

**Authority:** Item 10, Planning Committee  
Report: 12-002 (PED12018)  
CM: February 8, 2012

**Bill No. 045**

## **CITY OF HAMILTON**

### **BY-LAW NO. 12-045**

#### **To Amend Zoning By-law 6593 (Hamilton) as Amended by By-law 95-02 and By-law 95-33, Respecting Lands Located at 15 Emerson Street (Hamilton)**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario 1999 Chap. 14, Schedule C did incorporate, as of January 1<sup>st</sup>, 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 of 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 6593 (Hamilton) was enacted on the 25<sup>th</sup> day of July 1950, which was approved by the Ontario Municipal Board by Order dated the 7<sup>th</sup> day of December 1951 (File No. P.F.C. 3821);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 10 of Report 12-002 of the Planning Committee, at its meeting held on the 8th day of February, 2012, recommended that Zoning By-law No. 6593 (Hamilton) be amended as hereinafter provided;

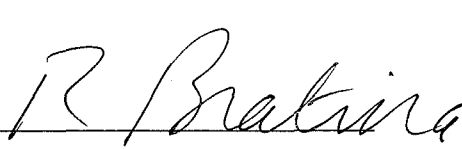
**AND WHEREAS** this By-law will be in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former City of Hamilton) upon the approval of Official Plan Amendment No. 229.

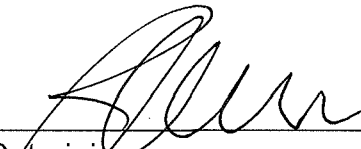
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Sheet No. W-41 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended, is further amended by changing the zoning from the "C/S-1335a" (Urban Protected Residential, etc.) District, Modified, to the "G-3/S-1653" (Public Parking Lot) District, Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That the "G-3" (Public Parking Lot) District regulations, as contained in Section 13C of Zoning By-law No. 6593, are modified to include the following special provisions:
  - (a) That Section 13C(3) does not apply.
  - (b) That notwithstanding Sections 18A(11)(a) and 18A(11)(b) of Zoning By-law No. 6593, the boundary of every parking area on a lot containing five or more parking spaces located on the surface of a lot adjoining a residential district shall be not less than 1.5 metres on the southerly boundary, 0.0 metres on the easterly boundary, and 3.0 metres from the street line.
  - (c) That notwithstanding Section 18A(12) of Zoning By-law No. 6593, no planting strip will be required on the easterly boundary of the parking area.
  - (d) That notwithstanding Section 18A(7) of Zoning By-law No. 6593, a minimum parking space size of 2.6 metres wide by 5.5 metres long shall be provided and maintained.
  - (e) That notwithstanding Section 18A(36)(1)(b) of Zoning By-law No. 6593, the driveway, parking area, and maneuvering area used in conjunction with a restaurant shall be a minimum of 1.5 metres from the southerly lot line.
  - (f) That notwithstanding Section 18A(36)(2), a point of ingress and egress for a restaurant shall be a minimum of 6.0 metres from the residential district to the south.
3. That Zoning By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1653.

4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law, in accordance with the Planning Act.

**PASSED** this 22<sup>nd</sup> day of February, 2012.

  
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R. Bratina  
Mayor

  
\_\_\_\_\_  
R. Caterini  
City Clerk

ZAC-11-043



This is Schedule "A" to By-Law No. 12- 045  
 Passed the .22..... day of .February., 2012


*[Signature]*  
 Clerk  
*[Signature]*  
 Mayor

**Schedule "A"**

Map Forming Part of  
 By-Law No. 12- 045

to Amend By-law No. 6593

**Subject Property**  
 15 Emerson Street

 Change in Zoning from the "C/S-1335a" (Urban Protected Residential, etc.) District, Modified to the "G-3/S-1653" (Public Parking Lots) District, Modified.

Scale: N.T.S.	File Name/Number: ZAC-11-043
Date: January 9, 2012	Planner/Technician: TL/KA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

