

Authority: Item 15, Planning and
Economic Development
Committee Report 06-008
(PED06139)
CM: May 24, 2006

Bill No. 137

CITY OF HAMILTON

BY-LAW NO. 06-137

**To Amend Zoning By-law No. 6593,
Respecting Lands Located at 256 Thorner 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Section 15 of Report 06-008 of the Planning and Economic Development Committee at its meeting held on the 24th day of May, 2006, 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,
 - (a) by changing the zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District, Modified, the lands comprised of Block 1;

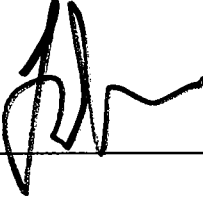
- (b) by changing the zoning from “AA” (Agricultural) District to “R-4” (Small Lot Single Family Dwelling) District, Modified, the lands comprised of Block 2;
- (c) by changing the zoning from “AA” (Agricultural) District to “C” (Urban Protected Residential, etc.) District, Modified, the lands comprised of Block 3; and,
- (d) by changing the zoning from “C” (Urban Protected Residential, etc.) District to “C” (Urban Protected Residential, etc.) District, Modified, the lands comprised of Block 4;

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

2. That the “R-4” (Small Lot Single Family Dwelling) District regulations as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands shown as Blocks 1 and 2 on Schedule ‘A’, be modified to include the following special requirements:
 - (a) That notwithstanding Section 9A(2)(b)(1)(i) of Zoning By-law No. 6593, a front yard having a depth of not less than 4.5 metres to the main wall of the dwelling and not less than 6.0 metres to an attached garage or carport shall be provided and maintained;
 - (b) That notwithstanding Section 18(3)(vi)(d) of Zoning By-law No. 6593, a roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required front yard to a distance of not more than 1.5 metres.
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 Blocks 3 and 4 on Schedule ‘A’, be modified to include the following special requirements:
 - (a) That notwithstanding Section 9(3)(i) of Zoning By-law No. 6593, a front yard having a depth of not less than 4.5 metres to the main wall of the dwelling and not less than 6.0 metres to an attached garage or carport shall be provided and maintained;
 - (b) That notwithstanding Section 18(3)(vi)(d) of Zoning By-law No. 6593, a roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required front yard to a distance of not more than 1.5 metres.
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 “R-4” (Small Lot Single Family Dwelling) District and “C” (Urban Protected Residential, etc.) District regulations, subject to the special requirements referred to in Sections 2 and 3, applicable to the lands described in Sections 1(a), 1(b), 1(c), and 1(d).
5. By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-1552.

6. Sheet No. W-37c of the District Maps is amended by marking the lands referred to in Sections 1(a), 1(b), 1(c), and 1(d) of this by-law as S-1552.
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 24th day of May, 2006.

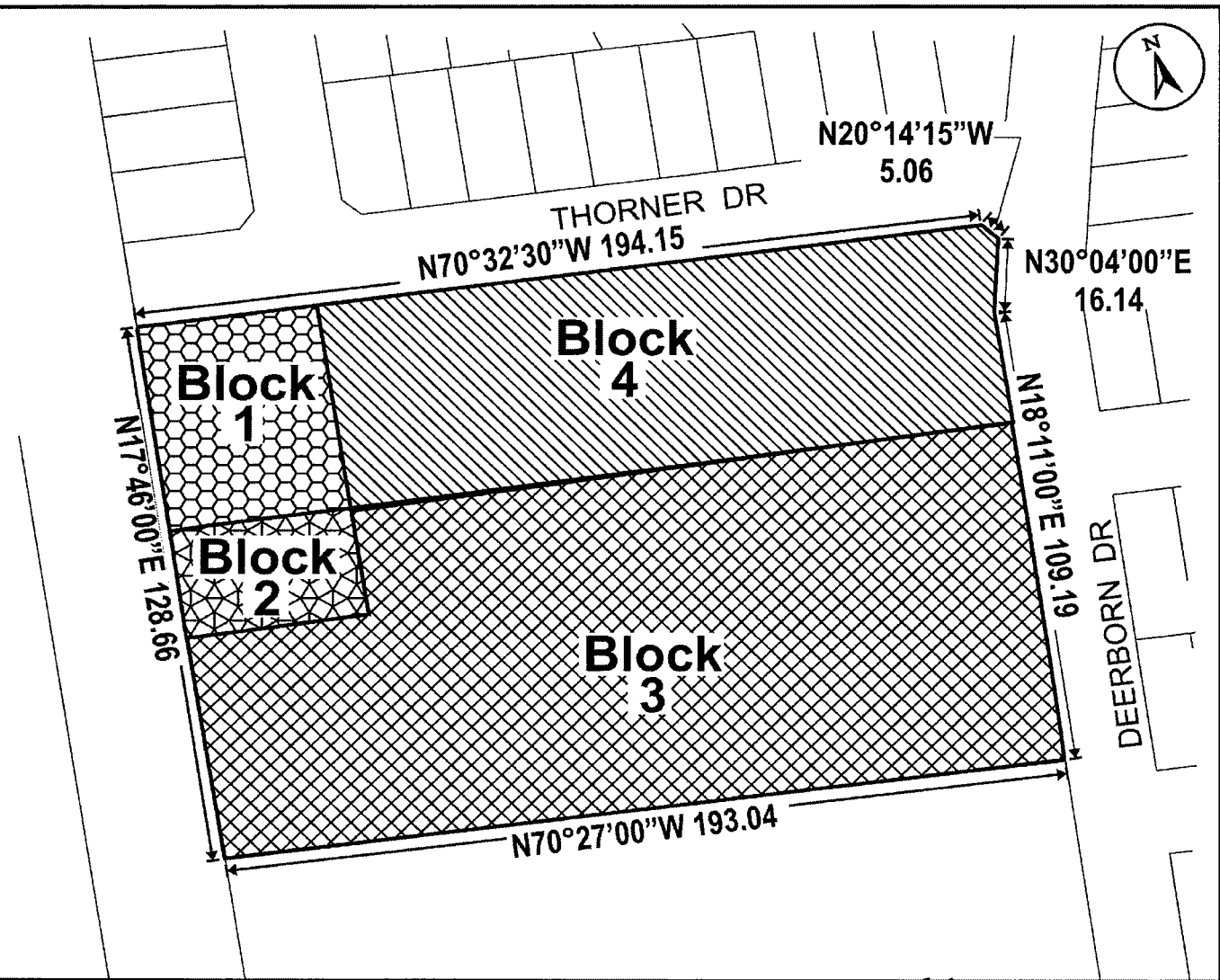


MAYOR





CLERK

ZAC-05-93/25T200520



This is Schedule "A" to By-Law No. 06—137

Passed the 24th day of May, 2006


Clerk

Mayor

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Schedule "A"

Map Forming Part of
By-law No. 06- 137

to Amend By-law No. 6593

Subject Property

256 Thorner Drive, Hamilton



Block 1 - Change in Zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District, Modified



Block 2 - Change in Zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District, Modified



Block 3 - Change in Zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, Modified



Block 4 - Modification to established "C" (Urban Protected Residential, etc.) District

Scale:
Not to Scale

File Name/Number:
ZAC-05-93/25T200520



Hamilton

Date:
April 2006

Planner/Technician:
HT/LMM