

Authority: Item 22, Planning and
Economic Development
Committee
Report 05017(PED05069)
CM: August 10,2005

Bill No. 251

CITY OF HAMILTON

BY-LAW NO. 251

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 89 Stone Church Road West**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Item 22 of Report 05-017 of the Planning and Economic Development Committee at its meeting held on the 10th day of August,2005, 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-9c of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton) is amended by changing from "C" (Urban Protected Residential, etc.) District to "D" – 'H' (Urban Protected Residential – One and Two Family Dwellings, etc. - Holding) District, the lands, the extent and boundaries of which are shown on a plan annexed as Schedule "A".

2. That the 'H' symbol applicable to the lands referred to in Section 1 shall be removed conditional upon,
 - (i) The applicant receiving approval of a Site Plan Control Application, to the satisfaction of the Manager, Development Planning.

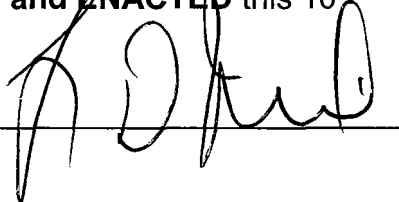
City Council may remove the 'H' symbol, and thereby give effect to the "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, by enactment of an amending By-law once the above condition has been fulfilled;

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 "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District provisions.
4. 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.

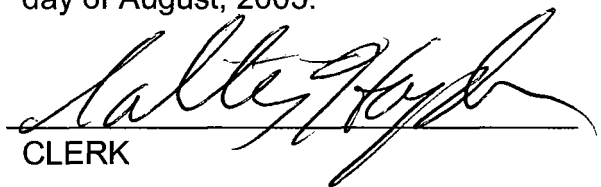
PASSED and ENACTED this 10th

day of August, 2005.

MAYOR



CLERK



ZAC-05-40



This is Schedule "A" to By-Law No. 05-251

Passed the 10th day of August, 2005

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 05-251
to Amend By-Law No. 6593



Subject Property
89 Stone Church Road West

Change in Zoning from "C (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District



Hamilton

Planning and Economic Development Department



Scale:
Not to Scale

Date:
July, 2005

File Name/Number:
ZAC-05-40

Planner/Technician:
HB/LMM

T&C File Name: