

Authority: Item 20, Planning and Economic
Development Committee
Report 05-014 (PED05021)
CM: July 18, 2005

Bill No. 226

CITY OF HAMILTON

BY-LAW NO. 05-226

**To Amend Zoning By-law No. 06593
Respecting Lands Located at 675 Strathearne 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 20 of Report 05-014 of the Planning and Economic Development Committee at its meeting held on the 29th day of June, 2005, 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-61 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing from "K" (Heavy Industry, etc.) District to "K/S-1527"-H' (Heavy Industry, etc. - Holding) District, Modified, the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

By-law respecting Lands Located at 675 Strathearne Avenue

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2. That the 'H' symbol applicable to the lands referred to in section 1 shall be removed conditional upon,
- i) The owner/applicant submitting a signed Record of Site Condition to the satisfaction of the Ministry of Environment.

City Council may remove the 'H' symbol and, thereby give effect to the "K" (Heavy Industry, etc.) 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 condition has been fulfilled.

3. That the " K (Heavy Industry, etc.) District regulations as contained in Section 17(1) of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following:
- a) that notwithstanding Section 17 (1), a private utility (electrical generating facility) shall be permitted; and
 - b) that notwithstanding Section 17 (1) , outdoor storage shall be permitted, subject to the following special requirements:
 - (i) Maximum lot area of outdoor storage..... 10, 000 square metres
 - (ii) Maximum height of outdoor storage..... 4.5 metres.

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 "K" (Heavy Industry, etc.) District, Modified provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1527.

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 10th

day of August, 2005.

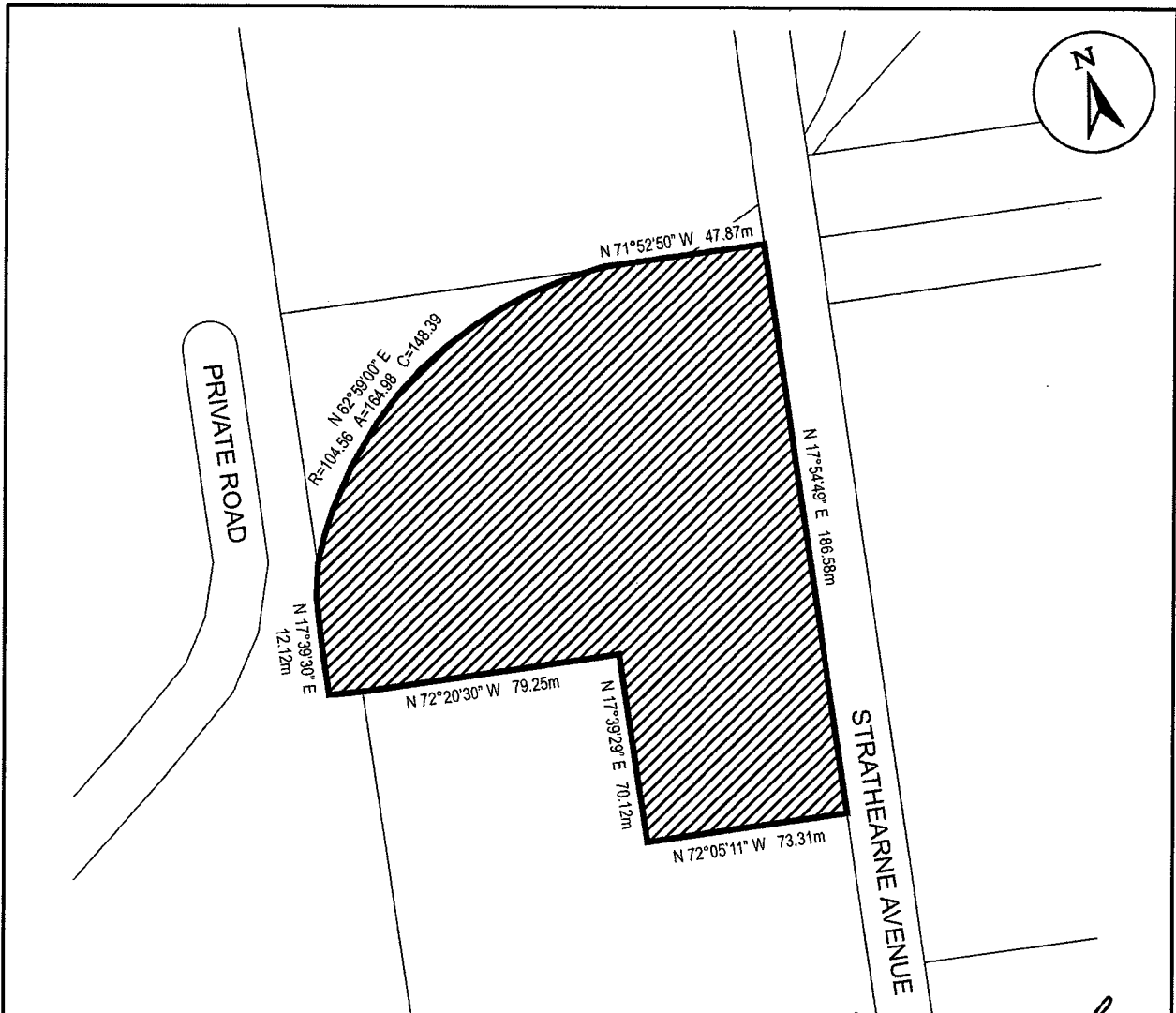
MAYOR



CLERK

By-law respecting Lands Located at 675 Strathearne Avenue

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This is Schedule "A" to By-Law No. 05-226

Passed the 10th day of August, 2005

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 05-226
to Amend By-Law No. 6593



Subject Property

675 Strathearne Avenue

Change in Zoning from "K (Heavy Industry, etc.)
District to "K/S-1527 - 'H' (Heavy Industry, etc. -
Holding) District, Modified



Hamilton

North



Scale:
Not to Scale

Date:
March 18, 2005

File Name/Number:
ZAR-05-26

Planner/Technician:
SM/MC