

**Authority:** Item 4, Planning and Economic  
Development Committee  
Report 04-022 (PD04313)  
CM: December 15, 2004

**Bill No. 309**

**CITY OF HAMILTON**

**BY-LAW NO. 04-309**

**To Amend Zoning By-law No. 6593, as amended by Zoning Bylaw No. 02-348  
Respecting Lands Located at 171 Stone Church Road East**

**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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 4 of Report 04-022 of the Planning and Economic Development Committee at its meeting held on the 7<sup>th</sup> day of December, 2004, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

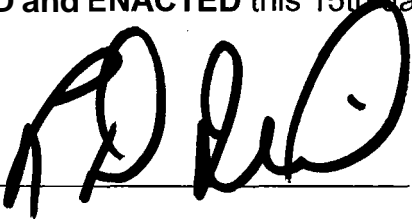
**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

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

1. The 'H' (Holding) symbol affixed by By-law No. 02-348 (Hamilton), passed on the 11<sup>th</sup> day of December, 2002, to the "C"-H' (Urban Protected Residential, etc. – Holding) District, respecting the lands the extent and boundaries of which are shown on a plan annexed as Schedule " A to By-law No. 02-348 (Hamilton) and forming part thereof, is hereby removed, and the development of lands may proceed in accordance with the "C" (Urban Protected Residential, etc.) District provisions of Zoning By-law No. 6593 (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. 02-348, is further amended, by changing from the "C"-H' (Urban Protected Residential, etc. – Holding) District, to the "C" (Urban Protected Residential, etc.) District, the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule " A and 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 " C (Urban Protected Residential, etc.) District provisions.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1479a.
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-1479a.
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.

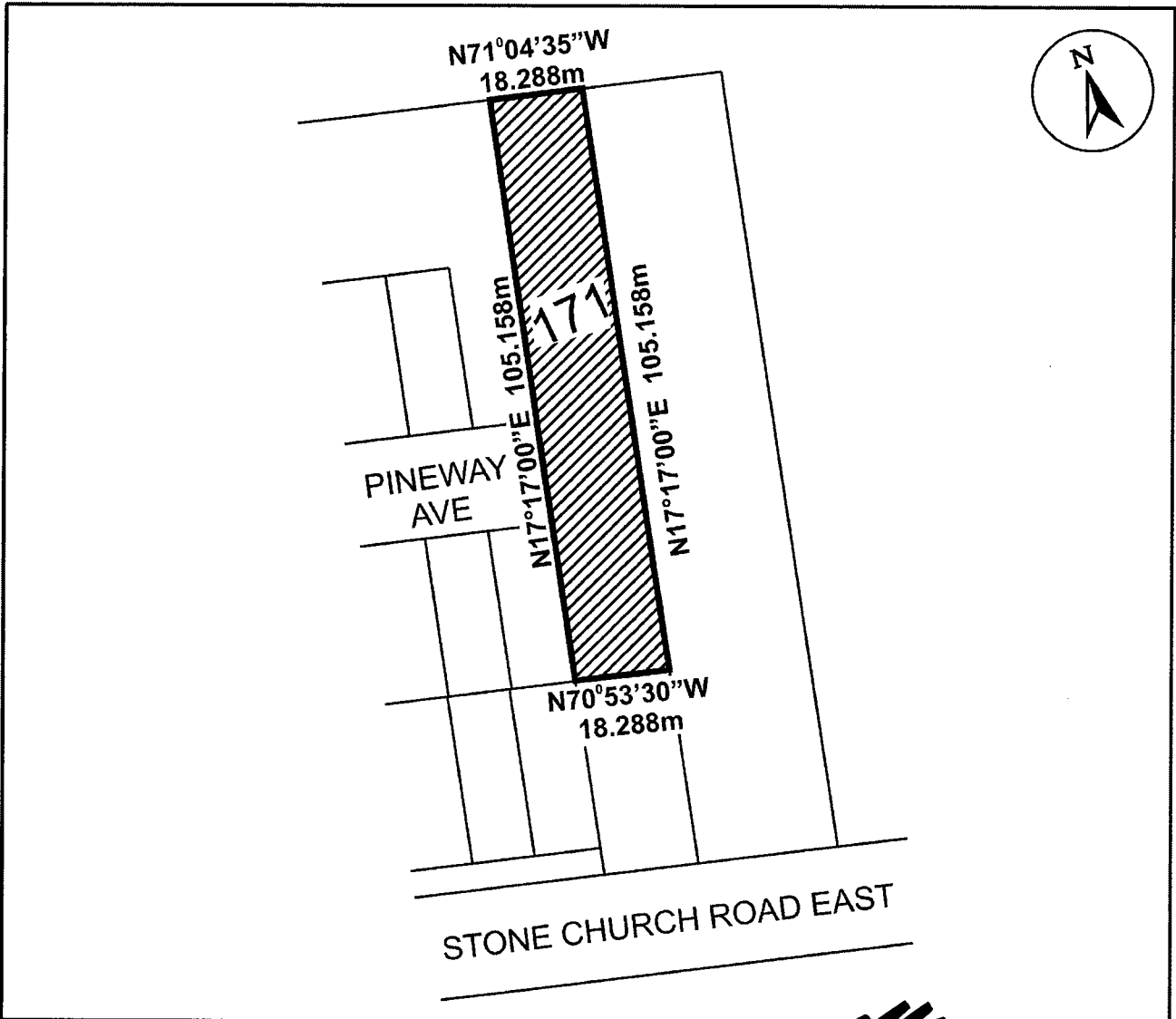
**PASSED and ENACTED** this 15<sup>th</sup> day of December, 2004.

MAYOR



CLERK





This is Schedule "A" to By-Law No. 04— 309

Passed the 15th day of December, 2004

*[Signature]*  
 Clerk  
*[Signature]*  
 Mayor

# Schedule "A"

Map Forming Part of  
 By-Law No. 04-309  
 to Amend By-Law No 6593



## Subject Property

Rear Portion of 171 Stone Church Road East



Change in Zoning from "C"-H' (Urban Protected Residential, etc. - Holding) District, Modified to "C" (Urban Protected Residential, etc.) District. Modified.

North



Scale:  
 Not to Scale

Date:  
 October 2004

File Name/Number:  
**ZAH-04-88**

Planner/Technician:  
 TH/LM