

**Authority:** Item 19, Economic Development and  
Planning Committee  
Report: 08-024 (PED08288)  
CM: December 10, 2008

**Bill No. 295**

**CITY OF HAMILTON**

**BY-LAW NO. 08-295**

**To Amend Zoning By-law No. 6593 (Hamilton),  
Respecting 1081, 1091, 1097 and 1105 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25<sup>th</sup> day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7<sup>th</sup> day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 19 of Report 08-024 of the Planning and Economic Development Committee at its meeting held on the 10<sup>th</sup> day of December, 2008, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**AND WHEREAS** this by-law will be in conformity with the Official Plan of the Hamilton Planning Area, as amended, approved by the Minister under the Planning Act on June 1, 1982 upon approval of Official Plan Amendment No. 215

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

1. That Sheet No. E-80g of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by:

**Zoning By-law Respecting 1081, 1091, 1097 and 1105 Beach Boulevard**

(Page 2 of 3)

- (a) changing the zoning from the "H/S-1435" (Community Shopping Centre and Commercial, Etc.) District to the "RT-30-H" (Street Townhouse - Holding) District,

on 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 (a) of this By-law shall be removed conditional upon:

- (a) The Owner submitting and receiving approval of an Archaeological Assessment, to the satisfaction of the City's Manager of Community Planning and the Ministry of Culture;

- (b) The Owner submitting and receiving approval of an acoustical report that will determine and implement noise control measures that meet the Ministry of the Environment's recommended sound level limits, to the satisfaction of the City's Manager of Development Planning; and,

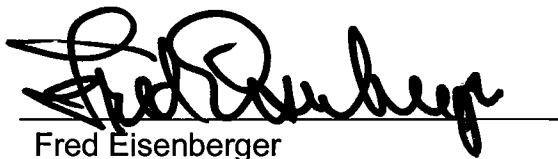
- (c) The Owner submitting and receiving approval of a Record of Site Condition, to the satisfaction of the City's Manager of Development Planning, which will include acknowledgement of receipt of the RSC by the Ministry of the Environment (MOE) and submission of the City of Hamilton's current RSC administration fee.

City Council may remove the 'H' symbol and, thereby give effect to the "RT-30" (Street Townhouse) District, by enactment of an amending By-law, once the above conditions have been fulfilled.

3. That 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 following the removal of the 'H' symbol.

4. That 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.

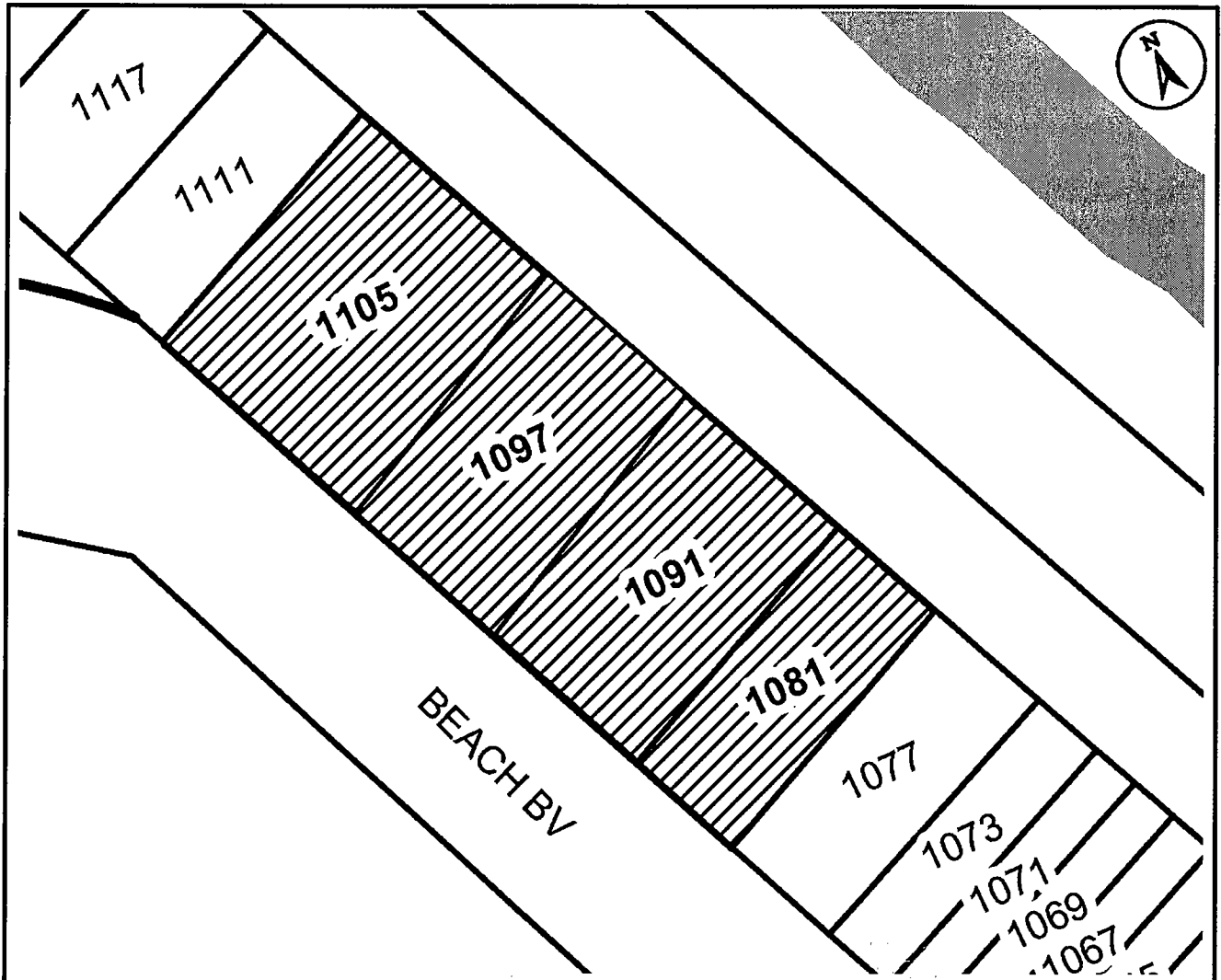
**PASSED and ENACTED** this 10<sup>th</sup> day of December, 2008.



Fred Eisenberger  
Mayor



Kevin C. Christenson  
City Clerk



This is Schedule "A" to By-Law No. 08-

Passed the 10 day of December, 2008

*[Signature]*  
 Clerk  
 Mayor

### Schedule "A"

Map Forming Part of  
 By-Law No. 08-295

to Amend By-law No. 6593

#### Subject Property

1081, 1091, 1097, & 1105 Beach Blvd



Change of Zoning from the "H/S-1435"  
 (Community Shopping Centre and  
 Commercial, etc.) District, modified to the  
 "RT-30-H" (Street Townhouse-Holding) District.

Scale: N.T.S.	File Name/Number: ZAC-06-98 & OPA-06-25
Date: October 23, 2008	Planner/Technician: CB/NH
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

