

**Authority:** Item 28, Planning and Economic  
Development Committee  
Report 06-005 (PED6069)  
CM: April 12, 2006

**Bill No. 078**

**CITY OF HAMILTON  
BY-LAW NO. 06-078**

**To Amend Zoning By-law No. 6593  
Respecting Lands Located at 1053-1055 Barton Street 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Item 28 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12<sup>th</sup> day of April, 2006, 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. The "H" (Community Shopping and Commercial etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593 applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are 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 Billiard Hall and uses accessory thereto shall also be permitted.

**By-law Respecting 1053 – 1055 Barton Street East**

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2. 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 "H" (Community Shopping and Commercial etc.) District provisions, subject to the special requirement referred to in Section 1.
3. By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-1542.
4. Sheet No. E-43 of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1542.
5. 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 12<sup>th</sup> day of April 2006**

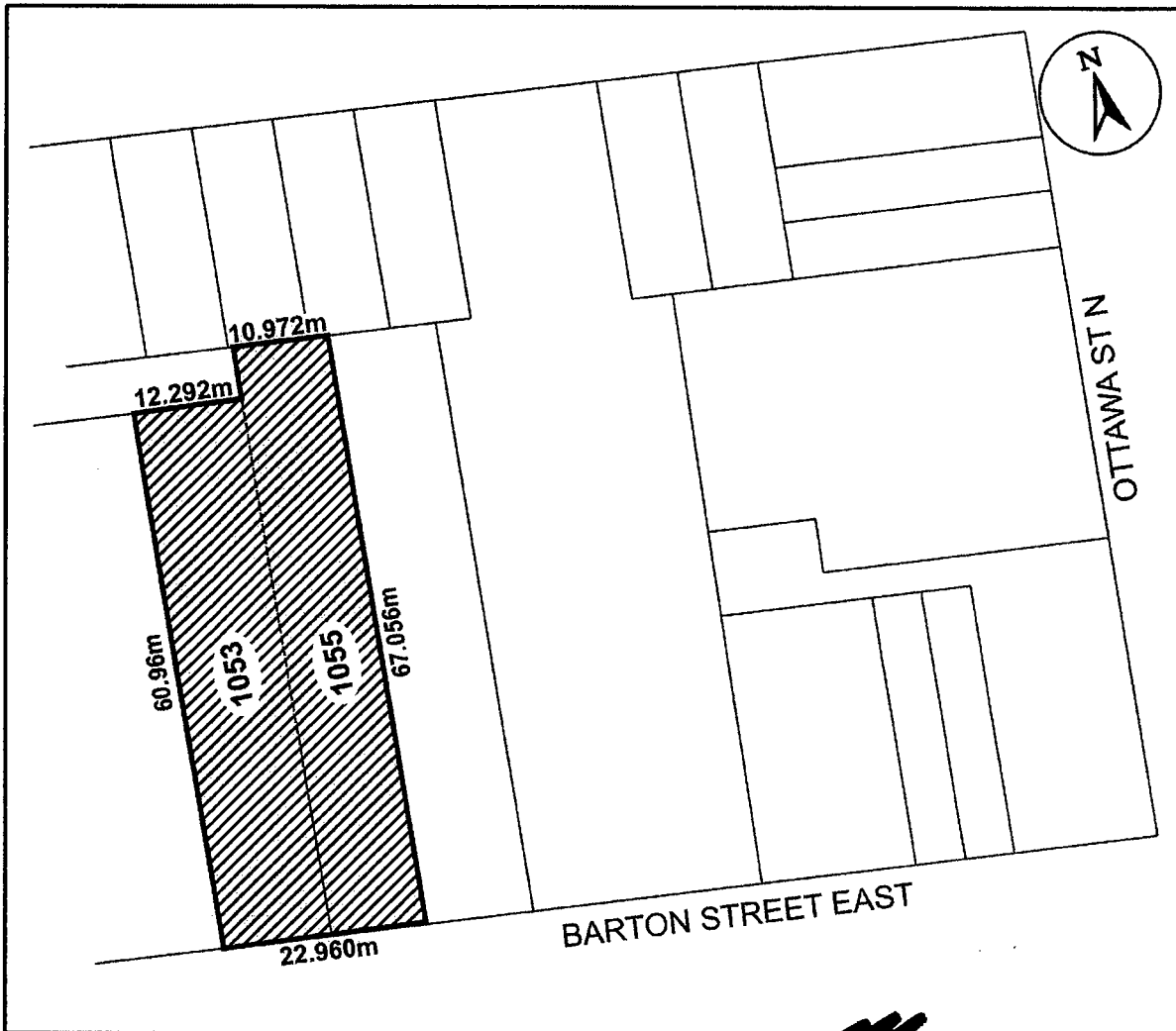
  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK

ZAC-05-118

**By-law Respecting 1053 – 1055 Barton Street East**

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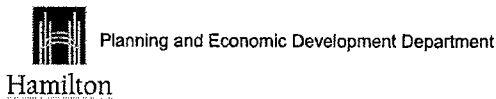
This is Schedule "A" to By-Law No. 06-078

Passed the 12 day of April, 2006

~~\_\_\_\_\_~~ Clerk  
 \_\_\_\_\_ Mayor

**Schedule "A"**

Map Forming Part of  
 By-Law No. 06-078  
 to Amend By-Law No. 6593



**Subject Property**

1053 - 1055 Barton Street East (Hamilton)



Modification to the 'H' (Community Shopping and Commercial, etc.) District



Scale:  
 Not to Scale

Date:  
 January 31, 2006

File Name/Number:  
 ZAR-05-118

Planner/Technician:  
 PM/NB

T&C File Name: