

Authority: Item 21, Planning and
Economic Development
Committee Report 04-015
(PD04226)
CM: September 15, 2004

Bill No. 218

CITY OF HAMILTON

BY-LAW NO. 04-218

**To Amend Zoning By-law No. 6593, As Amended by By-law No. 89-130
Respecting Lands Located at 1400 Upper James 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Section 21 of Report 04-015 of the Planning and Economic Development Committee at its meeting held on the 7th day of September, 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 Planning Act on June 1, 1982.

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

1. Sheet No. W-9d of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton) is amended,
 - (a) by further modifying the "HH" (Restricted Community Shopping and Commercial) District for the land the extent and boundaries of which are shown on the map hereto annexed as Schedule "A".

2. The "HH" (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14 of Zoning By-law No. 6593 as amended by By-law No. 89-130, applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent only of the following special requirement that,
 - (a) In addition to the uses permitted in Section 14 (1) of By-law No. 6593, a Hotel and uses accessory thereto shall also be permitted.

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 "HH" (Restricted Community Shopping and Commercial) District provisions, subject to the special requirement referred to in Section 2.

4. By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-1061b.

5. Sheet No. E-9d of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1061b.

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.

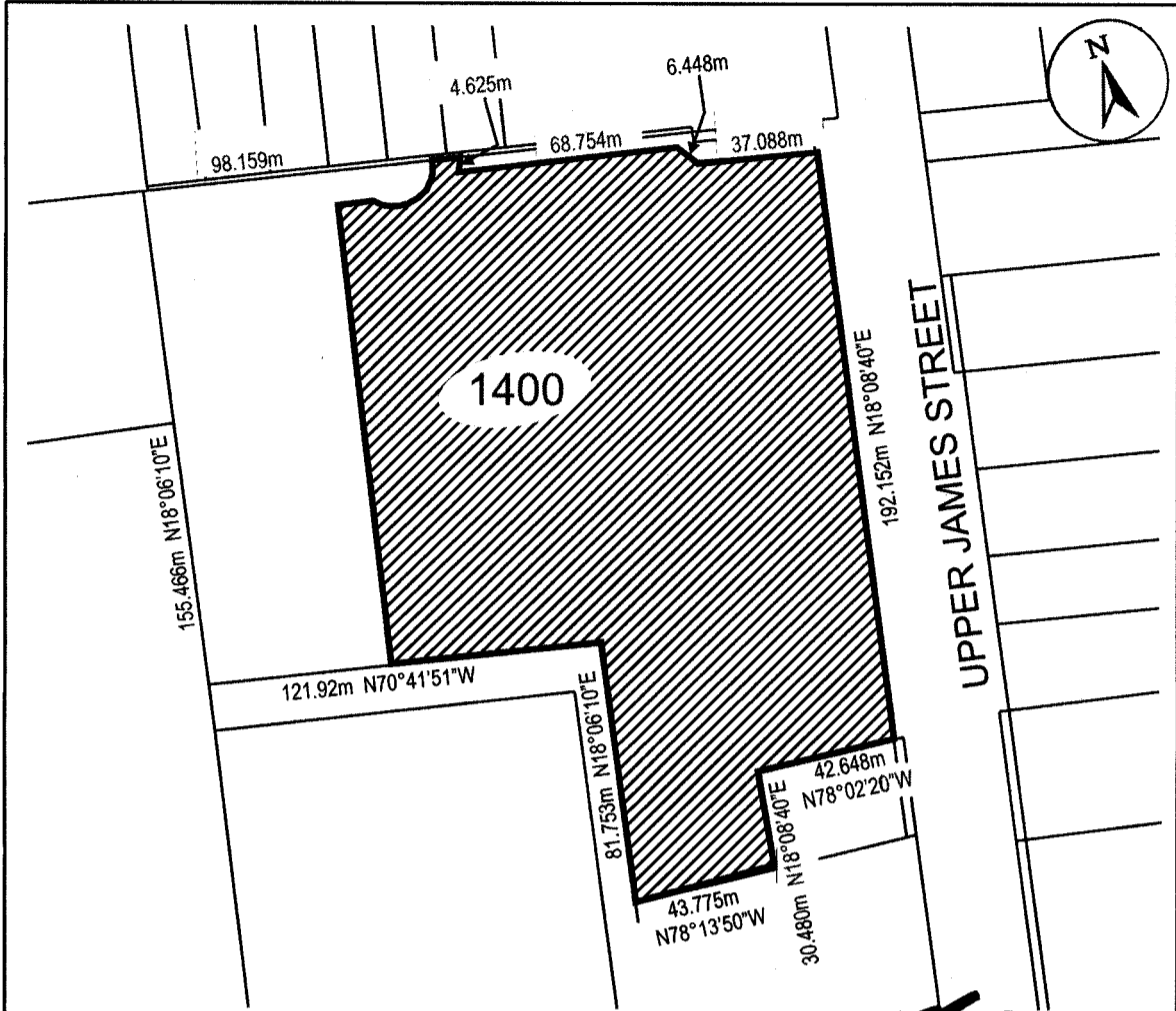
PASSED and ENACTED this 15th

day of September, 2004.

MAYOR

CLERK

ZAR-04-43



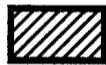
This is Schedule "A" to By-Law No. 04 — 218

Passed the 15th..... day of September, 2004

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 04- 218
 to Amend By-Law No. 6593



Subject Property

Further Modification to the 'HH', Restricted Community Shopping and Commercial District for the Lands Located at 1400 Upper James Street.

North



Scale:
 Not to Scale

Date:
 August 4, 2004

File Name/Number:
 ZAR-04-43

Planner/Technician:
 CL

&C File Name: