

Authority: Item 16, Planning Committee
Report: 12-019 (PED12118)
CM: December 12, 2012

Bill No. 287

CITY OF HAMILTON

BY-LAW NO. 12-287

**To Amend Zoning By-law No. 05-200,
Respecting Lands Located at 586 Beach Road (Hamilton)**

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, S.O. 1999, Chap. 14;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

AND WHEREAS it is desirable to enact a new Zoning By-law to comprehensively deal with zoning throughout the City;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 16 of Report 12-019 of the Planning Committee, at its meeting held on the 12th day of December, 2012, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton, in accordance with the provisions of the Planning Act;

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

1. That Maps 958 and 959 of Schedule "A" - Zoning Maps, of Zoning By-law No. 05-200, be amended by changing the zoning from the Light Industrial (M6) Zone to the Light Industrial (M6, 447, H48) Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" to this By-law.

2. That Schedule "C" - Special Exceptions, of By-law No. 05-200, is hereby amended by adding the following Sub-section:

"447 Notwithstanding Sections 9.6.1, 9.6.2 and 9.6.3 of this By-law, on those lands zoned Light Industrial (M6) Zone, as identified on Map Nos. 958 and 959 of Schedule "A" - Zoning Maps, and described as 586 Beach Road (Hamilton), the following special requirements shall apply:

- (a) A Salvage Yard, only in conjunction with the existing Salvage Yard at 610 Beach Road, shall also be permitted;
- (b) An acoustical noise barrier fence of a height of 5.0m, shall be provided and maintained along the westerly side lot line that measures 74.98m in length. This fence shall be setback a minimum of 5.0m from this property line. A landscaped berm shall be provided and maintained between the fence and the property line.
- (c) A 5.0m high acoustical noise barrier fence or berm, or combination of acoustical noise barrier fence and berm, shall be provided and maintained along the northerly side lot line that measures 44.5m in length; and,
- (d) The lands located within 55m of the westerly side lot line that measures 74.98m in length shall only be used for the storage of finished sorted product, and no processing activity shall be permitted in this area."

3. That Schedule "D" - Holding Provisions, of By-law No. 05-200, be amended by adding the additional Holding Provision as follows:

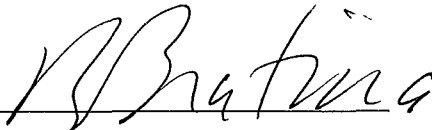
"48 Notwithstanding Section 9.6 of this By-law, within the lands zoned Light Industrial (M6, 447) Zone, on Map Nos. 958 and 959 of Schedule "A" - Zoning Maps, and described as 586 Beach Road (Hamilton), no development or change of use shall be permitted until such time as:

- (a) The owner has applied for and received final approval of a Site Plan Control Application, to the satisfaction of the Manager of Development Planning."


4. 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.

5. That this By-law No. 12-287, shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the Planning Act, either upon the date of passage of this By-law or as otherwise provided by the said Sub-section.

PASSED this 12th day of December, 2012.

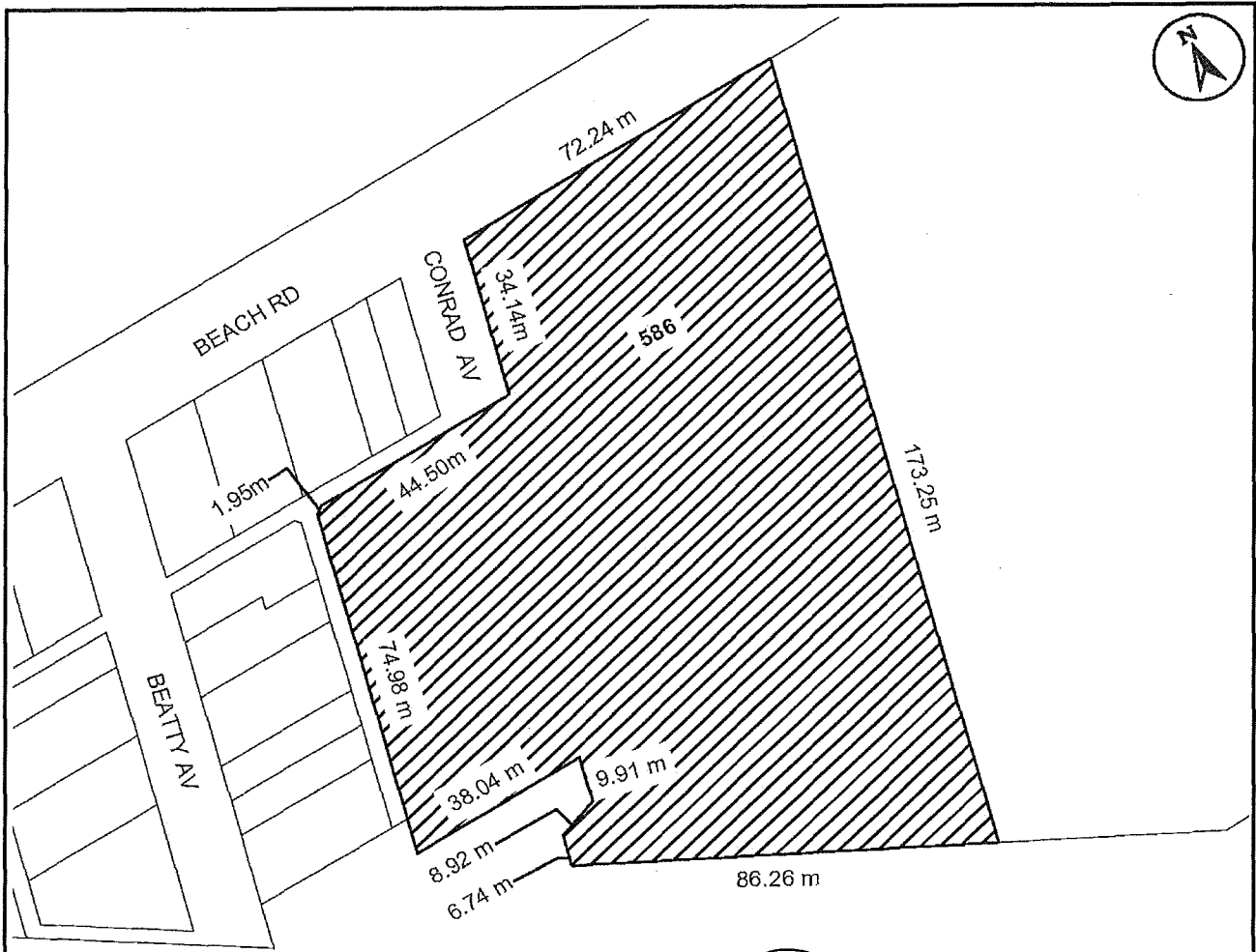


R. Bratina
Mayor



R. Caterini
City Clerk

ZAR-11-071



This is Schedule "A" to By-Law No. 12-287

Passed the ...12th day of ..December....., 2012

R. Bratina
 Mayor
[Signature]
 Clerk

Schedule "A"

Map Forming Part of
 By-Law No. 12-287

to Amend By-law No. 05-200
 Map 958 and 959

Subject Property

586 Beach Road, Hamilton



Change in Zoning from the Light Industrial (M6) Zone to the Light Industrial (M6, 447, H48) Zone

Scale:
 N.T.S.

File Name/Number:
 ZAR-11-071

Date:
 May 14, 2012

Planner/Technician:
 GM/KA



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT