

Authority: Item 8, Planning and
Economic Development
Committee
Report 04-007 (PD04090)
CM: April 14, 2004

Bill No. 213

CITY OF HAMILTON

BY-LAW NO. 04-213

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 1067 Beach Boulevard**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 8 of Report 04-007 of the Planning and Economic Development Committee at its meeting held on the 14th day of April, 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, as amended by Official Plan Amendment No. 194 proposed by the Corporation of the City of Hamilton as By-law No 189 but not yet approved in accordance with the provisions of the Planning Act.

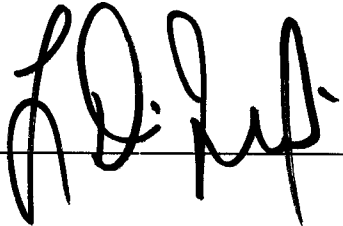
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-80f of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing from "H" (Community Shopping and Commercial, etc.) District to "RT-30" (Street - Townhouse) District;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. The "RT-30" (Street - Townhouse) District regulations as contained in Section 10F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (a) That notwithstanding Section 10F(4)(c)(i), there shall be provided and maintained, a side yard abutting a wall that is not a party wall, along each side lot line, of a width of not less than 1.7 metres for any 1 storey townhouse, structure, or accessory buildings;
 - (b) That notwithstanding Clause (a), where a 1 storey townhouse is proposed, a side yard may be reduced to a width of at least 1.5 metres, only where a common swale between the adjoining properties has been shown on a Lot Grading Plan, approved by the City; and,
 - (c) That notwithstanding Clauses (a) and (b), Sections 18(3)(vi)(ccc), and (vi)(e) shall not apply to side yards.
3. 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 "RT-30" District provisions, subject to the special requirements referred to in section 2.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1510.
5. Sheet No. E-80 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1510.

- 6. 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 15th day of September, 2004

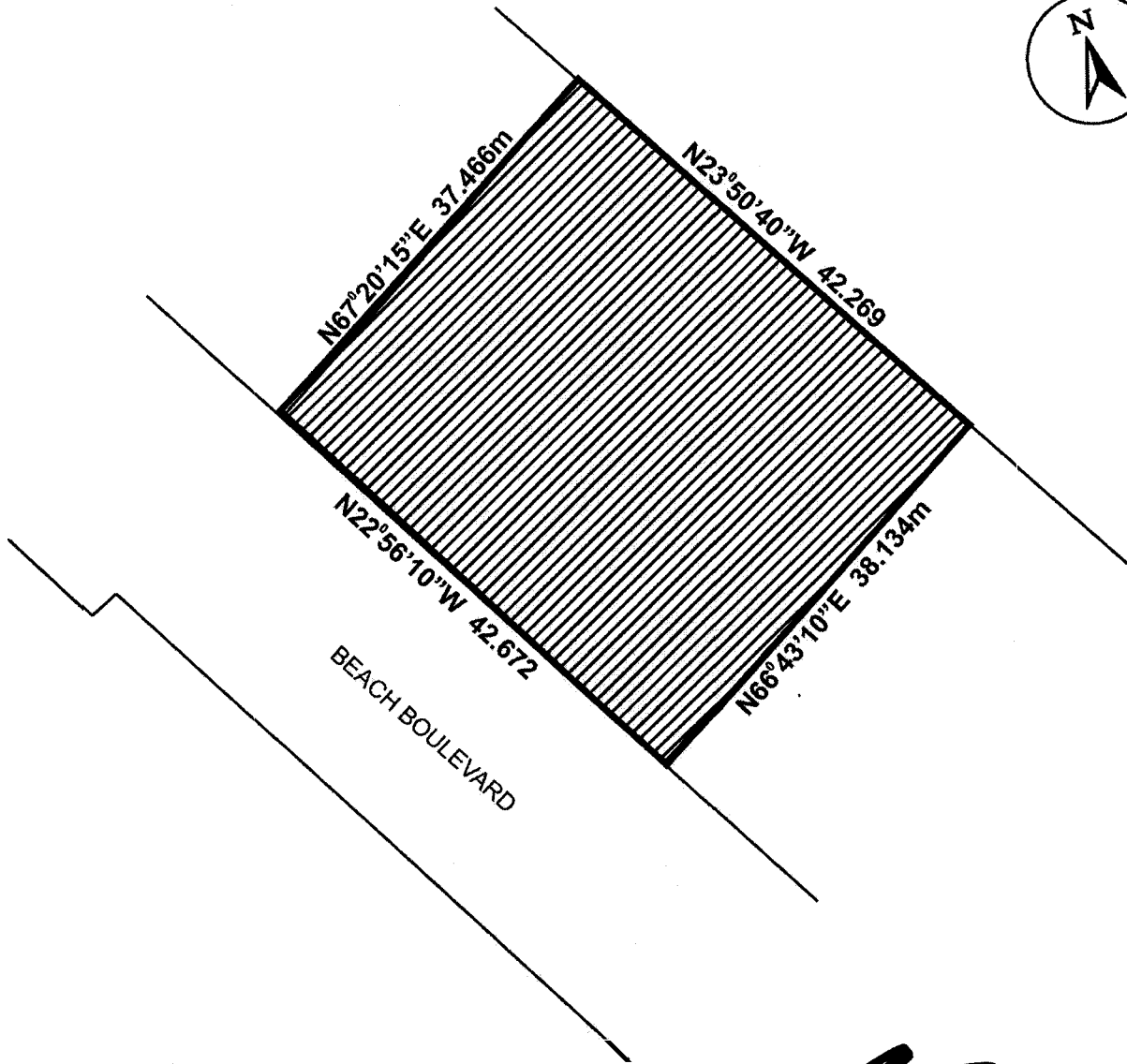


MAYOR



CLERK

ZAC-03-88/OPA-03-28



This is Schedule "A" to By-Law No.04—213

Passed the 15th day of September,2004

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 04-213
to Amend By-Law No 6593

Legend

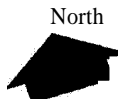


Subject Property
1067 Beach Boulevard
Change in Zoning from "H" (Community Shopping and Commercial, etc) District to "RT-30" (Street- Townhouse) District



Planning and Development Department

Hamilton



North

Scale
NOT TO SCALE

Date
August 04,2004

Reference File No.
ZAC-03-88/OPA-03-28

Drawn By

NB