

Authority: Item 4, Planning Committee
Report: 11-008 (PED10060 (a))
CM: April 27, 2011

Bill No. 115

CITY OF HAMILTON

BY-LAW NO. 11-115

**To Amend Zoning By-law No. 6593 (Hamilton),
Respecting 399 Greenhill Avenue**

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Plan of the former Regional Municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 4 of Report 11-008 of the Planning Committee, at its meeting held on the 27th day of April, 2011, 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.

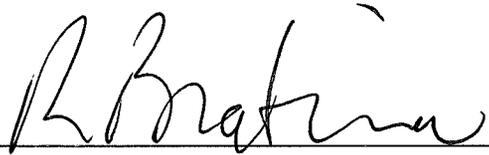
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet Nos. E-87 and E-88 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), are amended by changing the zoning from the "G-1" (Designed Shopping Centre) District to the "G-1/S-1627" (Designed Shopping Centre) District, Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

By-law Respecting 399 Greenhill Avenue (Page 2 of 3)

2. That the "G-1" (Designed Shopping Centre) District provisions, as contained in Section 13A of Zoning By-law No. 6593, be modified to include the following special provisions:
 - (a) That notwithstanding Section 13A(i) of Zoning By-law No. 6593, a maximum of 7 dwelling units in the same building with a commercial use shall be permitted on the second floor of the building existing at the time of passage of the by-law, being the 27th day of April, 2011.
3. That Zoning By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1627.
4. 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 "G-1" District provisions, subject to the special requirements referred to in Section 2.
5. That Sheet Nos. E-87 and E-88 of the District Maps are amended by marking the lands referred to in Section 1 of this by-law as S-1627.
6. 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 this 27th day of April, 2011.

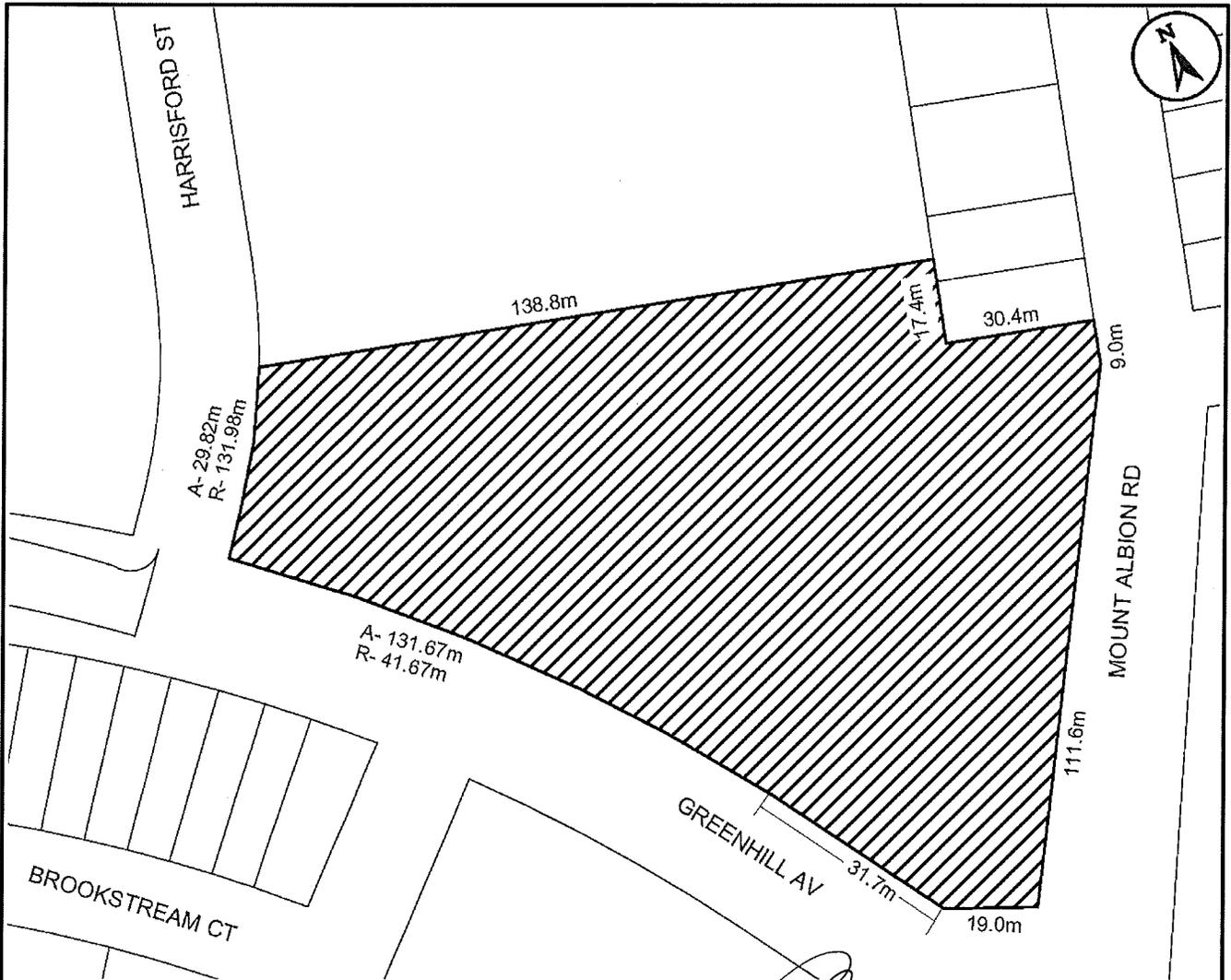


R. Bratina
Mayor



R. Caterini
City Clerk

ZAC-09-052



This is Schedule "A" to By-Law No. 14 115

Passed the ..27.th. day of April....., 2011

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 11-115

to Amend By-law No.6593

Subject Property

399 Greenhill Avenue, Hamilton



Lands to be rezoned from the "G-1" (Designed Shopping Centre) District to the "G-1/S-1627" (Designed Shopping Centre) District, Modified.

Scale:
 N.T.S.

File Name/Number:
 ZAC-09-052

Date:
 March 8, 2011

Planner/Technician:
 MB/AL



Hamilton