

Authority: Item 11, Economic Development
and Planning Committee
Report 09-006 (PED09048)
CM: March 11, 2009

Bill No. 044

CITY OF HAMILTON

BY-LAW NO. 09-044

**To Amend Zoning By-law No. 3581-86 (Dundas),
Respecting Lands Located at 675 York Road in the former Town of Dundas,
Now the City of 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 area municipality known as the "The Corporation of the Town of Dundas" 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Zoning By-law No. 3581-86 (Dundas) was enacted on the 22nd day of May, 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 11 of Report 09-006 of the Economic Development and Planning Committee at its meeting held on the 11th day of March, 2009, recommended that Zoning By-law No. 3581-86 (Dundas), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the City Hamilton (the Official Plan of the Town of Dundas), in accordance with the provisions of the Planning Act.

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

1. That Schedule "K-1" of Zoning By-law No. 3581-86 (Dundas) is hereby amended, as follows:
 - (a) by changing the zoning from the Rural Zone (RU/S-58) Modified to a Rural Zone (RU/S-111), Modified, the lands comprised of Block "1"; and,

By-law Respecting 675 York Road in the former Town of Dundas,
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- (b) by changing the zoning from the Rural Zone (RU/S-58) Modified to the Open Space - Conservation Zone (OS), the lands comprised of "Block 2";

the extent and boundaries of which are more particularly shown on Schedule "A" annexed hereto and forming part of this by-law.

2. That Section 32 - "EXCEPTIONS" of Zoning By-law No. 3581-86 (Dundas), as amended, is hereby further amended by adding the following subsection:

RU/S-111 That Notwithstanding the provisions of the Rural Zone (RU), the following Special Provisions shall apply to the lands known municipally as No. 675 York Road, shown as "RU/S-111" on Schedule "K-1".

1. PERMITTED USES:

Non Farm Residential Dwelling

Accessory Structures and/or buildings

2. REGULATIONS FOR EXISTING AND APPROVED NEW DETACHED DWELLINGS

2.1 LOT AREA

Minimum 0.8 hectares with municipal water supply.

The required lot area may be larger than 0.8 hectares where deemed necessary by the agency having jurisdiction for the approval of on-site private sewage disposal systems pursuant to the provisions of the Environmental Protection Act, Chapter E.19, R.S.O. 1990, as amended from time to time or pursuant to any successor legislation.

2.2 LOT FRONTAGE

Minimum 18.0 metres.

2.3 YARD REQUIREMENTS

2.3.1 FRONT YARD

Minimum 35.0 metres from York Road.

2.3.2 SIDE YARD

Minimum 1.5 metres, except

- (i) 20.0 metres where the side yard abuts the flankage street (Old Guelph Road) of a corner lot.
- (ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage.
- (iii) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

2.3.4 REAR YARD

Minimum 7.5 metres.

2.3.5 HEIGHT

Maximum 2 storeys and shall not exceed 9.7 metres.

2.3.5 LOT COVERAGE

Maximum 325 square metres for all buildings.

2.4 REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES

2.4.1 LOCATION

Rear yard or a non-required side yard.

2.4.2 SETBACK FROM SIDE LOT LINE

Minimum 1.0 metre, except 20.0 metres from the flankage street (Old Guelph Road) of a corner lot.

2.4.3 SETBACK FROM REAR LOT LINE

Minimum 1.0 metres.

2.4.4 HEIGHT

Maximum 4.0 metres.

2.4.5 LOT COVERAGE

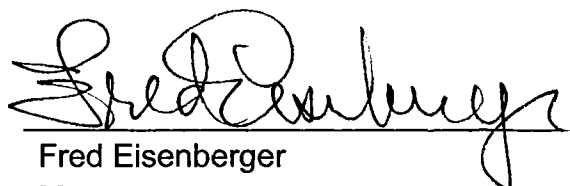
As specified in Subsection 2.3.5 above.

2.5 OFF STREET PARKING


As specified in Section 7.

3. That By-law No. 3581-86 (Dundas) is amended by adding this by-law to Section 32 as Schedule S-111.
4. That Schedule "K-1" of the Zoning Schedule Key Map is amended by marking the lands referred to in Section 1 of this by-law as RU/S-111 and OS.
5. 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.

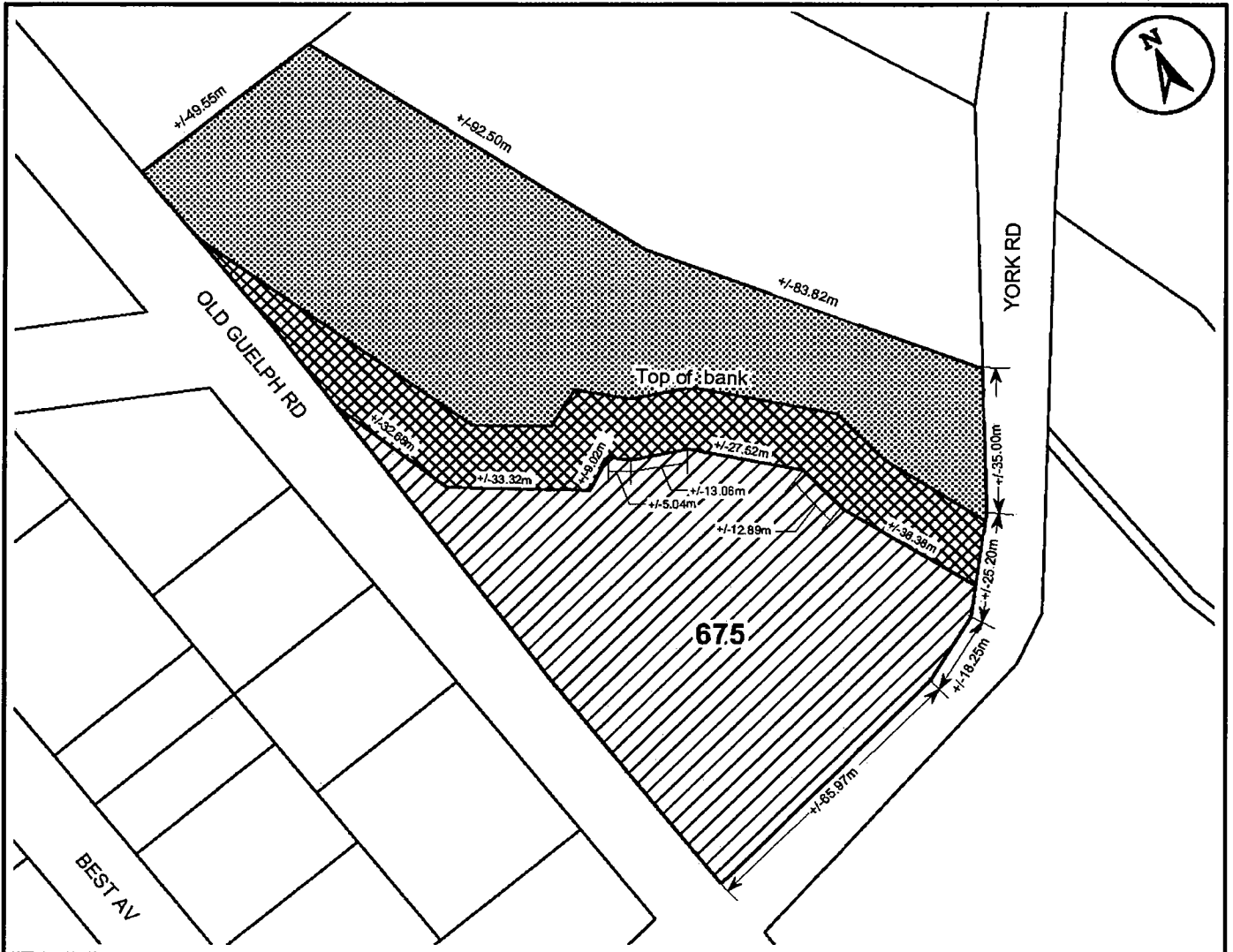
PASSED and ENACTED this 11th day of March, 2009.



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk



This is Schedule "A" to By-Law No. 09-144

Passed the 11th day of March, 2009

[Signature]
 Clerk
 Mayor




Schedule "A"

Map Forming Part of
 By-Law No. 09-144

to Amend By-law No. 3581-86

Subject Property

675 York Road, Dundas

-  Block 1 - Change in Zoning from Rural Zone, Modified (RU/S-58) to Rural Zone Modified (RU/S-111)
-  Block 2 - Change in Zoning from Rural Zone, Modified (RU/S-58) to Open Space - Conservation Zone (OS)
-  Portion of subject lands to remain Open Space - Conservation Zone (OS)

Scale: N.T.S.	File Name/Number: ZAR-08-036
Date: February 6, 2009	Planner/Technician: AC/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

