

**Authority:** Item 19, Economic Development  
and Planning Committee  
Report 08-002 (PED0810)  
CM: January 30, 2008

**Bill No. 021**

**CITY OF HAMILTON**

**BY-LAW NO. 08-021**

**To Amend Zoning By-law No. 6593  
As Amended by By-law No. 07-026  
Respecting Lands Located at 186 Ferguson Avenue North and 201 Robert  
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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Item 19 of Report 08-002 of the Economic Development and Planning Committee at its meeting held on the 30<sup>th</sup> day of January, 2008, recommended that Zoning By-law 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. E-3 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing from the "H-'H'/S-1569" (Community Shopping and Commercial, etc. - Holding) District, Modified, to the "H-'H'/S-1569a"

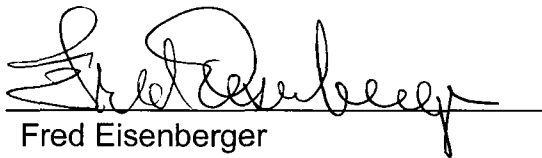
**By-law Respecting 186 Ferguson Avenue North and 201 Robert Street**

(Page 2 of 3)

(Community Shopping and Commercial, etc. - Holding) District, Modified, the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) District, regulations as contained in Section 14 of Zoning By-law No. 6593, as amended by By-law 07-026, applicable to the subject lands be further modified as follows:
  - (a) That Section 6.2 PERMITTED USES of By-law No. 07-026 is amended by adding "Drive-Through Facility" to the list of permitted uses; and,
  - (b) That Section 6.3 PROHIBITED USES of By-law No. 07-026 is amended by deleting "Drive-Through Facility" therefrom.
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 "H-'H'/S-1569" (Community Shopping and Commercial, etc. - Holding) District, Modified, provisions, subject to the special requirements in section 2 of this By-law.
4. Sheet No. E-3 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1569a.
5. That By-law No. 6593 (City of Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1569a.
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 30<sup>th</sup> day of January, 2008.

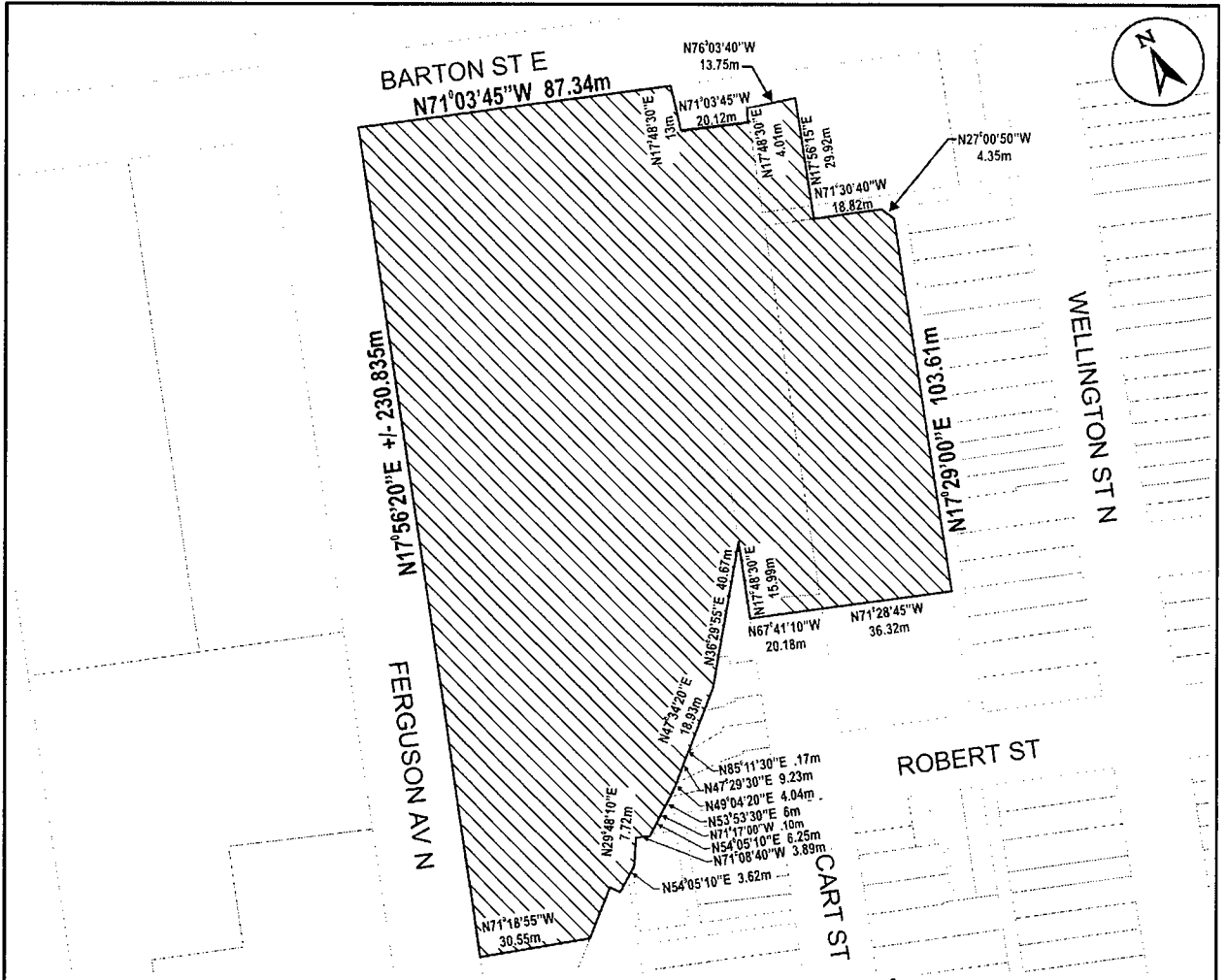


Fred Eisenberger  
Mayor



Kevin C. Christenson  
City Clerk


ZAR-07-051




This is Schedule "A" to By-Law No. 08021  
 Passed the .30th. day of .January....., 2008

*[Signature]*  
 Clerk  
 Mayor

**Schedule "A"**  
 Map Forming Part of  
 By-Law No. 08- 021  
 to Amend By-law No. 6593

**Subject Lands**  
 Change in zoning from the "H-'H'/S-1569" (Community Shopping and Commercial, etc. – Holding) District, Modified to the "H-'H'/S-1569a" (Community Shopping and Commercial, etc. – Holding) District, Modified.

Scale: N.T.S.	File Name/Number: ZAR-07-51	
Date: Nov 29, 2007	Planner/Technician: LB / MB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		