

**Authority:** Item 7, Economic Development  
and Planning Committee  
Report: 09-012 (PED09154)  
CM: June 10, 2009

**Bill No. 125**

**CITY OF HAMILTON**

**BY-LAW NO. 09-125**

**To Amend Zoning By-law No. 6593 (Hamilton)  
Respecting Lands Located at 63 Ditton Drive**

**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Plan of the former regional municipality, continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 7 of Report 09-012 of the Economic Development and Planning Committee at its meeting held on the 10<sup>th</sup> day of June, 2009, 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:

## By-law Respecting 63 Ditton Drive

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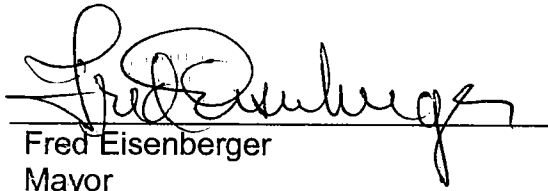
1. That Sheet No. E-59d of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the zoning from the "M-14" (Prestige Industrial) District to the "M-14/S-1605" (Prestige Industrial) District, Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That the "M-14" (Prestige Industrial) District regulations, as contained in Section 17F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special provisions:
  - (a) That in addition to Section 17F(1), post-secondary non-university education for millwrights and a labour organization shall also be permitted.
  - (b) That notwithstanding Sections 17F(2)(b)(1) (ii) and (iii), where two principal buildings are located on the site, one of the principal buildings shall be restricted to a maximum floor area of 117 square metres, and such building shall have a minimum northerly side yard setback of 3.7 metres and a minimum rear yard setback of 0.65 metres.
  - (c) That notwithstanding Section 18A(1)(a), and Parts 3(b)(iv) and 3(c) of Table 1, a minimum of forty-one (41) parking spaces for post-secondary non-university education for millwrights and a labour organization shall be provided and maintained, provided the maximum floor area of all principal buildings on the site does not exceed 1,130 square metres.
  - (d) That notwithstanding Sections 18A (7) and (8), every required parking space, other than a parallel parking space, shall have dimensions not less than 2.6 metres wide and 5.5 metres long; and every parallel parking space shall have dimensions not less than 2.4 metres wide and 6.7 metres long. End parallel spaces which have a clear, unobstructed approach, may have a minimum length of 5.5 metres.
3. That 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 "M-14" (Prestige Industrial) District provisions, subject to the special requirements referred to in Section 2.
4. That Zoning By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1605.

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5. That Sheet No. E-59d of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1605.
6. 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 10<sup>th</sup> day of June, 2009.



Fred Eisenberger  
Mayor



Kevin C. Christenson  
City Clerk

ZAC-08-085

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This is Schedule "A" to By-Law No. 09- 125

Passed the 10th day of June, 2009

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 Clerk  
*Fred Rubidge*  
 Mayor

**Schedule "A"**

Map Forming Part of  
 By-Law No. 09- 125

to Amend By-law No. 6593

**Subject Property**

63 Ditton Drive



Change in Zoning from "M-14" (Prestige Industrial) District to "M-14/S-1605" (Prestige Industrial) District, Modified

Scale:  
 N.T.S.

File Name/Number:  
 ZAR-08-085

Date:  
 May 4, 2009

Planner/Technician:  
 MP/AL



Hamilton