

Authority: Item 11, Planning and Economic
Development Committee
Report ; 06-006 (PED06068)
CM: April 26, 2006

Bill No. 112

CITY OF HAMILTON

BY-LAW NO. 06-112

**To Amend Zoning By-law No. 6593 (Hamilton), Respecting the Property Located at
709, 715 Main Street East and 104 Sherman Avenue South**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 11 of Report 06-006 of the Planning and Economic Development Committee at its meeting held on the 26th day of April, 2006, 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:

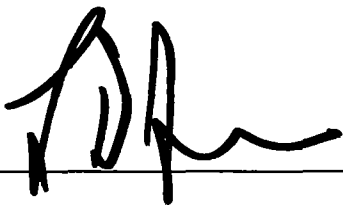
1. That Sheet No. E-22 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified, the lands composed of Blocks "1", "2", and "3", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

By-law Respecting 709, 715 Main Street East and 104 Sherman Avenue South (Page 2 of 3)

2. That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593, applicable to the lands comprised of Block "1", are amended to include the following special provision:
 - a) That notwithstanding Section 11, the building existing at the time of the passing of this By-law, being April 26, 2006, shall be permitted and contain a maximum of 12 dwelling units.
3. That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593, applicable to the lands composed of Block "2", are amended to include the following special provision:
 - a) That notwithstanding Section 11, the building existing at the time of the passing of this By-law, being April 26, 2006, shall be permitted and contain a maximum of 31 dwelling units.
4. That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593, applicable to the lands composed of Block "3", are amended to include the following special provision:
 - a) That notwithstanding Section 11, the building existing at the time of the passing of this By-law, being April 26, 2006, shall be permitted and contain a maximum of 16 dwelling units.
5. 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" (Multiple Dwellings, Lodges, Clubs, etc.) District, provisions, subject to the special requirements referred to in Sections 2, 3 and 4.
6. Zoning By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1543.
7. Sheet No. E-22 of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1543.
8. 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.

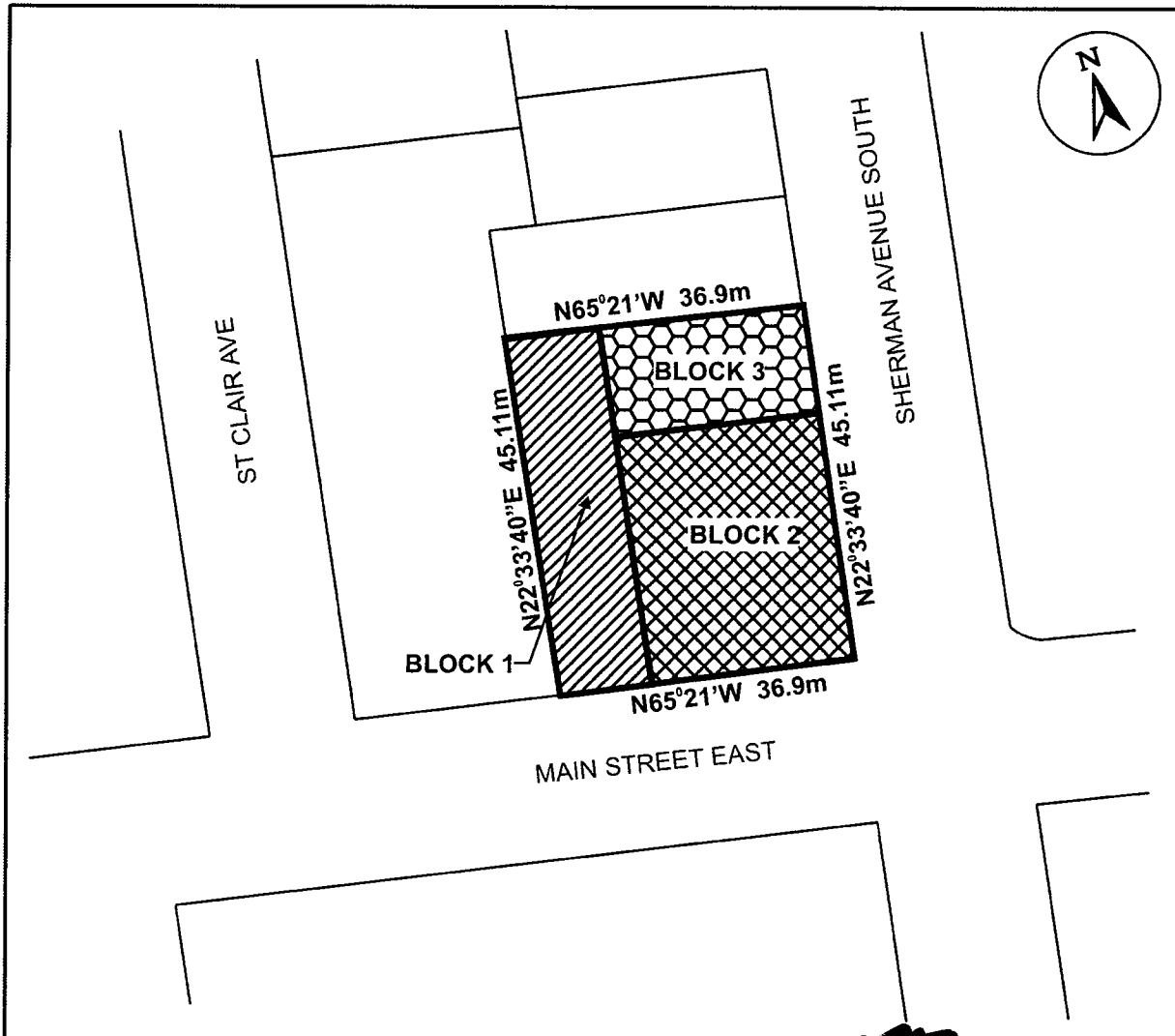
PASSED and ENACTED this 26th day of April , 2006.

MAYOR



CLERK





This is Schedule "A" to By-Law No. 06-112

Passed the 26th day of April, 2006




[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 06-112
to Amend By-Law No. 6593



Subject Property

-  BLOCK 1 – Change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified
-  BLOCK 2 – Change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified
-  BLOCK 3 – Change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified



Scale:
Not to Scale

Date:
February 13, 2006

File Name/Number:
ZAC-05-91

Planner/Technician:
SM/NB

T&C File Name: