

Authority: Item 3, Planning Committee
Report 13-009 (PED13101)
CM: June 4, 2013

Bill No. 166

CITY OF HAMILTON

BY- LAW NO. 13-166

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 118 to 338 Mountain Brow Boulevard (Hamilton)**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 3 of Report 13-009 of the Planning Committee, at its meeting held on the 12th day of June 2013, 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-56 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended as follows:
 - (a) By changing the zoning from the "B" (Suburban Agriculture and Residential, Etc.) District to the "B/S-1669" (Suburban Agriculture and Residential, Etc.) District, Modified,

on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule 'A'.

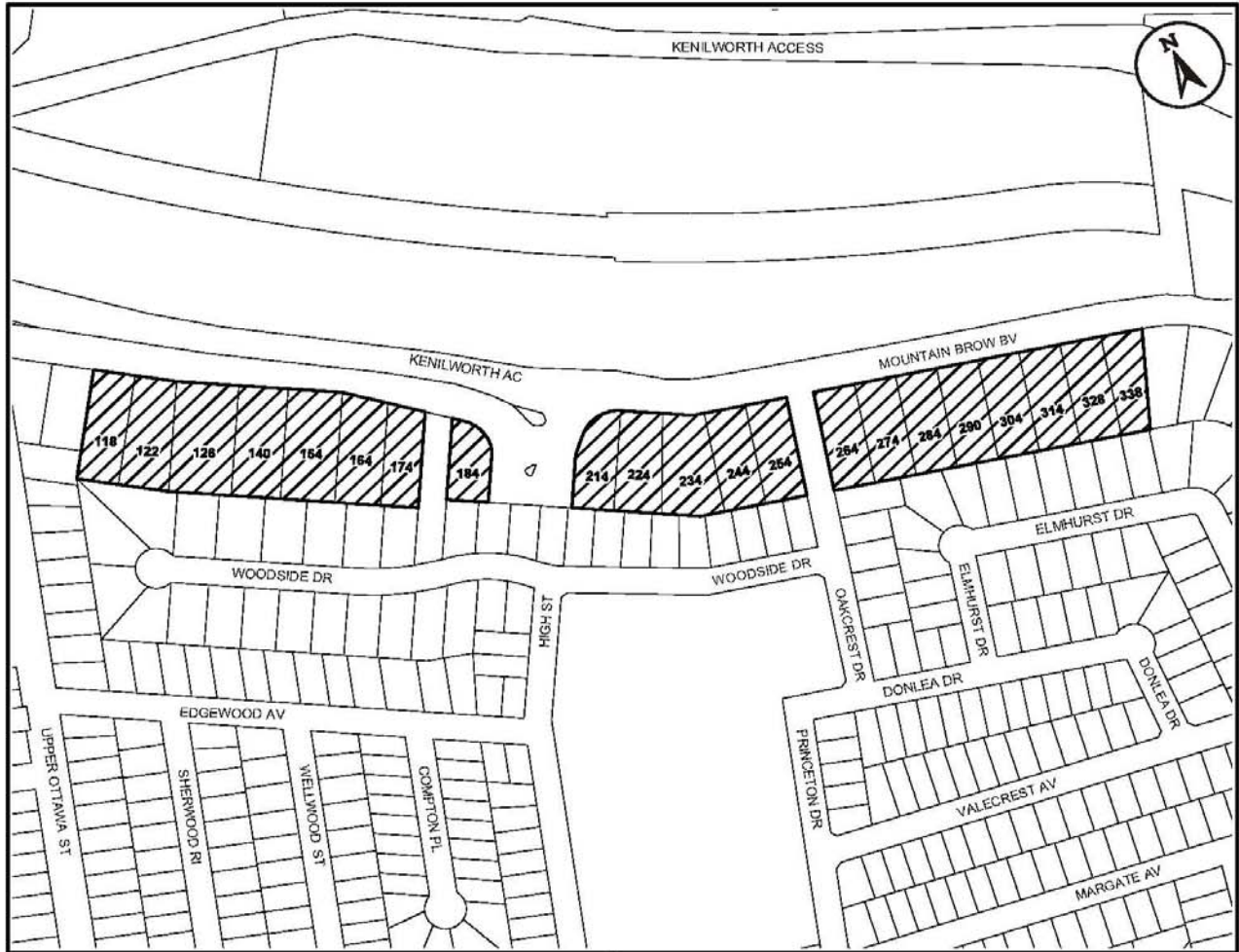
2. That the "B" (Suburban Agriculture and Residential, Etc.) District provisions, as contained in Section 8 of Zoning By-law No. 6593, are modified to include the following special requirements:
 - (a) That notwithstanding Sub-section 9.(3)(1) of Zoning By-law No. 6593, a minimum front yard of a depth of at least 25.0m shall be provided and maintained; and,
 - (b) That notwithstanding any other provision of Zoning By-law No. 6593, an attached garage shall not encroach greater than 3.0m into a front yard beyond the front façade of a dwelling but in no case shall an attached garage be closer than 25m from the front lot line.
3. That By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1669.
4. That Sheet No. E-56 of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1669.
5. 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 "B" (Suburban Agriculture and Residential, Etc.) District provisions, subject to the special requirements referred to in Section 2 of this By-law.
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 12th day of June, 2013

R. Bratina
Mayor

R. Caterini
City Clerk

CI-13-B



This is Schedule "A" to By-Law No. 13-
 Passed the day of, 2013


 Mayor


 Clerk

Schedule "A"

 Map Forming Part of
 By-Law No. 13-_____

 to Amend By-law No. 6593

Subject Property
 118 - 338 Mountain Brow Boulevard
 Change in Zoning from the "B" (Suburban Agriculture and Residential, Etc.) District to the "B/S-1669" (Suburban Agriculture and Residential, Etc.) District, Modified

Scale: N.T.S.	File Name/Number: CI-13-B	 Hamilton
Date: March 28, 2013	Planner/Technician: GM/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		