

Authority: Item: 6, Planning Committee
Report: 11-021 (PED11147(a))
CM: November 30, 2011

Bill No. 290

CITY OF HAMILTON

BY-LAW NO. 11-290

**To Amend Zoning By-law No. 6593 (Hamilton), as Amended,
Respecting Lands Located at 252-254 Locke Street South (Hamilton)**

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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Zoning By-law No. 6593 (Hamilton) was enacted 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 6 of Report 11-021 of the Planning Committee, at its meeting held on the 30th day of November, 2011, recommended that Zoning By-law No. 6593 (Hamilton) be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former City of Hamilton);

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

1. That Sheet No. W-13 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), as amended, is hereby further amended as follows:

- (a) That Block 1 be rezoned from the "H" (Community Shopping and Commercial) to the "H/S-1644" (Community Shopping and Commercial, etc.) District, Modified; and,
- (b) That Block 2 be rezoned from the "H" (Community Shopping and Commercial, etc.) District and "D" (Urban Protected Residential - 1 and 2 Family Dwelling) District, to the "H/S-1644" (Community Shopping and Commercial, etc.) District, Modified,

on the lands the extent and boundaries of which are more particularly shown on Schedule "A" annexed hereto and forming part of this By-law.

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, be modified to include the following special requirements:

- Block 1
- a) In accordance with Section 39 of the Planning Act, R.S.O. 1990, the temporary use of the lands for an outdoor patio, having a maximum seating accommodation of 36 persons located only in the rear yard and accessory to a restaurant use of the land at No. 252-254 Locke Street South, for a period not exceeding three years from the day of the passing of this By-law being the 30th day of November, 2011, shall be permitted.

3. That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14 of Zoning By-law No. 6593, applicable to Block 2, be modified to include the following special requirements:

- Block 2
- a) Notwithstanding range of uses permitted in Section 14.1 of By-law 6593, only a garage and associated manoeuvring area for the parking of vehicles is permitted.
 - b) Section 18A(36) 1 b) of By-law No. 6593 shall not apply.
 - c) Section 18A(36) 2 of By-law No. 6593 shall not apply.

4. That By-law No. 6593 (City of Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1644.

5. That Sheet W-13 of the District maps is amended by making the lands referred to in Section 1 of this By-law as Schedule S-1644.
6. 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 "H" District provisions, subject to the special requirements in Sections 2 and 3 of this By-law.
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 this 30th day of November, 2011.

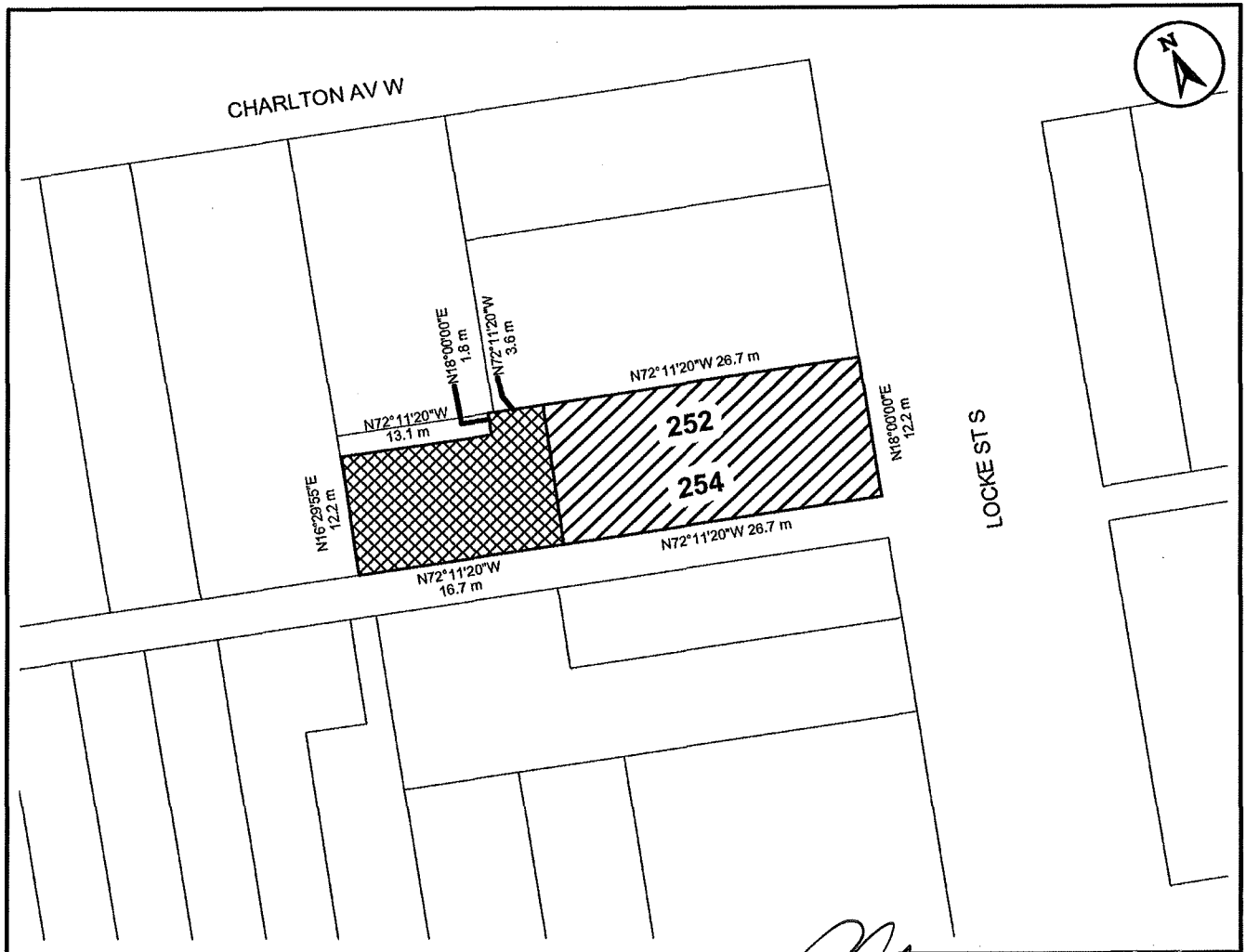


R. Bratina
Mayor



R. Caterini
City Clerk

ZAC-11-003



This is Schedule "A" to By-Law No. 11-290

Passed the 30th day of November, 2011

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 11-290

to Amend By-law No. 6593

Subject Property

252 - 254 Locke Street South



Block 1 - Change in Zoning from the Community Shopping and Commercial "H" District to the Community Shopping and Commercial "H/S-1644" District, Modified.



Block 2 - Change in Zoning from the Community Shopping and Commercial "H" District and Urban Protected Residential - One and Two Family Dwelling "D" District to the Community Shopping and Commercial "H/S-1644" District, Modified.

Scale:
 N.T.S.

File Name/Number:
 ZAR-11-003

Date:
 June 9, 2011

Planner/Technician:
 DB/KA



Hamilton