

Authority: Item 6, Planning and Economic
Development Committee
Report 04-009 (PD04120)
CM: May 12, 2004

Bill No. 127

CITY OF HAMILTON

BY-LAW NO. 04-127

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 1563 Main Street 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 6 of Report 04-009 of the Planning and Economic Development Committee at its meeting held on the 12th day of May, 2004, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

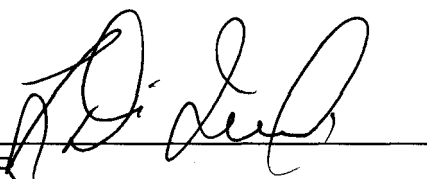
AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

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

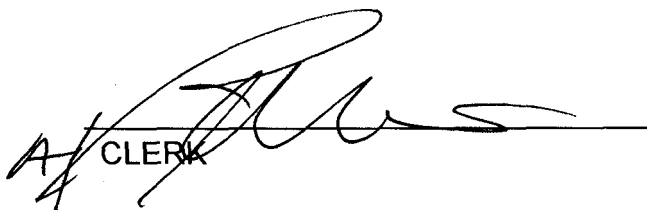
1. The "H" (Community Shopping and Commercial, etc.) District, contained in Section 14 of Zoning By-law No. 6593, as amended by By-law No. 78-160, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" are further amended to the extent of the special requirements that:
 - (a) That notwithstanding the provisions of Section 18 (11) (b) of Zoning By-law No. 6593, an outdoor patio shall be permitted as an additional use in the front yard only.
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 requirements referred to in section 1.
3. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-583b.
4. Sheet No. E-9D of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-583b.
5. The City 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 26th day of May, 2004.

MAYOR



CLERK





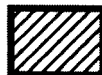
This is Schedule "A" to By-Law No. 04-127

Passed the 26th day of May, 2004

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 04-127
 to Amend By-Law No 6593



Subject Property

Modification in Zoning to the existing "H/S-583" (Community Shopping and Commercial etc.) District, modified for lands located at 1563 Main Street West, Hamilton



Planning and Development Department

Hamilton



Scale
NOT TO SCALE

Date
May 17, 2004

Reference File No.
ZAR-04-07

Drawn By
LM