

Authority: Item 16, Planning and Economic
Development Committee
Report 06-016 (PED06366)
CM: September 27, 2006

Bill No. 285

CITY OF HAMILTON

BY-LAW NO. 06-285

**To Amend Zoning By-law No. 6593 (Hamilton),
as Amended by By-law No. 04-296 and By-law No. 05-120
Respecting Lands Located at 872 Concession Street**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 16 of Report 06-016 of the Planning and Economic Development Committee at its meeting held on the 27th day of September 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:

By-law Respecting 872 Concession Street

1. Sheet No. E-35 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing from the "D/S-1523" (Urban Protected Residential – One and Two Family Dwelling, etc.) District to the "D/S-1562" (Urban Protected Residential – One and Two family Dwellings. etc.), the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. The "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District provisions applicable to the lands referred to in Section 1 are amended to the extent of the following special requirements:
 - (a) Notwithstanding Subsection 10(1) of Zoning By-law No.6593, the following uses shall also be permitted:
 - (i) A General Office Use and one (1) residential dwelling unit within the building existing on the date of the passing of this By-law being September 27, 2006; and,
 - (ii) One business identification ground sign accessory to the commercial use having a maximum sign area of 2.3 square metres and a maximum height of 2.2 metres. The sign is to be setback a minimum of 4.5 metres from Concession Street and a minimum of 5.0 metres from East 36th Street.
3. 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 "D" District provisions, subject to the special requirements referred to in Section 2 of this By-law.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1562.
5. 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 27th day of September, 2006.

MAYOR

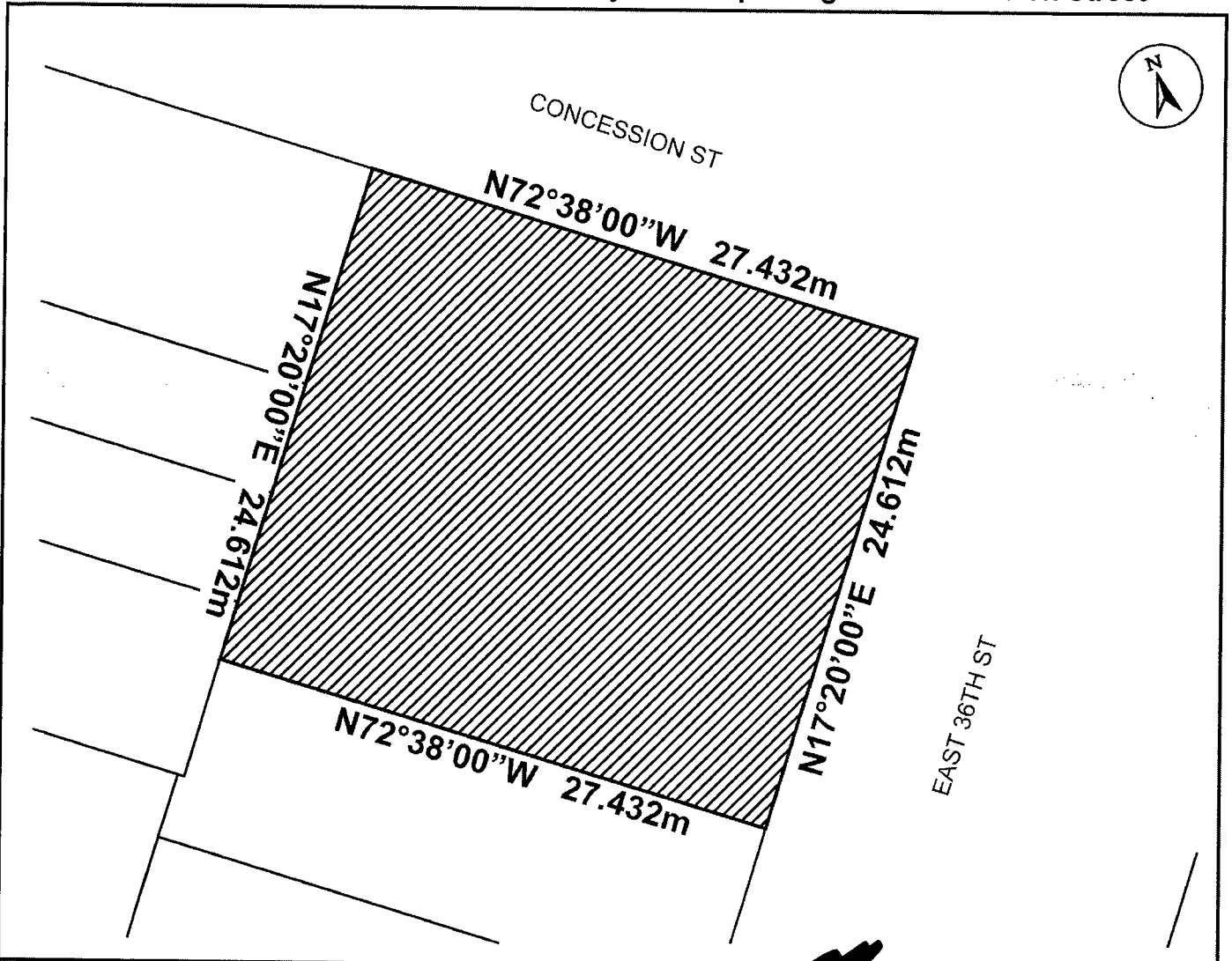


ZAC-06-45

CLERK



By-law Respecting 872 Concession Street



This is Schedule "A" to By-Law No. 06— 285

Passed the 27th day of September, 2006

[Signature]
 Clerk

 Mayor

Schedule "A"

Map Forming Part of
 By-law No. 06- 285


to Amend By-law No. 6593

Subject Property

872 Concession Street



Further Modification to the "D/S-1523" (Urban Protected Residential - One and Two Family Dwellings) District

Scale: Not to Scale	File Name/Number: ZAR-06-045	
Date: June 2006	Planner/Technician: DF/VV	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Hamilton