

Authority: Item 8, Economic Development
and Planning Committee
Report: 09-012 (PED09151)
CM: June 10, 2009

Bill No. 127

CITY OF HAMILTON

BY-LAW NO. 09-127

**To Amend Zoning By-law No. 6593 (Hamilton)
Respecting Lands Located at 832 Concession Street**

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Plan of the former regional municipality, continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 8 of Report 09- 012 of the Economic Development and Planning Committee at its meeting held on the 10th 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.

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

1. That Sheet No. E-35 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by incorporating lands into Zoning By-law No. 6593 and zoning the lands "E/S-1606" (Multiple Dwellings, Lodges, Clubs, etc.) District, the extent and boundaries of which are shown 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, are modified to include the following special requirements:
 - (a) That notwithstanding Section 11(6), a minimum landscaped area of 10.5% of the area of the lot shall be provided and maintained.
 - (b) That notwithstanding Section 18A(1)(a), a minimum of twelve (12) parking spaces shall be provided and maintained for a multiple dwelling containing a maximum of twelve (12) units within the building existing on the date of the passing of the by-law, being the 10th day of June, 2009.
 - (c) That notwithstanding Sections 18A(1)(b) and 18A(1)(c), no visitor parking spaces or loading space shall be required for a multiple dwelling containing a maximum of twelve (12) units within the building existing on the date of the passing of the by-law, being the 10th day of June, 2009.
 - (d) That notwithstanding Sections 18A(1)(f), 18A(9) and 18A(10), no maneuvering space shall be required for one parking space located in the northeast corner of the lot and having direct access to Concession Street.
 - (e) That notwithstanding Section 18A(1)(f), a maneuvering space of a minimum 3.5 metres in width shall be provided and maintained for three (3) parking spaces located south of the existing building.
 - (f) That notwithstanding Section 18A(7), every required parking space, other than a parallel parking space, shall have dimensions of not less than 2.7 metres wide and 5.5 metres long.
 - (g) That notwithstanding Section 18A(8), every parallel parking space shall have dimensions not less than 2.5 metres wide and 6.0 metres long.
 - (h) That Sections 18A(11) and 18A(12) shall not apply.
 - (i) That notwithstanding Section 18A(14)(g), a maximum of three (3) parking spaces shall be permitted in the required front yard.
 - (j) That notwithstanding Section 18A(24)(a), a minimum 2.7 metre wide access

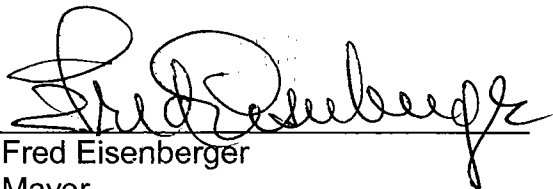
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driveway shall be provided and maintained for the parking space located at the northeast corner of the lot.

- (k) That notwithstanding Section 18A(24)(b)(i), the most southerly access driveway shall have a minimum width of 3.6 metres.
 - (l) That notwithstanding Section 18A(25), an access driveway may be located 0.0 metres from the adjoining residential district to the south.
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-1606.
 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 10th day of June, 2009.



Fred Eisenberger
Mayor

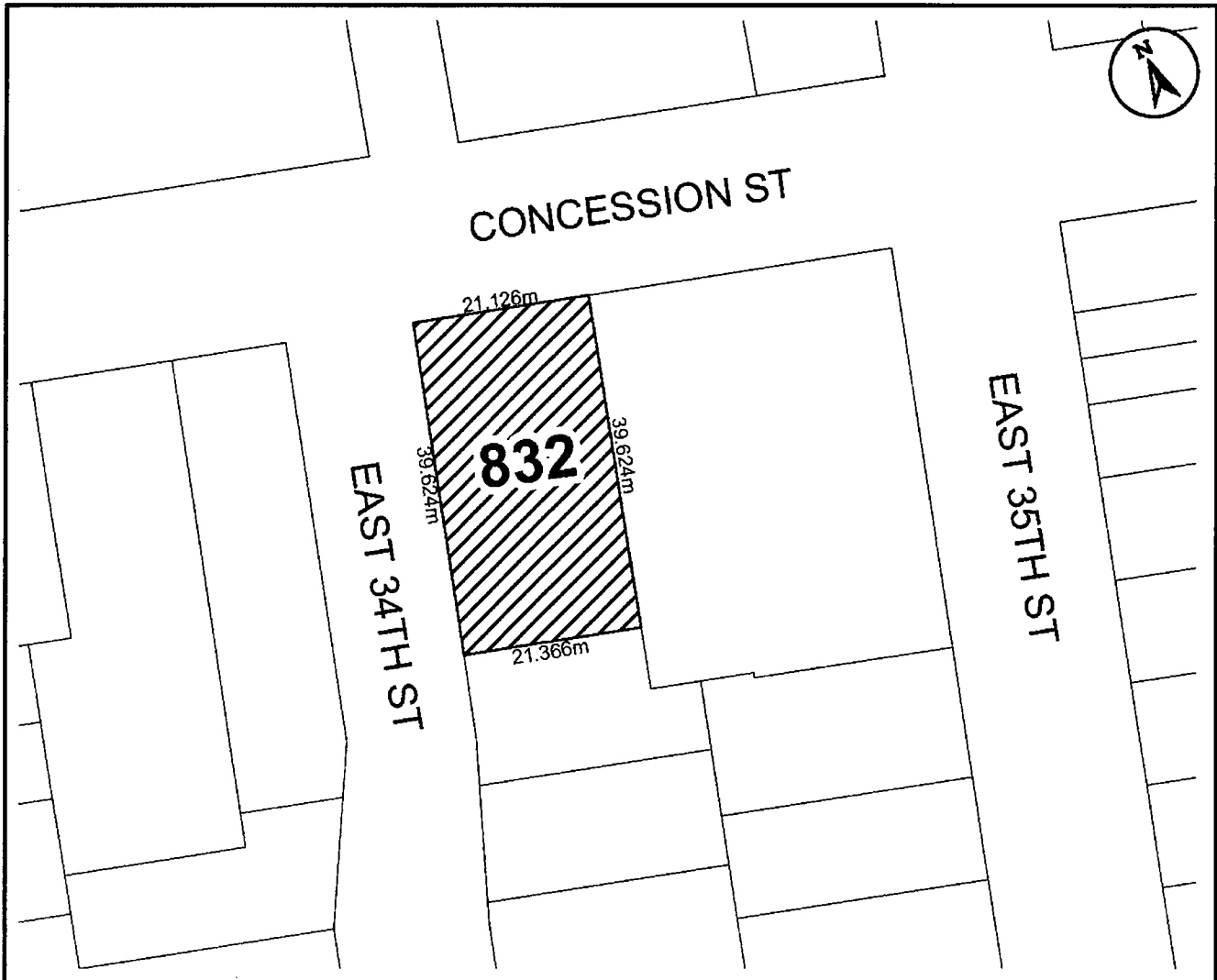


Kevin C. Christenson
City Clerk

CI-09-A

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This is Schedule "A" to By-Law No. 09-127

Passed the ..10th. day of ...June....., 2009

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 09- 127

to Amend By-law No.6593

Subject Property

832 Concession Street



Lands to be Incorporated into Zoning By-law No. 6593 and Zoned "E/S-1606" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified.

Scale:
 N.T.S.

File Name/Number:
 CI-09-A

Date:

February 11, 2009

Planner/Technician:
 JH/SL



Hamilton