

**Authority:** Item 9, Economic Development  
and Planning Committee  
Report 09-011 (PED09136)  
CM: May 27, 2009

**Bill No. 114**

## **CITY OF HAMILTON**

### **BY-LAW NO. 09-114**

**To Amend Zoning By-law No. 05-200 (Hamilton), respecting lands located at 69 Sanders Boulevard (Hamilton)**

**WHEREAS** the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, S.O. 1999, Chap. 14;

**AND WHEREAS** the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law 05-200;

**AND WHEREAS** it is desirable to enact a new Zoning By-law to comprehensively deal with zoning throughout the City;

**AND WHEREAS** the first stage of the new Zoning By-law, being By-law 05-200, came into force on May 25, 2005;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 9 of Report 09-011 of the Economic Development and Planning Committee, at its meeting held on the 27<sup>th</sup> day of, May 2009, recommended that Zoning By-law No. 05-200 (Hamilton) be amended as hereinafter provided;

**AND WHEREAS** this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former City of Hamilton) in accordance with the provisions of the Planning Act.

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

1. That Map No. 947 of Schedule "A" of By-law No. 05-200, is hereby amended by changing the zoning from the Community Institutional (I2) Zone to the

**By-law respecting 69 Sanders Boulevard, Hamilton (Page 2 of 4)**

Community Institutional (I2, C20, H22) Zone, on the lands the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this By-law.

2. That Schedule "C" of By-law 05-200 is amended by adding an additional exception as follows:

"20. Notwithstanding Sections 8.2.1 and 4.8.1 of this By-law, within the lands zoned Community Institutional (I2) Zone, identified on Map No. 947 of Schedule "A" to By-law 05-200, and described as 69 Sanders Boulevard, the following special provisions shall apply:

- (a) In addition to the permitted uses in Section 8.2.1, a lodging house for the accommodation of a maximum of 50 residents shall be permitted only within the building existing on the date of passing of the By-law.
- (b) That for the purposes of this By-law, the lot line fronting onto Main Street West shall be deemed to be the front lot line, and the lot line fronting onto Sanders Boulevard shall be deemed the rear lot line.
- (c) That for the purposes of this By-law, vehicular ingress and egress shall not be permitted from Sanders Boulevard.
- (d) That notwithstanding Section 4.8.1(a), buildings accessory to the lodging house shall also be permitted in the front yard, but shall not be located within 40 metres of the front lot line.
- (e) That notwithstanding Section 4.8.1(b), all buildings accessory to the lodging house shall not exceed a total gross floor area of 30 square metres."

3. That Schedule "D" of By-law 05-200 is amended by adding an additional Holding Provision as follows:

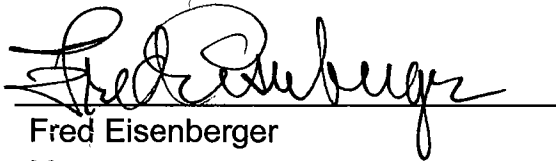
"22. That notwithstanding Section 8.2 of this By-law, on those lands zoned Community Institutional (I2, C20) Zone, on Map 947 of Schedule "A", known as 69 Sanders Boulevard (Hamilton), no development shall be permitted until such time as:

- (i) The owner/applicant submits a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of the Environment (MOE). The RSC must be to the satisfaction of the City of Hamilton, including an acknowledgement of receipt of the RSC by the MOE, and submission of the City of Hamilton's current RSC administration fee."

**By-law respecting 69 Sanders Boulevard, Hamilton (Page 3 of 4)**

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 and ENACTED** this 27<sup>th</sup> day of May, 2009.



Fred Eisenberger  
Mayor



Rose Caterini  
Acting Clerk

ZAR-08-074


By-law respecting 69 Sanders Boulevard, Hamilton (Page 4 of 4)




This is Schedule "A" to By-Law No. 09-114  
 Passed the 27<sup>th</sup> day of .....Ma.y....., 2009

*[Signature]*  
 Clerk  
 Mayor

**Schedule "A"**  
 Map Forming Part of  
 By-Law No. 09- 114  
 to Amend By-law No.05-200

**Subject Property**  
 69 Sanders Boulevard  
 Change in Zoning from the Community Institutional (I2) to the Community Institutional (I2,C20,H22) Zone.

Scale: N.T.S.	File Name/Number: ZAR-08-074	
Date: April 17, 2009	Planner/Technician: TL/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		<b>Hamilton</b>