SUBJECT: City Initiative CI-07-B – Housekeeping Amendment to Comprehensive Zoning By-law, Addition of Zoning Maps for Entire Urban Area (PED07093) (City Wide)

RECOMMENDATION:

(a) That Approval be given to City Initiative CI-07-B to amend the City's Comprehensive Zoning By-law, known as Zoning By-law 05-200, to include all zoning maps covering the entire urban area, attached as Appendix “A” to Report PED07093.

(b) That the attached Zoning By-law, attached as Appendix “A” to Report PED07093, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

Note: Due to the bulk of the Zoning By-law Amendment, copies have been distributed to Council members. These documents have not been included as part of this staff report (Report PED07093). Appendix “A” contains the related Zoning By-law, but not the zoning map schedules. The complete set of documents will be available for viewing in the Office of the City Clerk, 2nd Floor, Hamilton, City Hall and Municipal Service Centres. The report will also be available on the City Website.
EXECUTIVE SUMMARY:

The intent of this amendment is to include all the zoning maps covering the entire Urban Area of the City within the new Comprehensive Zoning By-law. These maps are for lands which do not have any zoning applied to the lands presently, but will complete Schedule A to the new Comprehensive Zoning By-law. The maps, subject of this report, have not been included into the Zoning By-law to date through the implementation of the Downtown, Open Space and Parks, or Institutional Zones. By including these maps, any future amendments to the Comprehensive Zoning By-law can move forward independently from any other work or By-law stage being undertaken and enacted by separate By-laws.

BACKGROUND:

Schedule “A” of the new Comprehensive Zoning By-law is essentially one large map of the City which has been divided into many individual Zoning Maps, in a grid format, providing a more usable size of map and of better legibility.

Through the implementation of the new Open Space and Parks Zoning, new Zoning Maps were being amended into the Comprehensive Zoning By-law which had the new Open Space and Parks zoning on lands. The Zoning was appealed. Prior to the appeal being resolved, staff presented the new Institutional Zones to Committee and Council, but enactment of the new zones was required to be held until the Open Space and Parks zoning was in effect. The reasoning behind the holding is that some Institutional Zones were being amended on Zoning Maps being introduced through the Open Space and Parks zones.

To avoid similar situations, with this amending By-law all the Urban Zoning Maps will now be formally included, which will allow for amending of any of the maps through implementation of new zones or through the new zoning being applied to site-specific rezoning.

ANALYSIS/RATIONALE:

The inclusion of all Zoning Maps at this time will remove the potential for delay in implementation of new zones or new zoning for development applications using the new By-law zones.

ALTERNATIVES FOR CONSIDERATION:

Should this report not be approved, delays to implementation of the new Zoning By-law may occur.
FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial: N/A.
Staffing: N/A.
Legal: As required by the Planning Act, Council will hold at least one (1) Public Meeting to consider an amendment to the Zoning By-law.

POLICIES AFFECTING PROPOSAL:

There are no policies affecting this zoning application.

RELEVANT CONSULTATION:

Consultation was held with Legal Services to ensure there were no issues with this implementation issue.

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. □ Yes ☑ No
Environmental Well-Being is enhanced. □ Yes ☑ No
Economic Well-Being is enhanced. □ Yes ☑ No

Does the option you are recommending create value across all three bottom lines? □ Yes ☑ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☑ Yes □ No

Provides for all mapping to be included within the Comprehensive Zoning By-law to avoid implementation issues in the future.

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Attach. (1)
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 Zoning By-law, being By-law 05-200, came into force on May 25, 2005;

AND WHEREAS this By-law provides for housekeeping amendments to By-law 05-200, as hereinafter described and depicted;

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

1. Section 2.3 of By-law 05-200 is amended by adding reference to “Map numbers 383, 384, 412, 415, 447, 483, 484, 514, 517, 518, 548, 551, 580, 581, 582, 611, 612, 613, 642, 744, 749, 750, 751, 779, 787, 788, 789, 790, 791, 792, 821, 829, 830, 833, 857, 858, 872, 873, 874, 875, 876, 914, 915, 916, 917, 918, 941, 986, 987, 991, 1002, 1027, 1028, 1029, 1030, 1031, 1032, 1034, 1048, 1052, 1074, 1075, 1076, 1077, 1094, 1095, 1096, 1099, 1101, 1121, 1122, 1123, 1147, 1148, 1151, 1153, 1172, 1200, 1201, 1202, 1203, 1204, 1226, 1254, 1255, 1265, 1257, 1258, 1278, 1282, 1285, 1297, 1307, 1309, 1310, 1313, 1331, 1337, 1338, 1350, 1351, 1353, 1359, 1363, 1383, 1384, 1388, 1389, 1402, 1406, 1433, 1434, 1444, 1452, 1457, 1481, 1482, 1483, 1484, 1492, 1493, 1501, 1505, 1506, 1528, 1529, 1530, 1531, 1541, 1544, 1545, 1548, 1573, 1574, 1583, 1584, 1585, 1592, 1593, 1594,

3. 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 day of , 2007.

Fred Eisenberger
Mayor

Kevin C. Christenson
City Clerk

CI-07-B