

Authority: Item 5
Planning Committee
Report 13-015 (PED13119)
CM: October 9, 2013

Bill No. 269

CITY OF HAMILTON

By-law No. 13-

To Amend Zoning By-law No. 05-200

Respecting Lands Located at 22 - 24 Emerald Street South, 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 No. 05-200;

AND WHEREAS Zoning By-law No. 05-200 was enacted on the 25th day of May, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 5 of Report 13-015 of the Planning Committee, at its meeting held on the 9th day of October, 2013, recommended that Zoning By-law No. 05-200 be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton, 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 Map No. 996 of Schedule "A" to Zoning By-law No. 05-200, is amended by incorporating the Community Institutional (I2) Zone, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That Schedule "C": Special Exceptions, of By-law No. 05-200, is hereby amended by adding the following Sub-section:

"453 Notwithstanding Section 8.2.1 of this By-law, within the lands zoned Community Institutional (I2) Zone, identified on Map No. 996 of Schedule "A", and known as 22 - 24 Emerald Street South, Hamilton, a Corrections Residence, having a maximum capacity of 36 residents, shall be

permitted in conjunction with a Social Services Establishment, subject to the following special provisions:

- (a) That the Social Services Establishment shall have a maximum floor area of 391 sq.m, restricted to the ground floor, and be limited to serving a maximum of 12 individuals at any one time who do not reside on the premises;
 - (b) That notwithstanding Section 8.2.3.1 (a) of this By-law, the minimum lot width shall be 25.9m;
 - (c) That notwithstanding Section 8.2.3.1 (c) of this By-law, the minimum northerly side yard shall be 0.29m;
 - (d) That notwithstanding Section 8.2.3.1 (c) of this By-law, the minimum southerly side yard shall be 3.18m;
 - (e) That notwithstanding Section 8.2.3.1 (e) of this By-law, the maximum building height shall be 14.02m;
 - (f) That notwithstanding Section 8.2.3.1 (h) of this By-law, a minimum radial separation distance between a Corrections Residence and a Residential Care Facility of 137m shall be permitted; and,
 - (g) That notwithstanding Section 5.6 (c) (i) and (ii) of this By-law, the minimum required number of parking spaces shall be seven (7).”
3. 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.
4. That this By-law No. [REDACTED] shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the Planning Act, either upon the date of passage of this By-law or as otherwise provided by the said Sub-section.

PASSED this 23rd day of October, 2013.

R. Bratina
Mayor

R. Caterini
Clerk

ZAR-12-056



<p>This is Schedule "A" to By-law No. 13-</p> <p>Passed the day of, 2013</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 13-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Map 996</p>	<p>Subject Property 22-24 Emerald Street South</p> <p> Lands to be zoned Community Institutional (I2, 453) Zone, Modified</p>
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<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAR-12-056</p>	
<p>Date: May 28, 2013</p>	<p>Planner/Technician: DS/DB</p>	
<p style="font-size: small;">PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		