

Authority: Item 5, Planning Committee
Report 11-014(PED11132)
CM: August 11, 2011

Bill No. 209

CITY OF HAMILTON

BY-LAW NO. 11-209

**To Amend Zoning By-law No. 6593 (Hamilton), as Amended,
Respecting Lands Located at 151 John Street South (Hamilton)**

WHEREAS the City of Hamilton Act 1999, Statutes of Ontario, 1999 Chap.14, Sch. 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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Zoning By-law No. 6593 (Hamilton) was enacted 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 5 of Report 11-014 of the Planning Committee, at its meeting held on the 8th day of August, 2011, 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).

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


1. That Map E5 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), as amended, is hereby further amended as follows:
 - (a) By changing the zoning from the "H" (Community Shopping and Commercial, etc.) District, to the "H - 'H'/S-1647" (Community

Shopping and Commercial, etc. - Holding) District, Modified, for the
lands comprised of Block "1"; and,

2. That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14 of Zoning By-law No. 6593, be modified to include the following special requirements for the lands comprised of Block "1":
 - (a) Notwithstanding Sections 14.(1) and 18A of By-law No. 6593, the following uses shall also be permitted:
 1. A multiple residential dwelling within the existing building containing no more than 16 dwelling units and together with 0 parking spaces,
3. That the 'H' symbol applicable to lands referred to in Section 1 of this By-law shall be removed upon receiving:
 - (a) Final approval of a Site Plan Control application, to the satisfaction of the Manager of Development Planning.
 - (b) Proof that a noise warning clause has been registered on title to the property, to the satisfaction of the Manager of Development Planning.

The 'H' symbol shall be removed by amendment to this By-law and thereby give effect to the "H/S-1647" (Community Shopping and Commercial, etc.) District, Modified, once the above condition has been fulfilled.
4. That By-law No. 6593 (City of Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1647.
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 the passing of this By-law, in accordance with the Planning Act.

PASSED on this 11th day of August, 2011.



R. Bratina
Mayor



R. Caterini
City Clerk



This is Schedule "A" to By-Law No. 11-209

Passed the ..11th. day of ..August....., 2011

R. Bratina
 Clerk
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 11-209

to Amend By-law No.6593

Subject Property

151 John Street South, Hamilton



Change in zoning from the "H" (Community Shopping and Commercial, etc.) District to the "H-H/S-1647" (Community Shopping and Commercial, etc. - Holding) District, Modified

Scale:

N.T.S.

File Name/Number:

ZAR-10-043

Date:

June 9, 2011

Planner/Technician:

CB/NB



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT