

Authority: Item 18 Economic Development
and Planning Committee
Report 09-015 (PED09181)
CM: July 9, 2009

Bill No. 188

CITY OF HAMILTON

BY-LAW NO. 09-188

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 201 Lorenzo Drive and 1151 Upper James Street,
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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 18 of Report 09-015 of the Economic Development and Planning Committee, at its meeting held on the 9th day of July, 2009, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law will be in conformity with the Official Plan for the City of Hamilton upon finalization of Proposed Official Plan Amendment No. 221 and is in conformity with the Hamilton-Wentworth Official Plan.

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

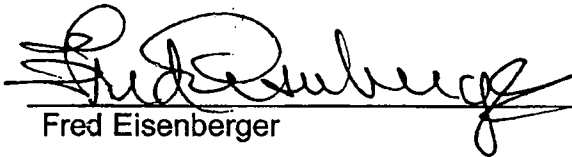
1. That Sheet No. E-9b of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the following:
 - a) That Block 1 be rezoned from the "AA" (Agricultural) District, to the "HH" (Restricted Community Shopping and Commercial) District;
 - b) That Block 2 be rezoned from the "AA" (Agricultural) District, to the "R-4/S-1615" (Small Lot Single Family Detached) District; Modified;
 - c) That Block 3 be rezoned from the "AA" (Agricultural) District, to the "C/S-1616" (Urban Protected Residential, etc.) District, Modified; and,
 - d) That Block 4 be rezoned from the "C/S-1500" (Urban Protected Residential, etc.) District, Modified, to the "C/S-1616" (Urban Protected Residential, etc.) District, Modified;

on the lands, 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 Detached) District regulations, as contained in Section 9A of Zoning By-law No. 6593, applicable to Block 2 of this by-law, are modified to include the following special requirements:
 - (i) That notwithstanding Sections (9A)(2)(b)(1)(i), and (9A)(3)(b)(1)(i), a minimum front yard setback of 3 metres shall be provided and maintained, except 6 metres to a garage.
 - (ii) That Sections 6(19)(a) and (b) shall not apply.
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 "R-4" (Small Lot Single Family Detached) District provisions, subject to the special requirements referred to in Section 2.
4. That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9 of Zoning By-law No. 6593, applicable to Blocks 3 and 4 of this by-law, are modified to include the following special requirements:
 - (i) That notwithstanding Section (9)(3)(i), a minimum front yard setback of 3 metres shall be provided and maintained, except 6 metres to a garage.
 - (ii) That notwithstanding Section (9)(4)(c)(i), the minimum lot width shall be 11.34 metres.

- (iii) That notwithstanding Section (9)(4)(c)(ii), the minimum required lot area shall be 332 square metres.
- (iv) That Sections 6(19)(a) and (b) shall not apply.
- 5. 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 "C" (Urban Protected Residential, etc.) District provisions, subject to the special requirements referred to in Section 4.
- 6. That Sheet No. E-9b of the District Maps is amended by marking the lands referred to in Section 2 of this by-law as S-1615, and in Section 4 of this by-law as S-1616.
- 7. That Zoning By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedules S-1615 and S-1616.
- 8. 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 13th day of August, 2009.

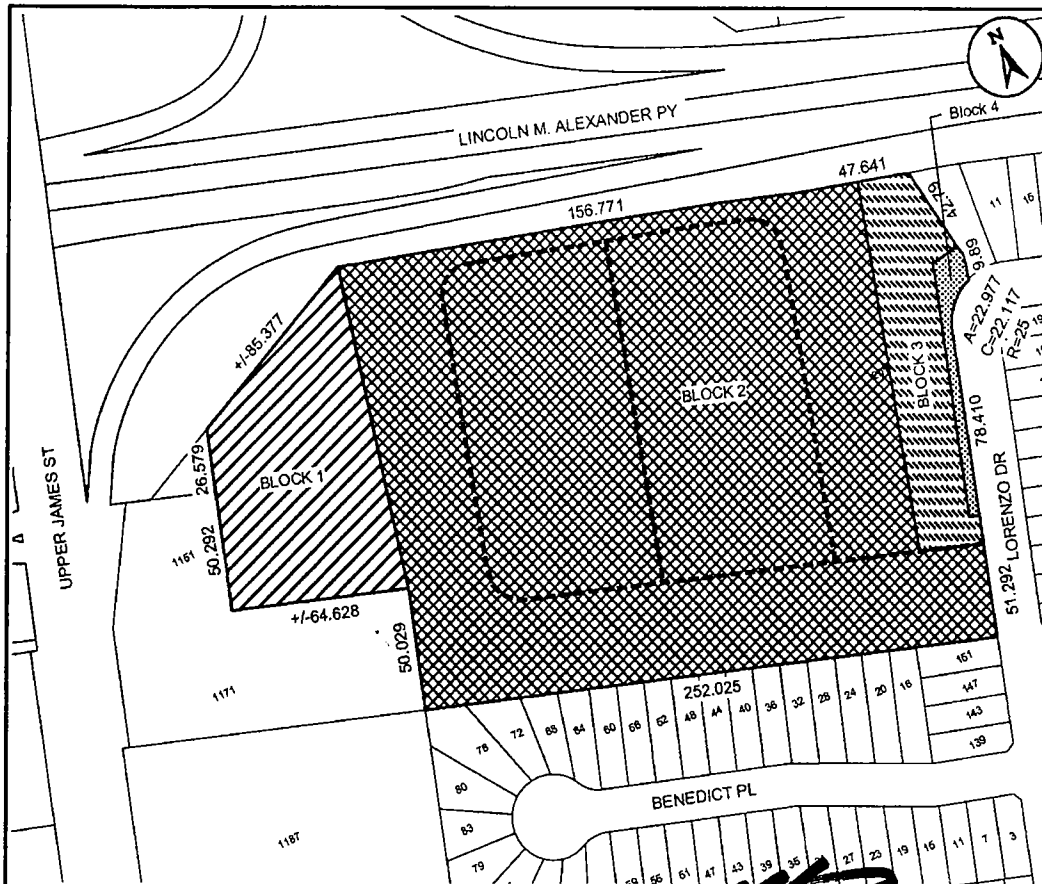


Fred Eisenberger
Mayor



Kevin C. Christensen
City Clerk

ZAC-07-095



This is Schedule "A" to By-Law No. 09-188
 Passed the 13th day of August, 2009

[Signature]
 Clerk
 Mayor

Schedule "A"

 Map Forming Part of
 By-Law No. 09-188

 to Amend By-law No.6593

Subject Property
 1151 Upper James Street

Block 1 - Change in Zoning from the "AA" (Agricultural) District to the "HH" (Restricted Community Shopping and Commercial) District

201 Lorenzo Drive

Block 2 - Change in Zoning from the "AA" (Agricultural) District to the "R-4/S-1615" (Small Lot Single Family Detached) District

Block 3 - Change in Zoning from the "AA" (Agricultural) District to the "C/S-1616" (Urban Protected Residential, etc.) District

Block 4 - Change in Zoning from the "C/S-1500" (Urban Protected Residential, etc.) District to the "C/S-1616" (Urban Protected Residential, etc.) District

----- Proposed Streets

Scale: N.T.S.	File Name/Number: 25T-200719/ZAC-07-095/IOPA-07-027	
Date: May 25, 2009	Planner/Technician: CT/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		