

Authority: Item 2, Planning and Economic
Development Committee
Report 04-018 (PD04268)
CM: October 27, 2004

Bill No. 260

CITY OF HAMILTON

BY-LAW NO. 04-260

**To Amend Zoning By-law No. 6593, as amended by Zoning By-law No. 02-295
Respecting Lands Located at 1269 Upper James 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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);

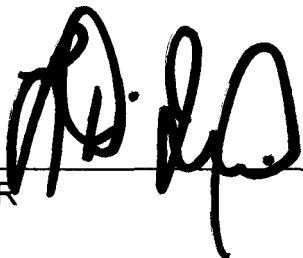
AND WHEREAS the Council of the City of Hamilton, in adopting Item 2 of Report 04-018 of the Planning and Economic Development Committee at its meeting held on the 27th day of October, 2004, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

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' (Holding) symbol affixed by By-law No. 02-295 (Hamilton), passed on the 23rd day of October, 2002, to the "HH"-H' (Restricted Community Shopping and Commercial – Holding) District, Modified, respecting the lands the extent and boundaries of which are shown on a plan annexed as Schedule " Ato By-law 02-295 (Hamilton) and forming part thereof, is hereby removed, and the development of lands may proceed in accordance with the "HH" (Restricted Community Shopping and Commercial) District, provisions of Zoning By-law No. 6593 (Hamilton), subject to the special requirements referred to in By-law No. 02-295 (Hamilton).
2. Sheet No. E-9C of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended by By-law No. 02-295, is further amended, by changing from the "HH"-H' (Restricted Community Shopping and Commercial – Holding) District, Modified, to the "HH" (Restricted Community Shopping and Commercial) District, Modified, the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule " Aand forming part of this By-law.
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 "HH" (Restricted Community Shopping and Commercial) District provisions, subject to the special requirements referred to in section 3 of By-law No. 02-295.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1474a.
5. Sheet No. E-9C of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1474a.
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.

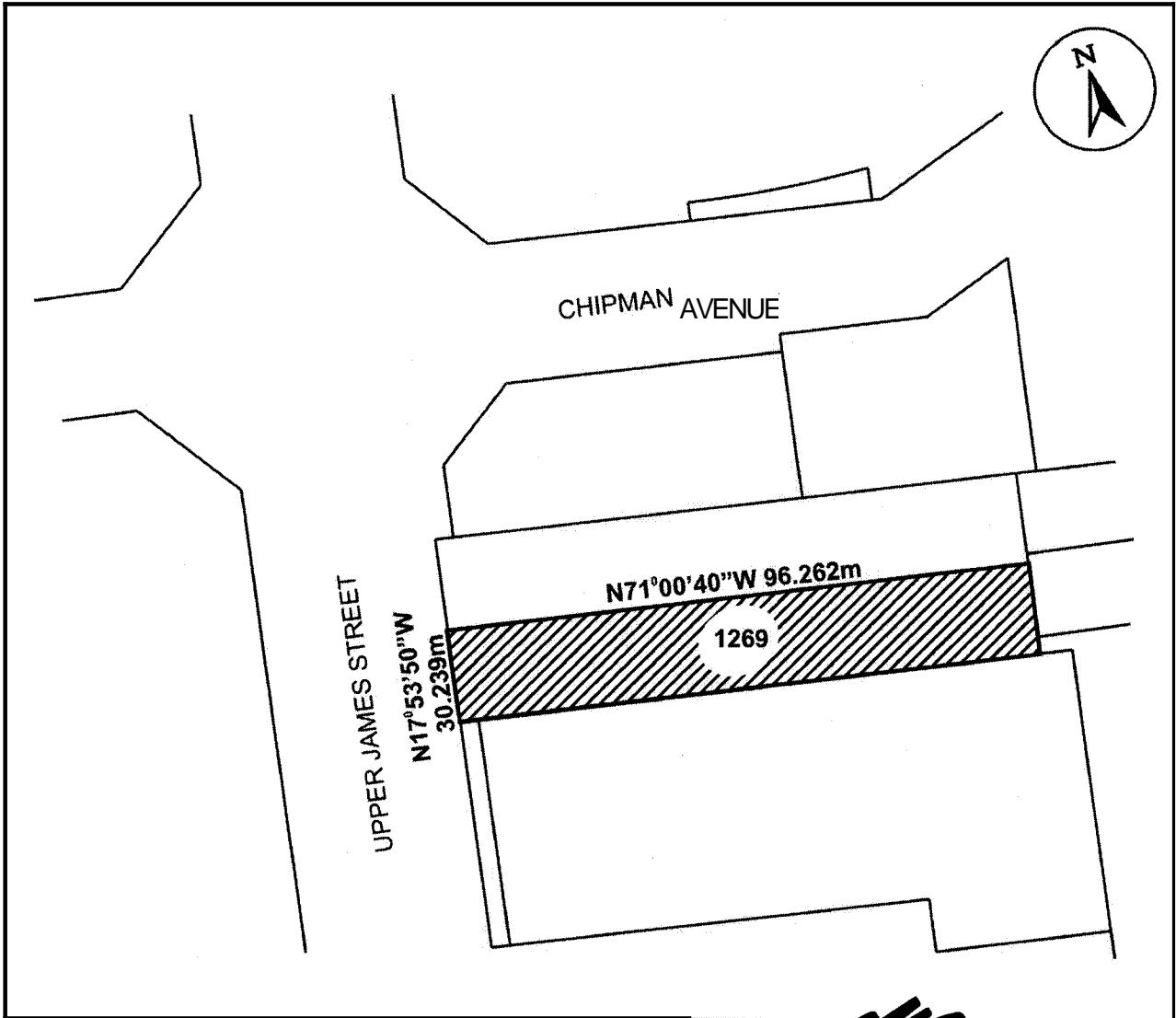
PASSED and ENACTED this 27th day of October, 2004.



MAYOR



CLERK



This is Schedule "A" to By-Law No. 04-260


Passed the 27th day of October, 2004

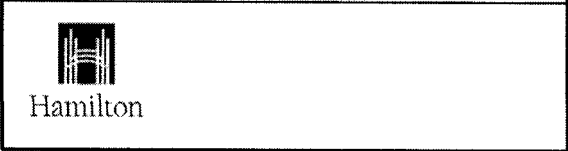
[Signature]
 Clerk
[Signature]
 Mayor


Schedule "A"

Map Forming Part of
 By-Law No. 04-260
 to Amend By-Law No. 6593

Subject Property
 1269 Upper James Street (Hamilton)

 Change in zoning from "HH"-H' (Restricted Community Shopping and Commercial) District, Holding, Modified, to "HH" (Restricted Community Shopping and Commercial) District, Modified



North 	Scale: Not to Scale	File Name/Number: ZAH-04-75
	Date: September 01, 2004	Planner/Technician: OQ/NB
F&C File Name:		