

Authority: Item 4, Planning and Economic
Development Committee
Report; 04-018 (PD04275)
CM: October 27, 04

Bill No. 270

CITY OF HAMILTON

BY-LAW NO. 04-270

**To Amend Zoning By-law No. 3581-86 as amended by By-law No. 4436-98
(Dundas)
Respecting Lands Located at 50 Hatt Street, Block 1, 62M-963**

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 Town of Dundas" 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Town of Dundas passed Zoning By-law No. 3581-86 (Dundas) on the 22nd day of May 1986, which by-law was approved by the Ontario Municipal Board by Order dated the 10th day of May 1998;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 4 of Report 04-018 of the Planning and Economic Development Committee at its meeting held on the 26th day of October, 2004, recommended that Zoning By-law No. 3581-86 (Dundas), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Town of Dundas, approved by the Minister under the Planning Act on June 21, 1999.

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

1. Schedule "A", of Zoning By-law No. 3581-86 (Dundas), as amended by By-law No. 4436-98, is hereby further amended by changing the zoning of the lands known as Block 1, 62M-963, 50 Hatt Street from the Central Area Commercial "H-CAC/S-78" Zone to the Central Area Commercial "CAC/S-78"

Zone, 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 to By-law No. 4436-98 (Dundas), passed on the 2nd day of September, 1998, to the Central Area Commercial "H-CAC/S78" Zone respecting the lands the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 4436-98 (Dundas) and forming part thereof, is hereby removed and the development of the lands may proceed in accordance with the Central Area Commercial "CAC/S-78" Zone subject to the special requirements referred to in By-law No. 4436-98 (Dundas).
3. Section 32: "EXCEPTIONS" of Zoning By-law No. 3581-86 (Dundas), is hereby amended by changing the wording of Exemption S-78 from:

"COMMERCIAL OFFICE (H-CACIS-78)

1. Notwithstanding the permitted uses, minimum front yard, minimum side yard, gross floor area, maximum height and off-street parking regulations of SECTION 18: CENTRAL AREA COMMERCIAL ZONE (CAC), Subsection 18.2 REGULATIONS FOR COMMERCIAL USES, Clauses 18.1, 18.2.1.1, 18.2.1.2, 18.2.2, 18.2.3, 18.2.4.1 the following regulations shall apply to those lands identified as H-CAWS-78 on Schedule A :

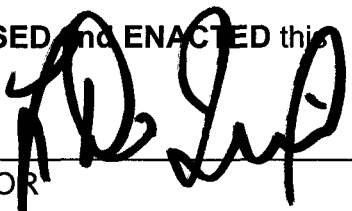
to:

"COMMERCIAL OFFICE (CACIS-78)

1. Notwithstanding the permitted uses, minimum front yard, minimum side yard, gross floor area, maximum height and off-street parking regulations of SECTION 18: CENTRAL AREA COMMERCIAL ZONE (CAC), Subsection 18.2 REGULATIONS FOR COMMERCIAL USES, Clauses 18.1, 18.2.1.1, 18.2.1.2, 18.2.2, 18.2.3, 18.2.4.1 the following regulations shall apply to those lands identified as CAC/S-78 on Schedule A .

4. All other regulations of the Central Area Commercial "CAC" Zone, as amended and any other General Provision of Zoning By-law No. 3581-86 (Dundas), shall continue to apply.
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.

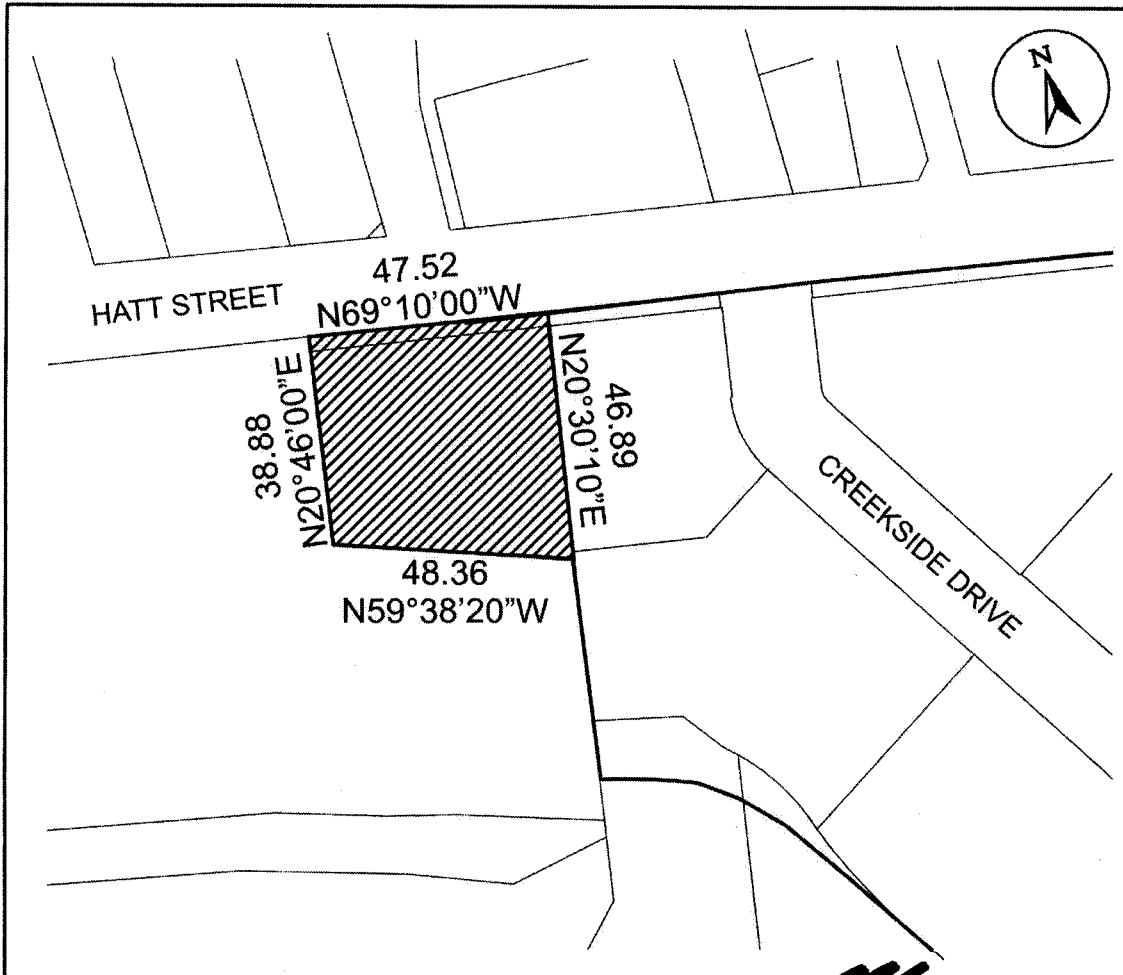
PASSED and ENACTED this 27th day of October, 2004.



MAYOR



CLERK



This is Schedule "A" to By-Law No. 04- 270


Passed the 27th day of October 2004


[Handwritten Signature]
 Clerk

Schedule "A"

Map Forming Part of
 By-Law No. 04-270
 to Amend By-Law No 3581-86

**Subject Property
 Spencer Creek Village**

 Change from Central Area Commercial "H-CAC/S-78" Zone to the Central Area Commercial "CAC/S-78" Zone

North 	Scale: Not to Scale	File Name/Number: ZAH-04-63
	Date: September 2004	Planner/Technician: PM/LMM

T&C FileName:ZAH-03-63 schA