

By-law respecting Upper Wentworth Street

Authority: Item 10, Planning and
Economic Development
Committee
Report 04-014 (04209)
CM: August 12, 2004

Bill No. 199

CITY OF HAMILTON

BY-LAW NO. 04-199

**To Amend Zoning By-law No. 6593, as amended by OMB Decision/Order #0544,
Respecting Lands Located at 1743 to 1765 Upper Wentworth Street and 1771 Upper
Wentworth 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 10 of Report 04-014 of the Planning and Economic Development Committee at its meeting held on the 12th day of August 2004, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

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

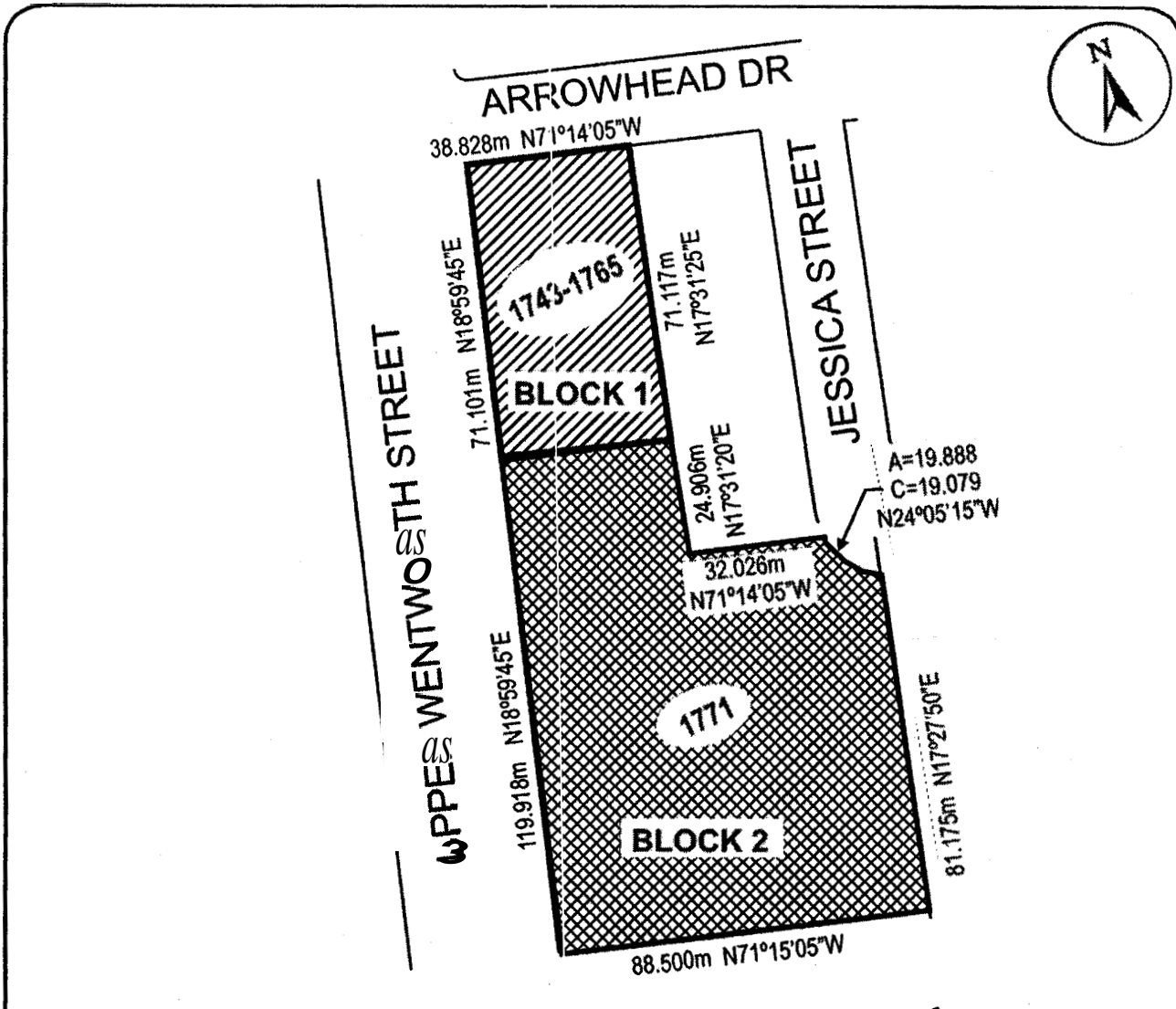
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-27e of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended by OMB Decision/Order #0544, is further amended, by changing from "RT-30"-H' (Street Townhouse – Holding) District, Modified to "RT-30" (Street Townhouse) District, Modified (Block 1), and from "RT-20"-H' (Townhouse-Maisonette – Holding) District, Modified to "RT-20" (Townhouse-Maisonette) District, Modified (Block 2), the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
2. The 'H' (Holding) symbol affixed by OMB Decision/Order #0544, issued on the 30th of April, 2003 to the "RT-30"-H' (Street Townhouse – Holding) District, Modified (Block 1) and the "RT-20"-H' (Townhouse-Maisonette – Holding) District, Modified (Block 2) respecting the lands the extent and boundaries of which are shown on a plan annexed as Schedule "A" to OMB Decision/Order #0544 and forming part thereof, is hereby removed, and the development of lands may proceed in accordance with the "RT-30" (Street Townhouse) District, Modified (Block 1) and the "RT-20" (Townhouse-Maisonette) District, Modified (Block 2), subject to the special requirements referred to in OMB Decision/Order #0544.
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 "RT-30" (Street Townhouse) District, Modified, subject to the special requirements referred to in section 3, of OMB Decision/Order #0544 (Block 1) and with the "RT-20" (Townhouse-Maisonette) District, Modified subject to the special requirements referred to in section 2, of OMB Decision/Order #0544 (Block 2).
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1480a.
5. Sheet No. E-27e of the District Maps are amended by marking the lands referred in Section 1 of this by-law as S-1480a.
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 12th day of August, 2004.


MAYOR


CLERK



This is Schedule "A" to By-Law No. 04-199

Passed the 12th day of August, 2004

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 04-199
to Amend By-Law No. 6593



Planning and Development Department

Legend

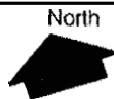
Subject Property



BLOCK 1 - 1743-1765 Upper Wentworth Street
To remove the Holding 'H' symbol from "RT-30"-H'
(Street-Townhouse - Holding) District, Modified.



BLOCK 2 - 1771 Upper Wentworth Street
To remove the Holding 'H' symbol from "RT-20"-H'
(Townhouse-Maisonette - Holding) District, Modified.



North

Scale

NOT TO SCALE

Date

July 23, 2004

Reference File No.

ZAH-04-62

Drawn By

CL