

Bill No. 057

CITY OF HAMILTON

BY-LAW NO. 04-057

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 2418 Barton Street East**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Section 15 of Report 04-005 of the Planning and Economic Development Committee at its meeting held on the 2nd day of March 2004, 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.

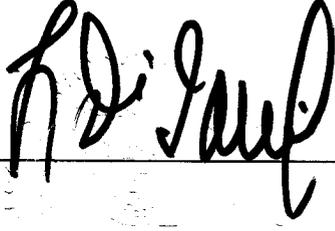
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-103 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

- (a) by changing from "JJ" (Restricted Light Industrial) District to "JJ" – 'H' (Restricted Light Industrial - Holding) District, Modified;
2. The "JJ" (Restricted Light Industrial) District provisions, as contained in Section 16A of Zoning By-law No. 6593, applicable to the lands, the extent boundaries of which are shown on a plan hereto annexed as Schedule "A" are amended to the extent only of the special requirements that:
- (i) notwithstanding Section 16A.(1) of Zoning By-law No. 6593, the Sale, Service, Storage and Rental of Industrial and Construction Equipment, shall also be permitted;
 - (ii) a planting strip having a minimum width of 3.0m, with a visual barrier not less than 1.2m and not more than 2.0m in height, shall be provided and maintained along the entire southerly lot line, and along the westerly property line where it adjoins a residential district; and,
 - (iii) no vehicular access to the property shall be permitted via Eastgate court;
3. (a) The 'H' symbol applicable to the lands referred to in section 1 shall be removed conditional upon,
- 1) the owner applying for and receiving final approval of a Site Plan Control Application, to the satisfaction of the Manager of Development Planning, Planning and Development Department.
- (b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 2 may at such time proceed in accordance with the "JJ" District provisions.
4. 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 "JJ" District provisions, subject to the special requirements referred to in section 2.
5. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1498.
6. Sheet No. E-103 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1498.

7. The City 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 10th day of March, 2004.

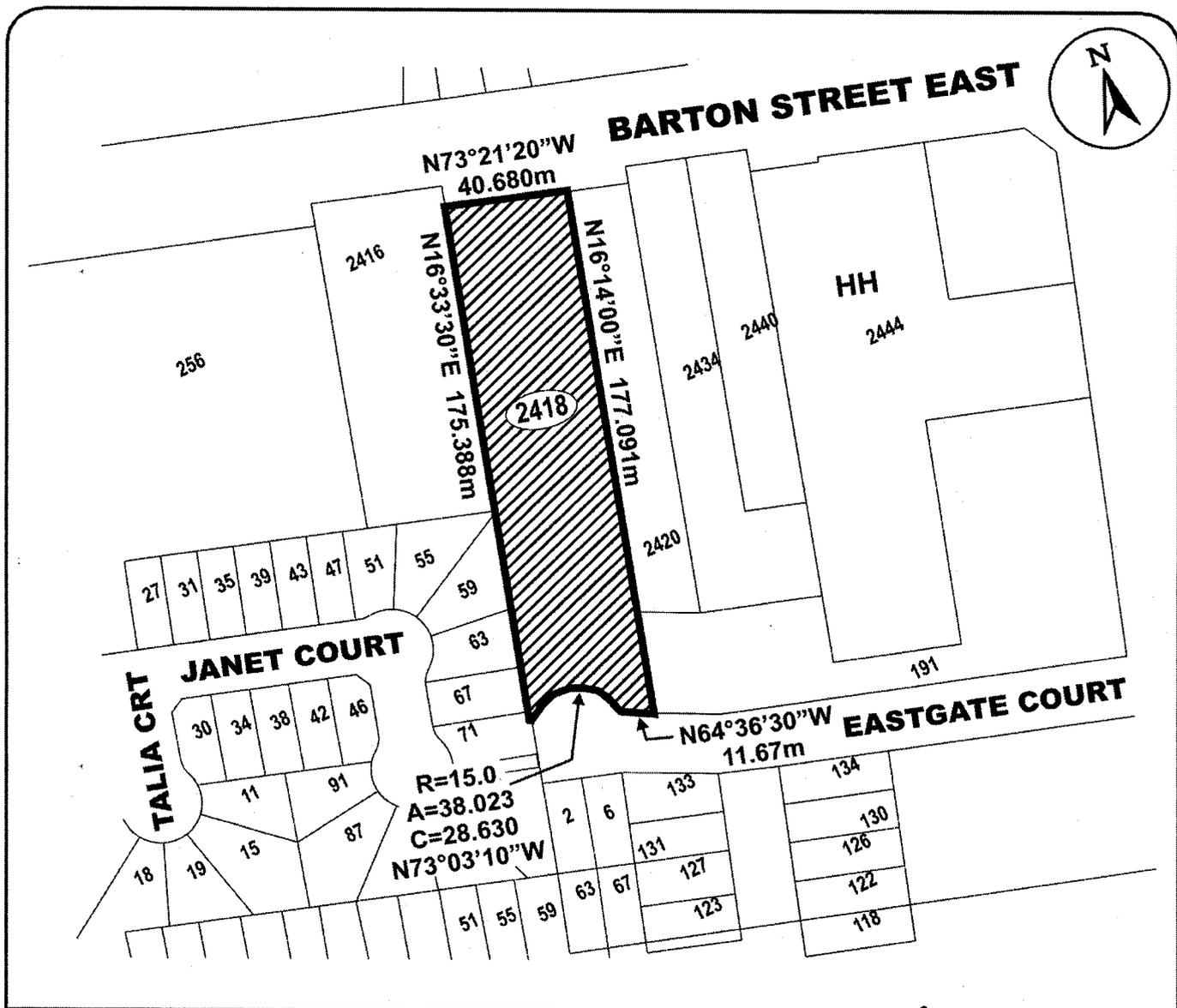


MAYOR



CLERK

ZAR-03-103



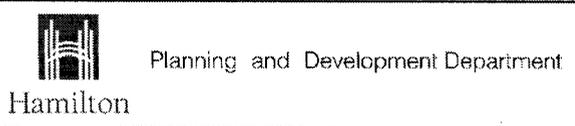
This is Schedule "A" to By-Law No. 04-057

Passed the 10th day of March, 2004

[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

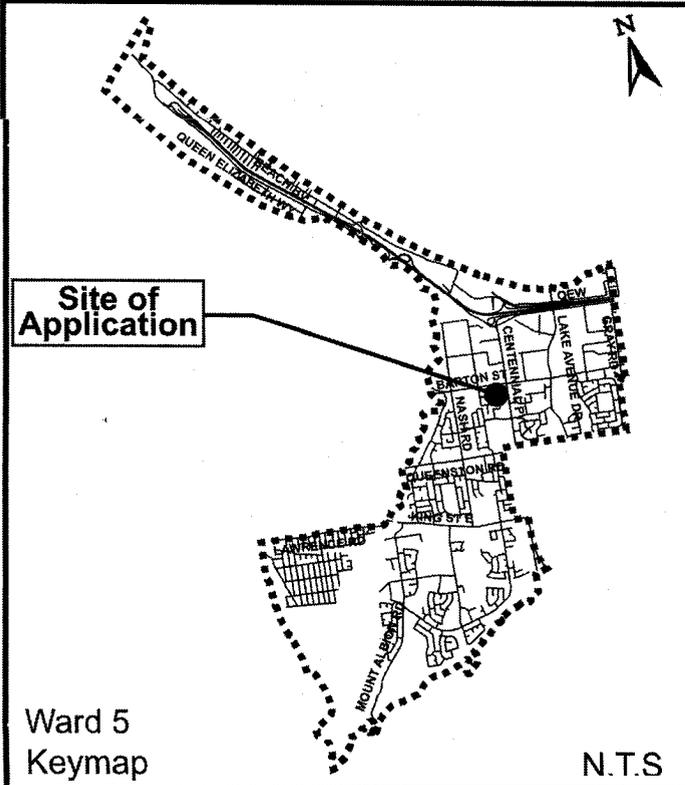
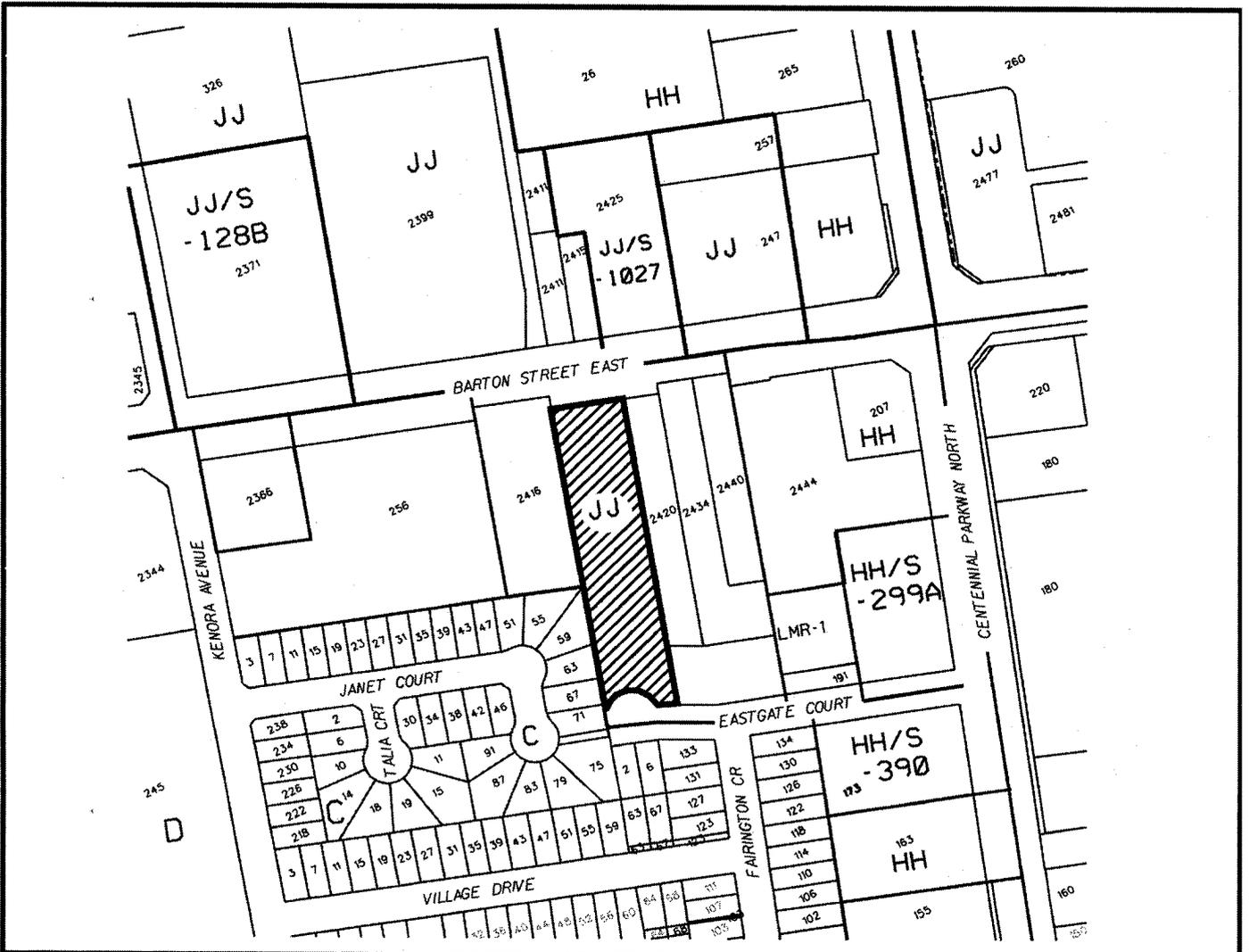
Map Forming Part of
By-Law No. 04-057
to Amend By-Law No 6593



Legend

 **Subject Property**
2418 Barton Street East
Change in Zoning from "JJ"
(Restricted Light Industrial) District to
"JJ"-H' (Restricted Light Industrial - Holding)
District, Modified

North 	Scale NOTTOSCALE	Reference File No. ZAR-03-103
	Date February 71, 2004	Drawn By CL



Planning and Development Department
Location Map

File Name/Number:
ZAR-03-103

Date:
February 12, 2004

Appendix "A"

Scale:
N.T.S

Technician:
NB



Subject Property

2418 Barton Street East
Change in Zoning from "JJ" (Restricted Light Industrial) District to "JJ" - 'H' (Restricted Light industrial - Holding) District, Modified