

Authority: Item 7, Planning Committee
Report: 12-004 (PED12037)
CM: March 20, 2012

Bill No. 067

CITY OF HAMILTON

BY-LAW NO. 12-

To Amend Zoning By-law 6593 (Hamilton), as Amended by By-law 67-27, Respecting Lands Located at 235 Main Street West (Hamilton)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario 1999 Chap. 14, Schedule C did incorporate, as of January 1st, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as “The Corporation of the City of Hamilton” and is the successor of 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;

AND WHEREAS Zoning By-law No. 6593 (Hamilton) was enacted on the 25th day of July 1950, which 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 7 of Report 12-004 of the Planning Committee, at its meeting held on the 28th day of March, 2012, 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 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 Section 2 of Zoning By-law No. 67-27 be deleted in its entirety and subsequent sections be renumbered accordingly.
2. That Sheet No. W-13 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended as follows:
 - (a) That Block 1 be rezoned from the "H/S-36" (Community Shopping and Commercial) District, Modified, to the "H/S-36a" (Community Shopping and Commercial) District, Modified; and,
 - (b) That Block 2 be rezoned from the "G/S-36" (Public Parking Lot) District, Modified, to the "H/S-36a" (Community Shopping and Commercial) District, Modified,on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
3. That the "H" (Community Shopping and Commercial) District regulations, as contained in Section 14 of Zoning By-law No. 6593, are modified to include the following special provisions:
 - (a) That notwithstanding Section 2(2)(H)via) of Zoning By-law No. 6593, a garbage storage shed, visual barrier, intake/exhaust grills having a total maximum area of 5.5 square metres, and the existing metal shed and concrete wall existing on the date of the passing of this By-law, being the 28th day of March, 2012, shall be permitted in a Planting Strip.
 - (b) That notwithstanding Section 18A(11)(a) of Zoning By-law No. 6593, the boundary of the parking area shall be not less than 1.0 metre from the adjoining residential district boundary.
 - (c) That notwithstanding Section 18A12(a) of Zoning By-law No. 6593, a minimum 1.0 metre wide planting strip for every parking area adjoining a residential area shall be provided and maintained.
 - (d) That notwithstanding Section 14(1)(viii) of Zoning By-law No. 6593, a public parking lot shall not be permitted.
4. That Zoning By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-36a.

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 "H" District provisions, subject to the special requirements in Section 3 of this By-law.
6. 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 this 28th day of March, 2012.

R. Bratina
Mayor

R. Caterini
City Clerk

ZAC-11-068



This is Schedule "A" to By-Law No. 12- Passed the day of, 2012	----- Clerk ----- Mayor
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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. 12-_____</p> <p style="margin: 0 0 0 0;">to Amend By-law No. 6593</p>	<p>Subject Property</p> <p> Block 1 - Change in Zoning from the "H/S-36" (Community Shopping and Commercial, etc.) District, Modified to the "H/S-36a" (Community Shopping and Commercial, etc.) District, Modified.</p> <p> Block 2 - Change in Zoning from the "G-3/S-36" (Public Parking Lot) District, Modified to the "H/S-36a" (Community Shopping and Commercial, etc.) District, Modified.</p>
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Scale: N.T.S.	File Name/Number: ZAC-11-068		PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Date: January 26, 2012	Planner/Technician: TL/KA		