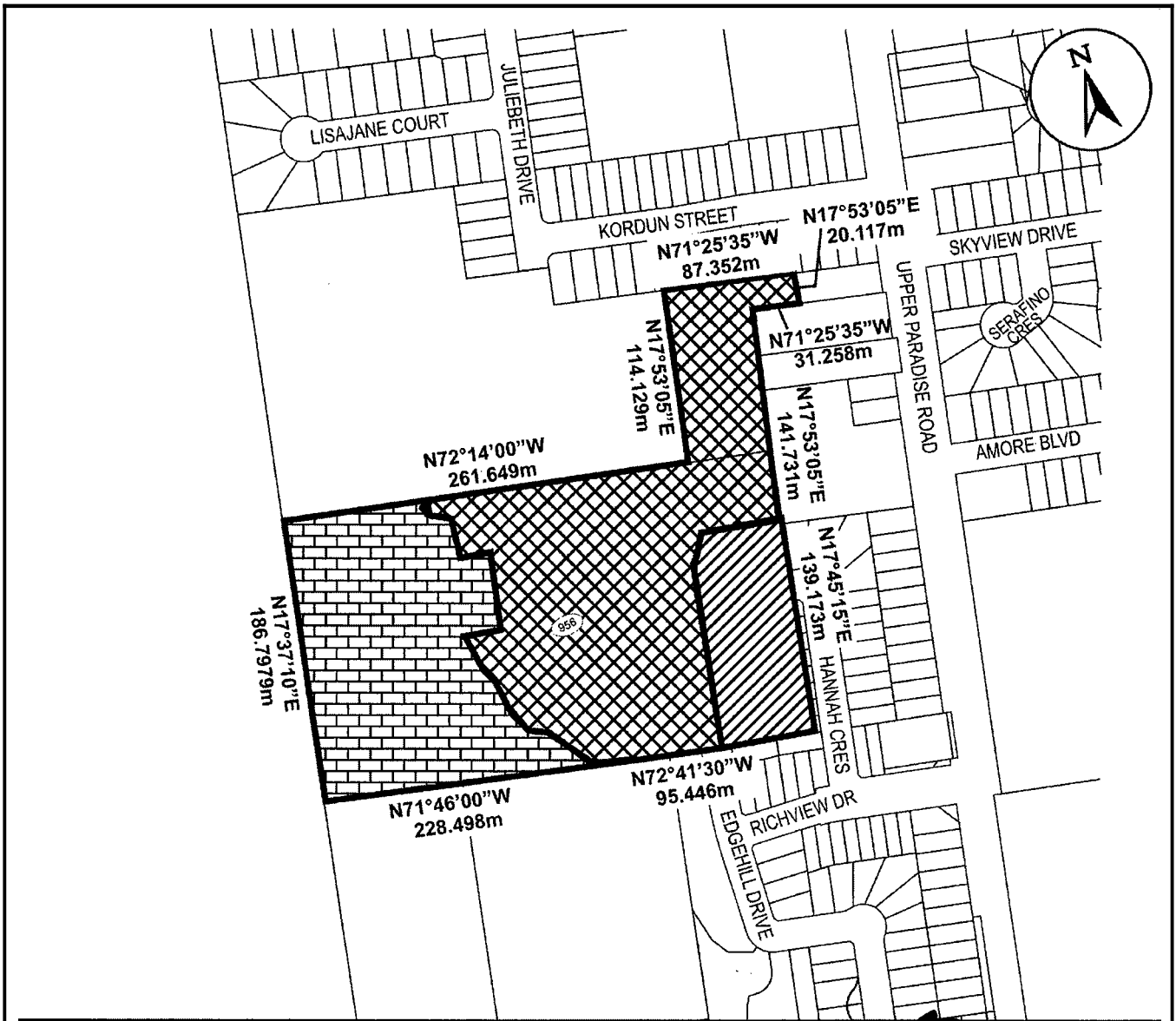


MAYOR



CLERK

ZAC-05-33/25T200503



This is Schedule "A" to By-Law No. 05— 280

Passed the 28th day of September, 2005




[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 05- 280
to Amend By-Law No. 6593

Subject Property

87 Edgehill Drive

-  **Block 1** - "AA" (Agricultural) District to "D" (Urban Protected Residential- One and Two Family Dwellings) District, Modified;
-  **Block 2** - "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, Modified;
-  **Block 3** - "AA" (Agricultural) District to "A" (Conservation; Open Space, Park & Recreation) District;

