

Authority: Item.2, Planning and Economic
Development Committee
Report 04-012
CM: June 30,2004

Bill No. 148

CITY OF HAMILTON

BY-LAW NO. 04-148

**To Amend Zoning By-law No. 6593, as amended by Zoning By-law No. 03-300
Respecting Lands Located at 902 Mohawk Road East**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Section 2 of Report 04-12 of the Planning and Economic Development Committee at its meeting held on the 30th day of June, 2004, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

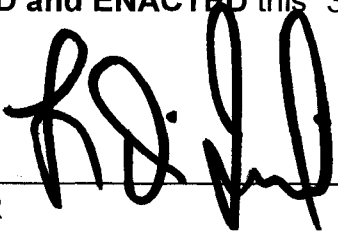
AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Plannina Act on June 1, 1982.

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

1. The 'H' (Holding) symbol affixed by By-law No. 03-300 (Hamilton), passed on the 29th day of October, 2003, to the "DE"-H' (Low Density Multiple Dwellings – Holding) District, respecting the lands the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law 03-300 (Hamilton) and forming part thereof, is hereby removed, and the development of lands may proceed in accordance with the "DE" (Low Density Multiple Dwellings) District, provisions of Zoning By-law No. 6593 (Hamilton), subject to the special requirements referred to in By-law No. 03-300 (Hamilton).
2. Sheet No. E-59 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended by By-law No. 03-300, is further amended, by changing from the "DE"-H' (Low Density Multiple Dwellings – Holding) District, Modified, to the "DE" (Low Density Multiple Dwellings) District, Modified, the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
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 "DE" (Low Density Multiple Dwellings) District provisions, subject to the special requirements referred to in section 3 of by-law No. 03-300.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1489a.
5. Sheet No. E-59 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1489a .
6. 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 30th day of June, 2004.

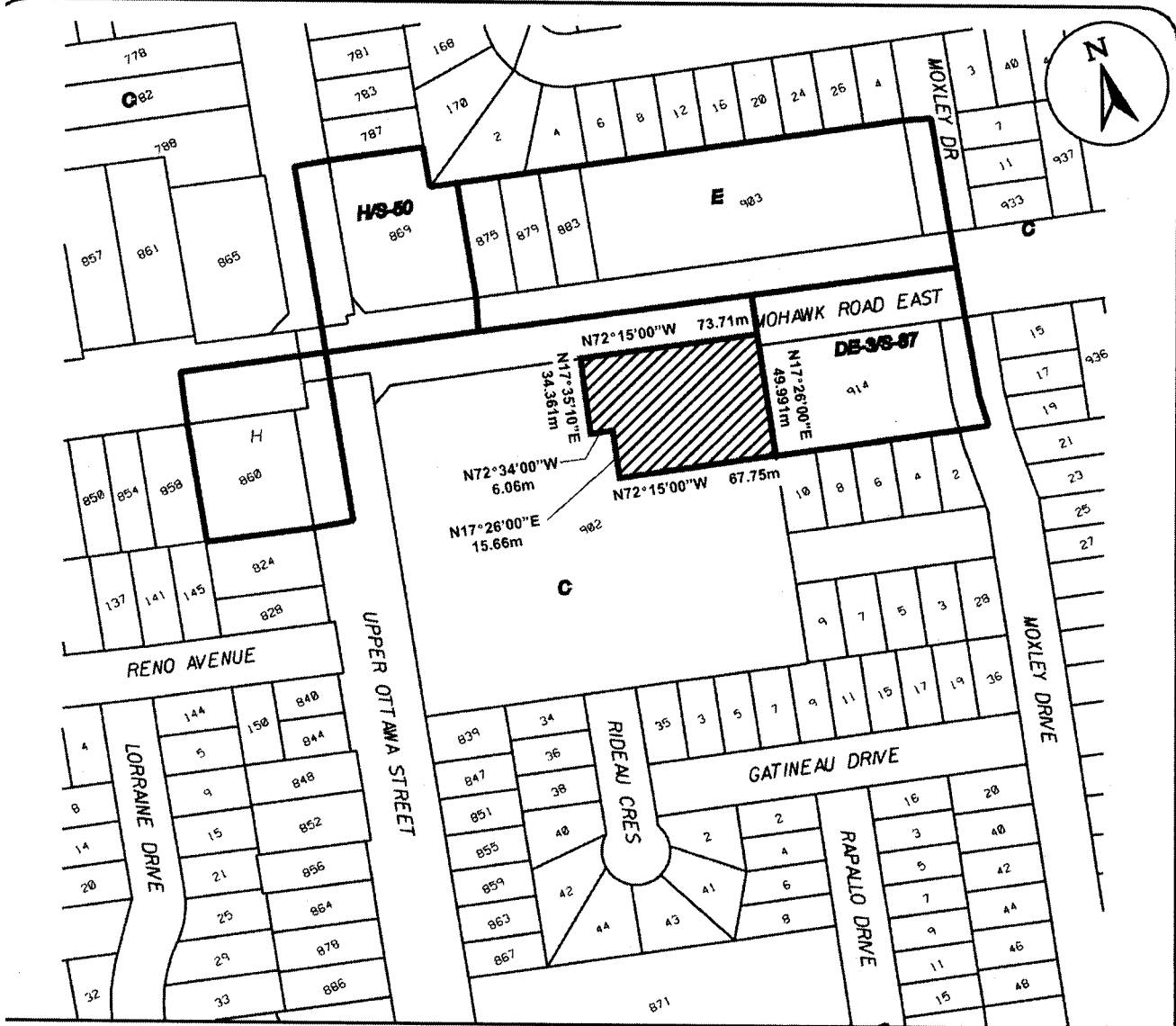
MAYOR



CLERK



ZAH-04-25



This is Schedule "A" to By-Law No. 04-148

Passed the 30th day of June, 2004

[Handwritten signature]
 Clerk
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 04-148
 to Amend By-Law No 6593



Hamilton
 Planning and Development Department

Legend

 Subject Property
 902 Mohawk Road East

Change in zoning from "DE"-H'(Low Density Multiple Dwellings - Holding) District. Modified to "DE" (Low Density Multiple Dwellings) District. Modified.



Scale
NOT TO SCALE

Date
June 4, 2004

Reference File No.
ZAH-04-25

Drawn By
MC