

**Authority:** Item 14, Planning and Economic  
Development Committee  
Report 05-016(PED05045)  
CM: July 13,2005

**Bill No. 334**

**CITY OF HAMILTON**

**BY-LAW NO. 05-334**

**To Amend Zoning By-law No. 6593  
Respecting Lands Located at 264 Concession Street**

**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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Item 14 of Report 05-016 of the Planning and Economic Development Committee at its meeting held on the 13<sup>th</sup> day of July, 2005, 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 Plannina Act on June 1, 1982.

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

1. The "E-2" (Multiple Dwellings) District provisions, as contained in Section 11B of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent only of the following special requirements:

## **By-law respecting Lands Located at 264 Concession Street**

- (a) That notwithstanding Section 11B(1) of Zoning By-law 6593, a medical office shall be permitted on the first floor of the existing dwelling;
  - (b) That notwithstanding any regulation to the contrary of Zoning By-law No. 6593, the building existing on the day of the passing of this By-law shall be deemed to comply with the provisions of By-law No. 6593;
  - (c) That notwithstanding Section 18A(7) of Zoning By-law 6593, one parking space may have dimensions of not less than 2.7 metres wide and 5.5 metres long;
  - (d) That notwithstanding Section 18A(1)(f) of Zoning By-law 6593, the two parking spaces abutting Upper Wellington Street shall have a minimum maneuvering space of 5.5 metres in length;
  - (e) That notwithstanding Section 18A(11)(a) and Section 18A(12)(a) of Zoning By-law 6593, the boundary of the parking area shall be fixed not less than 1.0 metres from the adjoining residential district boundary and shall be landscaped with a planting strip, except for that portion of the parking area within 5.5 metres of the easterly lot line, which shall be fixed not less than 0.5 metres from the adjoining residential district and shall be a landscaped area;
  - (f) That notwithstanding Section 18A(14g) of Zoning By-law 6593, one parking space may be located within the required front yard; and,
  - (g) That notwithstanding Section 18A(26) of Zoning By-law 6593, the access driveway providing access to the site shall be located not less than 0.5 metres from the common boundary with the residential district, and the access driveway providing egress from the site shall be located not less than 1.5 metres from the common boundary with the residential district.
2. 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 "E-2" (Multiple Dwellings) District, Modified, provisions, subject to the special requirements referred to in Section 1.
  3. By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-1530.
  4. Sheet No. E-6 of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1530.

**By-law respecting Lands Located at 264 Concession Street**

5. 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 17<sup>th</sup>

day of November, 2005.



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MAYOR

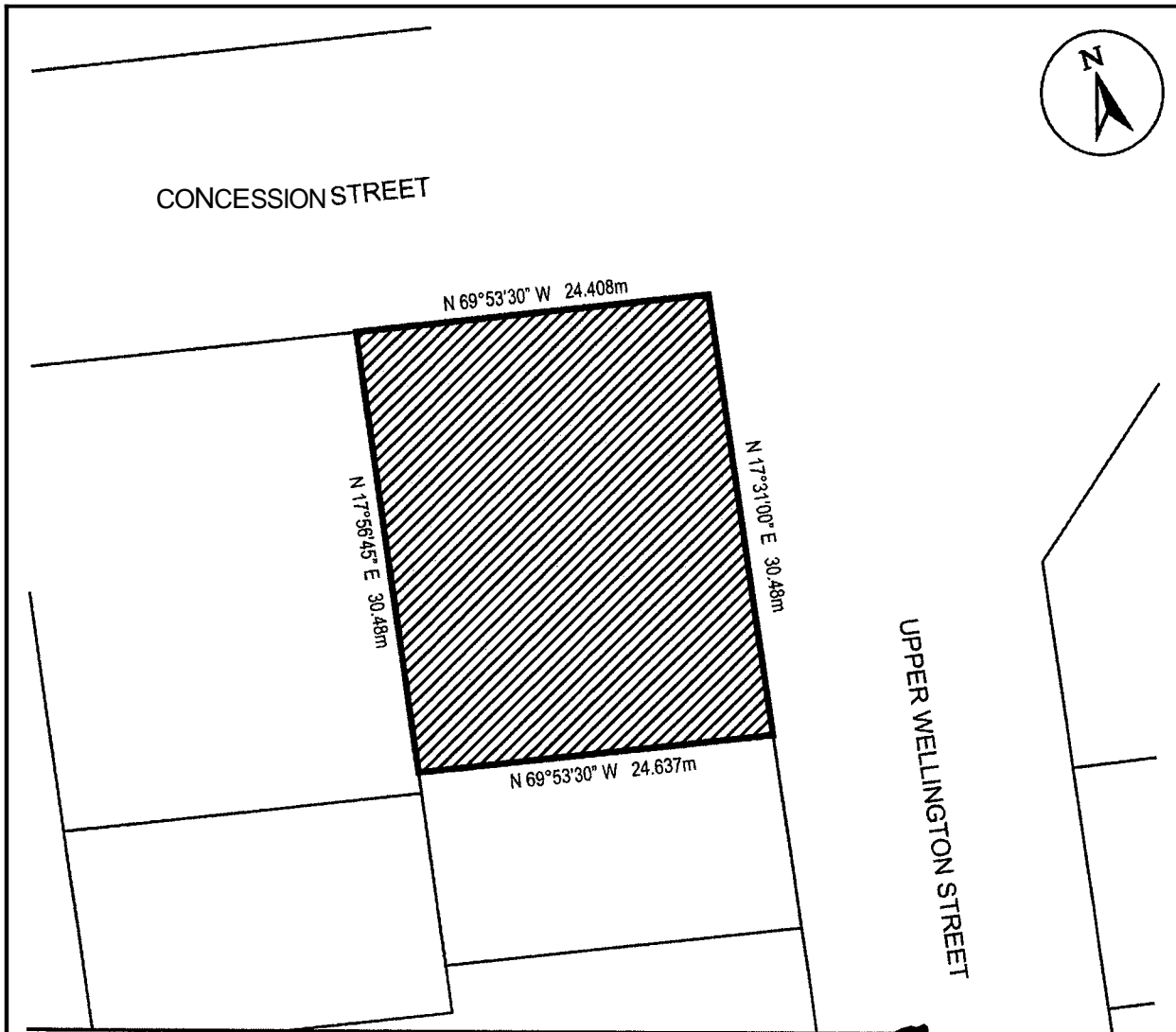


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CLERK


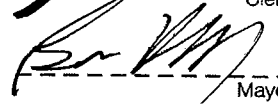
ZAR-05-32

**By-law respecting Lands Located at 264 Concession Street**



This is Schedule "A" to By-Law No. 05-334

Passed the 17th day of November, 2005

  
 Clerk  
  
 Mayor

## Schedule "A"

Map Forming Part of  
 By-Law No. 05-334  
 to Amend By-Law No 6593

### Subject Property 264 Concession Street



Modification to the "E-2 (Multiple Dwelling) District



Planning and Economic Development Department  
 Hamilton



Scale:

File Name/Number:

Date:  
 June 2005

Planner/Technician:  
 HT/JP