

Authority: Item 25, Planning and Economic
Development Committee
Report 06-013(PED06198)
CM: July 12, 2006

Bill No. 214

CITY OF HAMILTON

BY-LAW NO. 06-214

**To Amend Zoning By-law No. 6593
Respecting the Property Located at
780 Upper Paradise Road**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 25 of Report 06-013 of the Planning and Economic Development Committee at its meeting held on the 12th day of July, 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. W-37c of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the zoning from the "DE/S-1389" (Low Density Multiple Dwellings) District, Modified to the "DE-3/S-1555" –

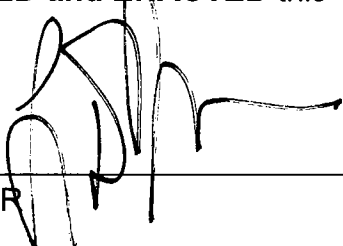
'H' (Multiple Dwellings - Holding) District, Modified, the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That the 'H' symbol applicable to the lands referred to in Section 1 of this By-law shall be removed conditional upon,
 - i) An archaeological assessment prepared by a qualified professional, to the satisfaction of the Ministry of Culture; and,
 - ii) A noise assessment prepared by a qualified professional in accordance with the Ministry of Environment Guidelines, to the satisfaction of the City of Hamilton, Director of Development and Real Estate.

City Council may remove the 'H' symbol and, thereby give effect to the "DE-3/S-1555" (Multiple Dwellings) District as amended by the special requirements of Section 3 as stipulated in this By-law, by enactment of an amending By-law once the above conditions have been fulfilled.

3. That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special provision:
 - a) Section 18A(i)(c) shall not apply.
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 "DE-3" (Multiple Dwellings) District provisions, subject to the special requirement referred to in Section 3 of this By-law.
5. That By-law No. 6593 (City of Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1555.
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 12th day of July, 2006.

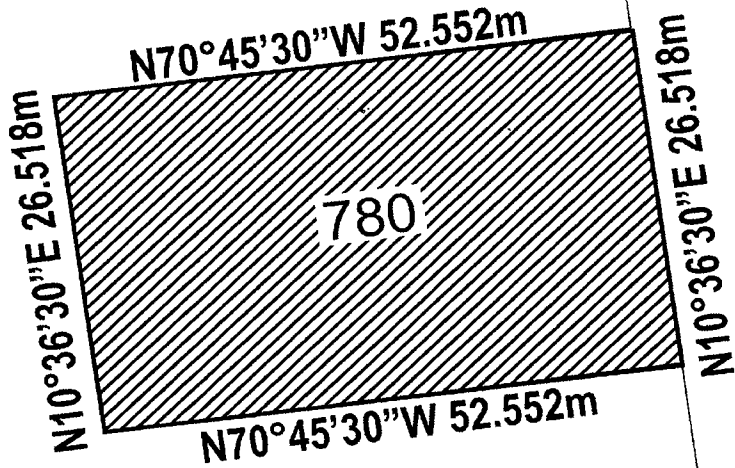


MAYOR



CLERK

ZAC-06-25



UPPER PARADISE RD

This is Schedule "A" to By-Law No. 06—214

Passed the 12th day of July, 2006

[Signature]
Clerk

[Signature]
Mayor

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Schedule "A"

Map Forming Part of
By-law No. 06- 214

to Amend By-law No. 6593

Subject Property

780 Upper Paradise Road



Change is Zoning from the DE/S-1389 (Low Density Multiple Dwellings) District, Modified to the DE-3/S-1555 - 'H' (Multiple Dwellings - Holding) District, Modified.

Scale:
Not to Scale

File Name/Number:
ZAC-06-25

Date:
June 2006

Planner/Technician:
SD/LM

