

Authority: Item 5
Planning Committee
Report: 11-013 (PED11113)
CM: December 14, 2011

Bill No. 318

CITY OF HAMILTON

BY-LAW No. 11-318

**To Amend Zoning By-law No. 05-200,
Respecting Lands Located at 202 and 208 Barton Street (Stoney Creek)**

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

AND WHEREAS the Council of the City of Hamilton, in adopting Item 5 of Report 11-013 of the Planning Committee, at its meeting held on the 5th day of July, 2011, 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 (the Official Plan of the former City of Stoney Creek);

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

1. That Map 1145 of Schedule "A" to Zoning By-law No. 05-200 is amended by:
 - (a) Changing the zoning from the Neighbourhood Institutional (I1) Zone to the Neighbourhood Institutional (I1, 41) Zone, Modified, applicable to Block "1", boundaries for the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A"; and,
 - (b) Incorporating the Neighbourhood Institutional (I1, 41) Zone, applicable to Block "2", boundaries for 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 amended by adding an additional Exception as follows:

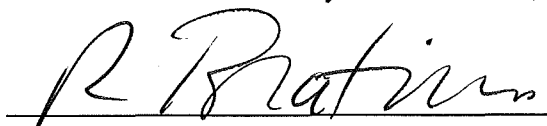
41. That notwithstanding Sections 8.1:3.1(d), 5.1(a)(v), 5.2(a), and 5.6(c) of this By-law, on those lands zoned Neighbourhood Institutional (I1, 41) Zone, on Map 1145 of Schedule "A" - Zoning Maps and described as 202 and 208 Barton Street (Stoney Creek), the following regulations shall also apply:

- (a) A minimum front yard of 4.0 metres shall be provided and maintained;
- (b) Parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be permitted 0.0 metres from a street line, and no planting strip is required between the street line and the said parking spaces or aisle;
- (c) A minimum 1.5 metre wide planting strip and a minimum 2.0 metre high board-on-board fence and maximum 3.0 metre high board-on-board fence shall be provided and maintained along the southerly rear lot line; and,
- (d) Parking shall be provided for a Place of Worship at a ratio of 1 parking space for every 10.75 square metres of gross floor area, inclusive of a basement or cellar, to accommodate such use.

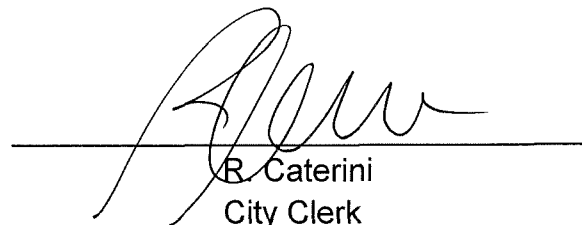
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

4. That this By-law No. 11-318 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 14th day of December, 2011.



R. Bratina
Mayor



R. Caterini
City Clerk



This is Schedule "A" to By-Law No. 11-318

Passed the ...14th day of December....., 2011

R. Bratina
 Clerk
R. Bratina
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 11-318

to Amend By-law No. 05-200
 Map 1145

Subject Property

202 and 208 Barton Street, Stoney Creek



Block 1: Change in Zoning from the Neighbourhood Institutional (I1) Zone to the Neighbourhood Institutional (II, 41) Zone, Modified



Block 2: Lands to be Zoned Neighbourhood Institutional (II, 41) Zone, Modified

Scale:
 N.T.S.

File Name/Number:
 ZAC-11-007

Date:
 May 6, 2011

Planner/Technician:
 GM / MB



Hamilton