

Authority: Item 39, Planning and Economic
Development Committee
Report; 05-027 (PED05200)
CM: December 14, 2005

Bill No. 029

CITY OF HAMILTON

BY-LAW NO. 06-029

**To Amend Zoning By-law No. 6593, as amended by By-law 96-109
Respecting Lands Located at 811 King Street West**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 39 of Report 05-027 of the Planning and Economic Development Committee at its meeting held on the 15th day of December, 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 Planning Act on June 1, 1982.

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

1. The "H/S-1361" (Community Shopping and Commercial, etc.) District, Modified, provisions, as contained in Section 14 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 additional special requirements:

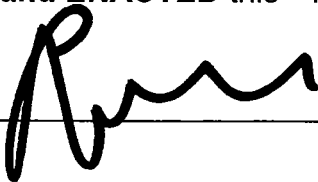
By-law respecting 811 King Street West (Page 2 of 3)

- (a) That notwithstanding Section 14(1) of Zoning By-law 6593, a multiple dwelling containing a maximum of 5 dwelling units shall be permitted only within the building existing on the day of the passing of this By-law, being February 15, 2006;
 - (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, being February 15, 2006, shall be deemed to comply with the provisions of By-law No. 6593, as amended by By-law 96-109;
 - (c) That notwithstanding Section 18A(1)(f) of Zoning By-law 6593, a maneuvering space of not less than 5.0 metres in length shall be provided abutting upon and accessory to every required parking space for a multiple dwelling within the building existing on the day of the passing of this By-law, February 15, 2006; and,
 - (d) That notwithstanding Section 18A(1)(c) of Zoning By-law 6593, no loading space shall be required for a multiple dwelling within the building existing on the day of passing of this By-law, February 15, 2006
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 "H/S-1361" (Community Shopping and Commercial, etc.) 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-1539
 4. Sheet No. W-22 of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1539.
 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 15th

day of February, 2006.

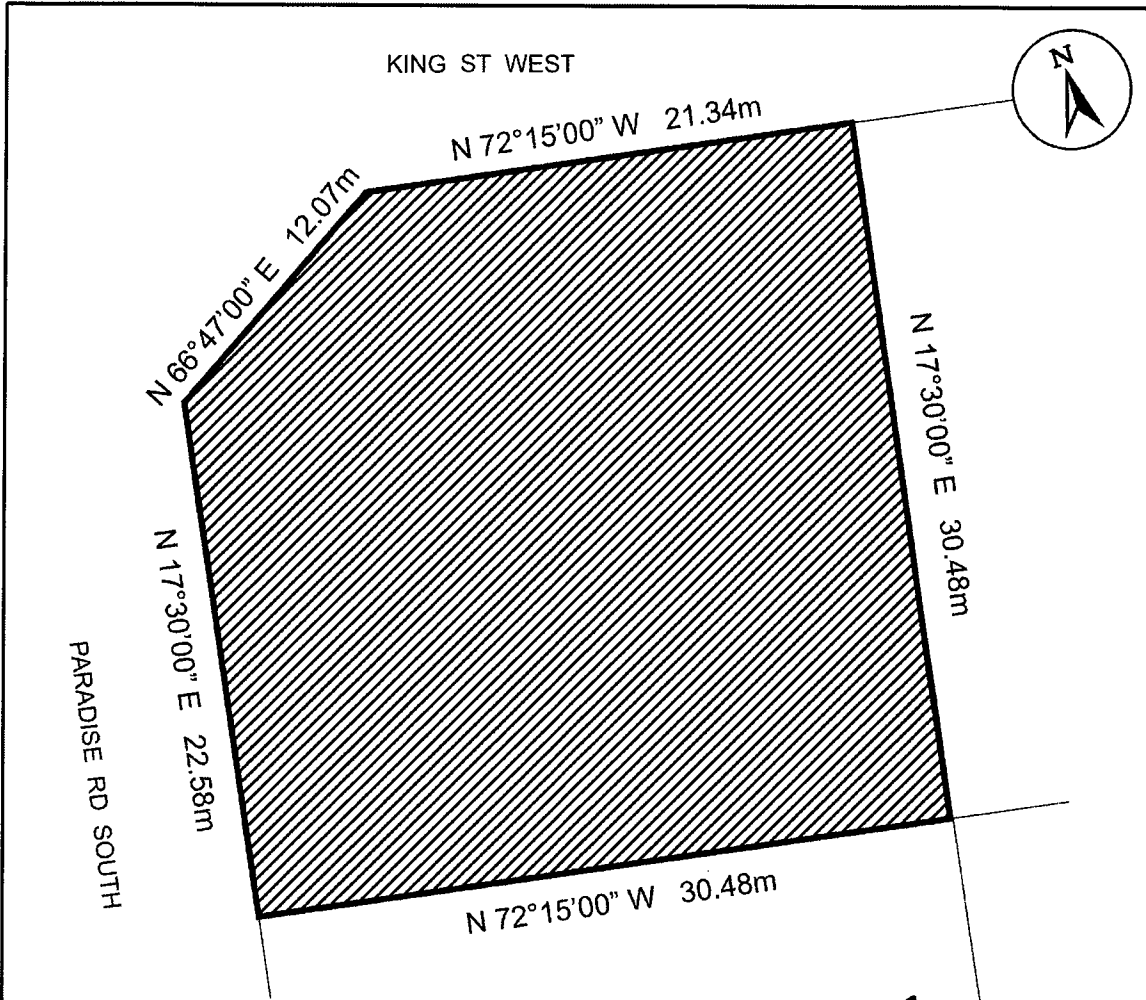
MAYOR



CLERK





ZAR-05-101



This is Schedule "A" to By-Law No. 06-029

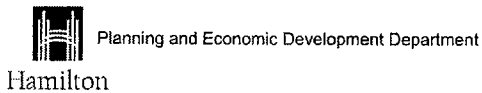
Passed the 15th day of February, 2006


Clerk



Mayor


Schedule "A"

Map Forming Part of
By-Law No. 06-029
to Amend By-Law No. 6593



Subject Property 811 King Street West (Hamilton)

 Modification to the "H" (Community Shopping and Commercial, etc.) Zone

| | | |
|---|-------------------------------|--|
|  | Scale: Not to Scale | File Name/Number: ZAR-05-101 |
| | Date: November 2005 | Planner/Technician: HT/MZ |
| T&C File Name: | | |