

Authority: Item 3, Planning Committee
Report 15-003 (PED15016)
CM: February 25, 2015

Bill No. 059

CITY OF HAMILTON

BY-LAW NO. 15-059

**To Amend Zoning By-law No. 6593 (Hamilton),
as amended by Zoning By-law 03-306
Respecting Lands located at 1749 and 1755 Upper James Street, in the City of
Hamilton**

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Plan of the former regional municipality, continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 3 of Report 15-003 of the Planning Committee, at its meeting held on the 25th day of February, 2015, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan.

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

1. That Sheet No. E9e of the District maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended by changing from the "B" (Suburban Agriculture and Residential) District, to the "HH/S-1490a" (Restricted Community Shopping and Commercial, etc.) District Modified;

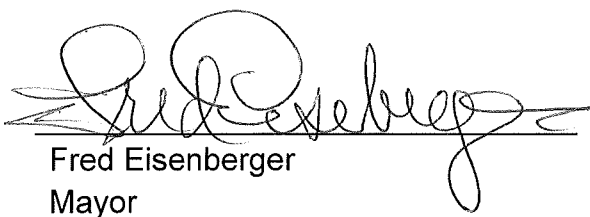
the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That the provisions contained in Section 2 of Zoning By-law No. 03-306 shall apply.
3. In addition to the special requirements referred to in Section 2 of this By-law, the following additional requirement shall also be required.

That the "HH" (Restricted Community Shopping and Commercial, etc.) District regulations, as contained in Section 14A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special provisions:

- (a) That notwithstanding Section 14A (7) (a) of Zoning By-law No. 6593, a minimum 3m wide planting strip shall be provided and maintained along the entire southerly lot line.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1490a.
5. That Sheet No E-9e of the District Maps is amended by marking the lands referred in section 1 of this by-law as S-1490a.
6. 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 "HH" (Restricted Community Shopping and Commercial, etc.) District provisions, subject to the special requirements referred to in Sections 2 and 3.
7. 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 25th day of February, 2015.


Fred Eisenberger
Mayor


Rose Caterini
City Clerk

To Amend Zoning By-law No. 6593 (Hamilton),
as amended by Zoning By-law 03-306
Respecting Lands located at 1749 and 1755 Upper James Street, in the City of Hamilton



This is Schedule "A" to By-law No. 15- 059
Passed the 25 day of February, 2015

[Signature]
Mayor
[Signature]
Clerk

Schedule "A"

Map Forming Part of
By-law No. 15- 059

to Amend By-law No. 6593

Subject Property

1749 & 1755 Upper James Street



Lands to be rezoned from the "B" (Suburban Agricultural and Residential) District to the "HH/S-1490a" (Restricted Community Shopping and Commercial, etc). District Modified

Scale: N.T.S.	File Name/Number: ZAR-13-038
Date: January 9, 2015	Planner/Technician: DB/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	



Hamilton