

Authority: Item 18, Economic Development and
Planning Committee
Report 10 - 006 (PED10055)
CM: March 31, 2010

Bill No. 064

CITY OF HAMILTON

BY-LAW NO. 10-064

To Amend Zoning By-law No. 6593 (Hamilton) Respecting the Property Located at 130-134 Wellington Street North

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 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 10-006 of the Economic Development and Planning Committee, at its meeting held on the 31st day of March, 2010, 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.

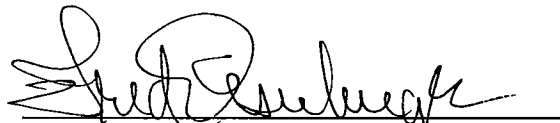
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. E-13 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing from the "H" (Community Shopping and Commercial, etc.) District (Block 1) and the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District (Block 2) to the "E/S-1628" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified, the lands the extent and boundaries of which are shown as Blocks 1 and 2 on a plan hereto annexed as Schedule "A".

2. That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, as contained in Section 11 of Zoning By-law No. 6593, applicable to the lands comprised of "Block 1" and "Block 2", be modified to include the following special provisions:
 - (a) That notwithstanding Subsections (1), 3(i)(b), 3(ii)(b), and 3(iii)(b) of Section 11 of Zoning By-law No. 6593, for the building existing on the date of passing of this By-law, being the 31st day of March, 2010:
 - (i) A maximum of 11 dwelling units and 1 business or professional office may be permitted.
 - (ii) The minimum front yard shall be 2.3 metres.
 - (iii) A minimum northerly Side Yard of 2.4 metres shall be provided, except, for that portion of the building where no windows are located, a 0 metre side yard shall be provided.
 - (iv) The minimum Rear Yard shall be 2.8 metres.
 - (b) That notwithstanding Subsection 6 of Section 11 of Zoning By-law No. 6593:
 - (i) Not less than 10% of the area of the lot shall be maintained as landscaped area.
 - (c) That notwithstanding Subsections 18A(1)(c), (7), (11)(b), and (12)(c), and Part (1) of Table 3, of Section 18A of Zoning By-law No. 6593 (Parking and Loading Requirements):
 - (i) The minimum dimensions of a required loading space shall be 6 metres in length by 3.5 metres in width by 4.3 metres in height.
 - (ii) Every required parking space other than a parallel parking space shall be a minimum of 2.6 metres wide and 5.5 metres long.

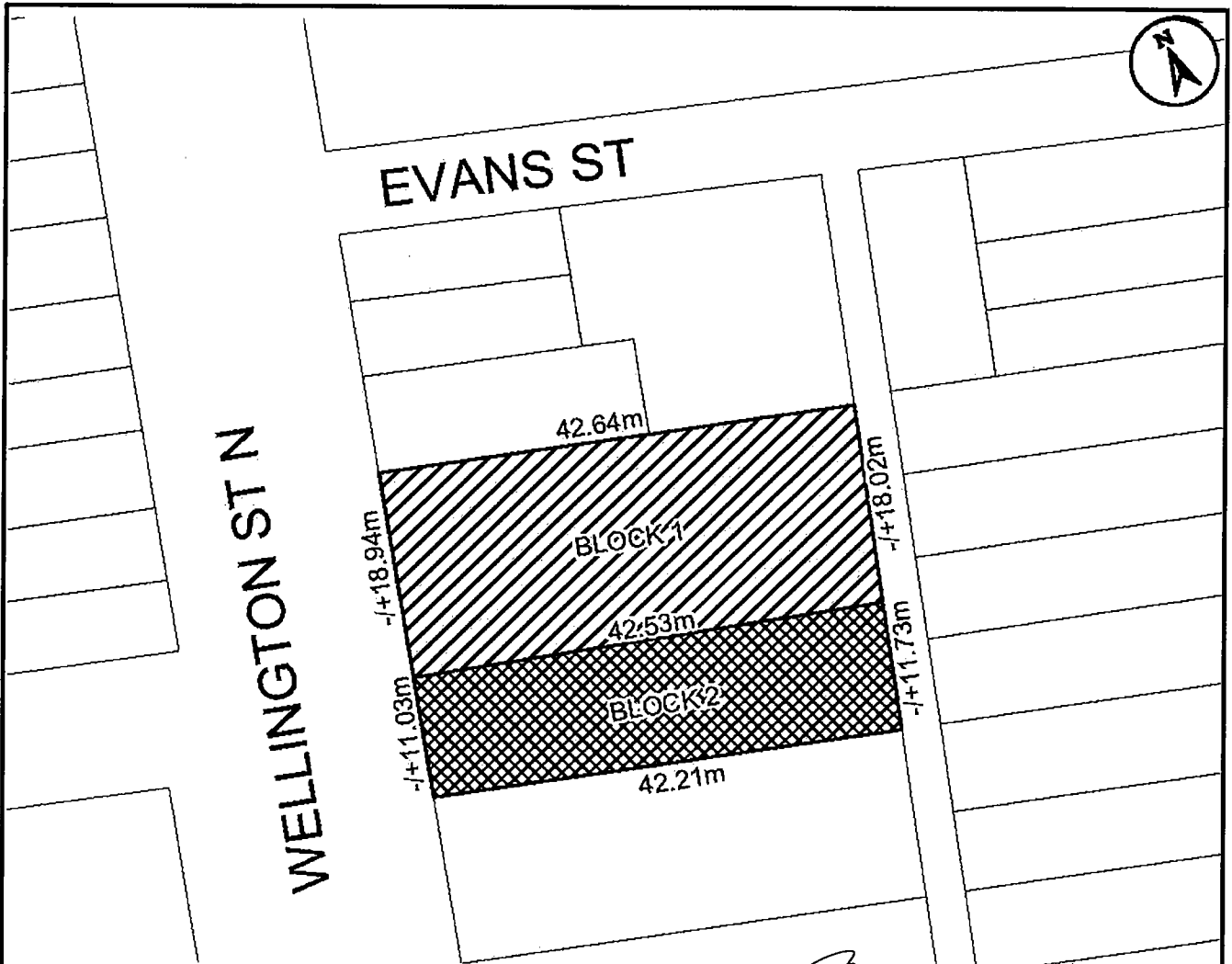
- (iii) The boundary of a parking area shall be located a minimum of 3 metres from a street line, excluding access driveways.
 - (iv) No visual barrier shall be required along the southerly lot line abutting a residential district.
3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" (Multiple Dwellings, Lodges, Clubs, etc.) 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-1628.
 5. That Sheet No. E-13 of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1628.
 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 this 31st day of March, 2010.


Fred Eisenberger
Mayor


Rose Caterini
Acting Clerk

ZAC-09-042





This is Schedule "A" to By-Law No. 10-064
 Passed the 31..... day of March....., 2010

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"
 Map Forming Part of
 By-Law No. 10-064
 to Amend By-law No.6593

Subject Property
 130 - 134 Wellington Street North

 Block 1 - Change in Zoning from the "H" (Community Shopping and Commercial, etc.) District to the "E/S-1628" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified.

 Block 2 - Change in Zoning from the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to the "E/S-1628" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified.

Scale: N.T.S.	File Name/Number: ZAC-09-042
Date: February 23, 2010	Planner/Technician: MP/NB

