SUBJECT: Repeal By-law No. 99-087 (To Amend Zoning By-law No. 6593 Respecting Lands located at Municipal Nos. 803, 819, 823, 865 and 871 West 5th Street) – Duplication of By-law (CL08004) (Ward 8)

RECOMMENDATION:

That the by-law, attached as Appendix “A” to Report CL08004, to Repeal By-law No. 99-087 (To Amend Zoning By-law No. 6593 Respecting Lands located at Municipal Nos. 803, 819, 823, 865 and 871 West 5th Street) be passed.

Kevin C. Christenson
City Clerk
Corporate Services

EXECUTIVE SUMMARY:

Two identical by-laws were inadvertently passed by the former City of Hamilton in 1999. In order to correct this oversight, it is necessary to pass a repealing by-law to cancel this duplication.

BACKGROUND:

By-law No. 99-069 and 99-087 are identical by-laws passed in 1999 by the former City of Hamilton for the purpose to provide for a change in zoning from “AA” (Agricultural District) to “C” – “H” (Urban Protected Residential, etc. – Holding) District, for the subject lands.
SUBJECT: Repeal By-law No. 99-087 (To Amend Zoning By-law No. 6593 Respecting Lands located at Municipal Nos. 803, 819, 823, 865 and 871 West 5th Street) – Duplication of By-law (CL08004) (Ward 8) – Page 2 of 2

ANALYSIS/RATIONALE:

n/a

ALTERNATIVES FOR CONSIDERATION:

n/a

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

n/a

POLICIES AFFECTING PROPOSAL:

The repealing by-law is necessary in order to remove the duplication in by-laws.

RELEVANT CONSULTATION:

n/a

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, and economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. □ Yes ☑ No

Environmental Well-Being is enhanced. □ Yes ☑ No

Economic Well-Being is enhanced. □ Yes ☑ No

Does the option you are recommending create value across all three bottom lines?

□ Yes ☑ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants?

□ Yes ☑ No
CITY OF HAMILTON

BY-LAW NO. __________

To Repeal By-law No. 99-087 Entitled
To Amend Zoning By-law No. 6593 Respecting Lands Located at
Municipal Numbers 803, 819, 823, 865 and 871 West 5th Street

WHEREAS Council of the City of Hamilton, on May 11, 1999, enacted By-law No. 99-069 being a by-law To Amend Zoning By-law 6593 respecting Lands Located at Municipal Numbers 803, 819, 823, 865 and 871 West 5th Street;

AND WHEREAS Council of the City of Hamilton, on June 29, 1999, enacted By-law No. 99-087 being a by-law To Amend Zoning By-law 6593 respecting Lands Located at Municipal Numbers 803, 819, 823, 865 and 871 West 5th Street;

AND WHEREAS said By-law was enacted twice by Council;

AND WHEREAS due to the duplication, Council of the City of Hamilton is of the opinion that By-law No. 99-087 shall be repealed.

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

1. That By-law No. 99-087, enacted on June 29, 1999, is hereby repealed.

PASSED and ENACTED this ____ day of ________ 2008.

_________________________________  ______________________________
MAYOR  CLERK