

Authority: Item 18, Planning and Economic
Development Committee
Report 06 -013 (PED06204)
CM: July 12, 2006

Bill No. 207

CITY OF HAMILTON

BY-LAW NO. 06-207

**To Amend Zoning By-law No. 6593 (Hamilton),
respecting lands located at 500, 502 & 510 Concession Street &
340 Upper Wentworth Street**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Hamilton" and is the successor of 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 18 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. E-9e of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended, is hereby amended:

By-law respecting lands located at 500, 502 & 510 Concession Street & 340 Upper Wentworth Street

- (a) by changing **Block “1”** from the “H” (Community Shopping and Commercial, etc.) District to the “H”-‘H’ (Community Shopping and Commercial, etc. - Holding) District, Modified;
- (b) by changing **Block “2”** from the “G-3/S-11” (Public Parking Lots) District, Modified to the “H” – ‘H’ (Community Shopping and Commercial, etc. - Holding) District, Modified; and,
- (c) by changing **Block “3”** from the “G-3” (Public Parking Lots) District to the “H” – ‘H’ (Community Shopping and Commercial, etc. - Holding) District, Modified;

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

2. That the “H” (Community Shopping and Commercial, etc.) District, regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to Block “1”, “2” and “3” in Section 1, be modified to include the following special requirements:
 - (a) That notwithstanding Section 14(3) (ii)(a) of Zoning By-law 6593, a side yard of a depth of at least 12 metres shall be provided and maintained from a residential lot line.
 - (b) That notwithstanding Section 18A(1) (f) of Zoning By-law 6593, a maneuvering space abutting upon and accessory to each required parking space having a parking angle of 90 degrees, shall have a minimum aisle width of 5.5m.
 - (c) That notwithstanding Section 18A (7) of Zoning By-Law 6593, every required parking space, other than a parallel parking space, shall have dimensions not less than 2.6m wide and 5.75m long.
3. The ‘H’ symbol applicable to the lands referred to in Section 1 of this By-law shall be removed conditional upon
 - (a) The owner submitting a signed Record of Site Condition (RSC) to the City of Hamilton and the Ministry of Environment (MOE). This RSC must be to the satisfaction of the City of Hamilton’s Manager of Development Planning, including an acknowledgement of receipt of the RSC by the MOE.

The ‘H’ symbol shall be removed by amendment to this By-law and the development of the lands referred to in Section 1 of this By-law may at such time proceed in accordance with the “H” District provisions, subject to the special requirements referred to in Section 2 of this By-law.

4. No building or structure shall be erected, altered or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with

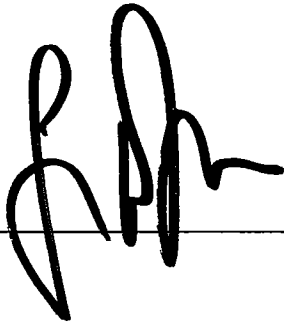
By-law respecting lands located at 500, 502 & 510 Concession
Street & 340 Upper Wentworth Street

the "H" District provisions, subject to the special requirements referred to in Section 2.

5. By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1554.
6. Sheet No. E-9e of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1554.
7. 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.

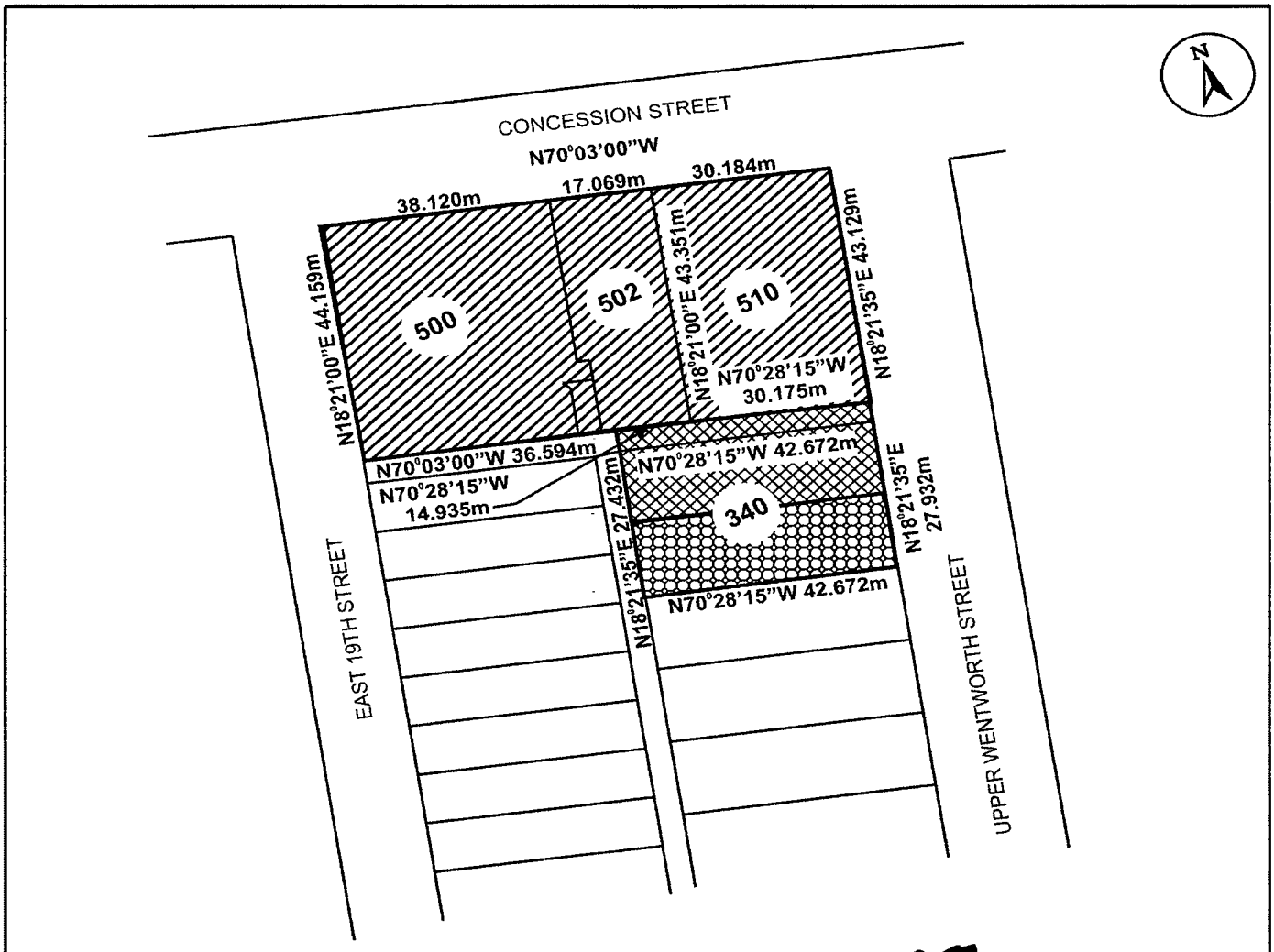
MAYOR
ZAC-06-15



CLERK



By-law respecting lands located at 500, 502 & 510 Concession Street & 340 Upper Wentworth Street



This is Schedule "A" to By-Law No. 06-207

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. 06-207

to Amend By-law No. 6593

Subject Property

500, 502 and 510 Concession Street and
340 Upper Wentworth Street (Hamilton)



Block 1 - Change in zoning from "H" (Community Shopping and Commercial, etc.) District to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District, Modified.



Block 2 - Change in zoning from "G-3/S-11" (Public Parking Lots) District, Modified to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District, Modified.



Block 3 - Change in zoning from "G-3" (Public Parking Lots) District to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District, Modified.

Scale:
Not to Scale

File Name/Number:
ZAC-06-15

Date:
March 14, 2006

Planner/Technician:
EJ/NB

