

Authority: Item 20, Economic Development
and Planning Committee
Report 07-005 (PED07096)
CM: March 28, 2007

Bill No. 093

CITY OF HAMILTON

BY-LAW NO. 07-093

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 828 Fennell Avenue 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Item 20 of Report 07-005 of the Economic Development and Planning Committee at its meeting held on the 28th day of March, 2007, 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:

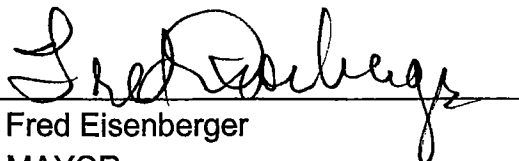
To Amend Zoning By-law No. 6593 Respecting Lands Located at 828 Fennell Avenue East
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1. Sheet No. E-36 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing the zoning on Block 1 from the "C" (Urban Protected Residential, etc.) District to the "H/S-1576" (Community Shopping and Commercial, etc.) District, Modified; and,
 - (b) by changing the zoning on Block 2 from the "H" (Community Shopping and Commercial, etc.) District to the "H/S-1576" (Community Shopping and Commercial, etc.) District, Modified,

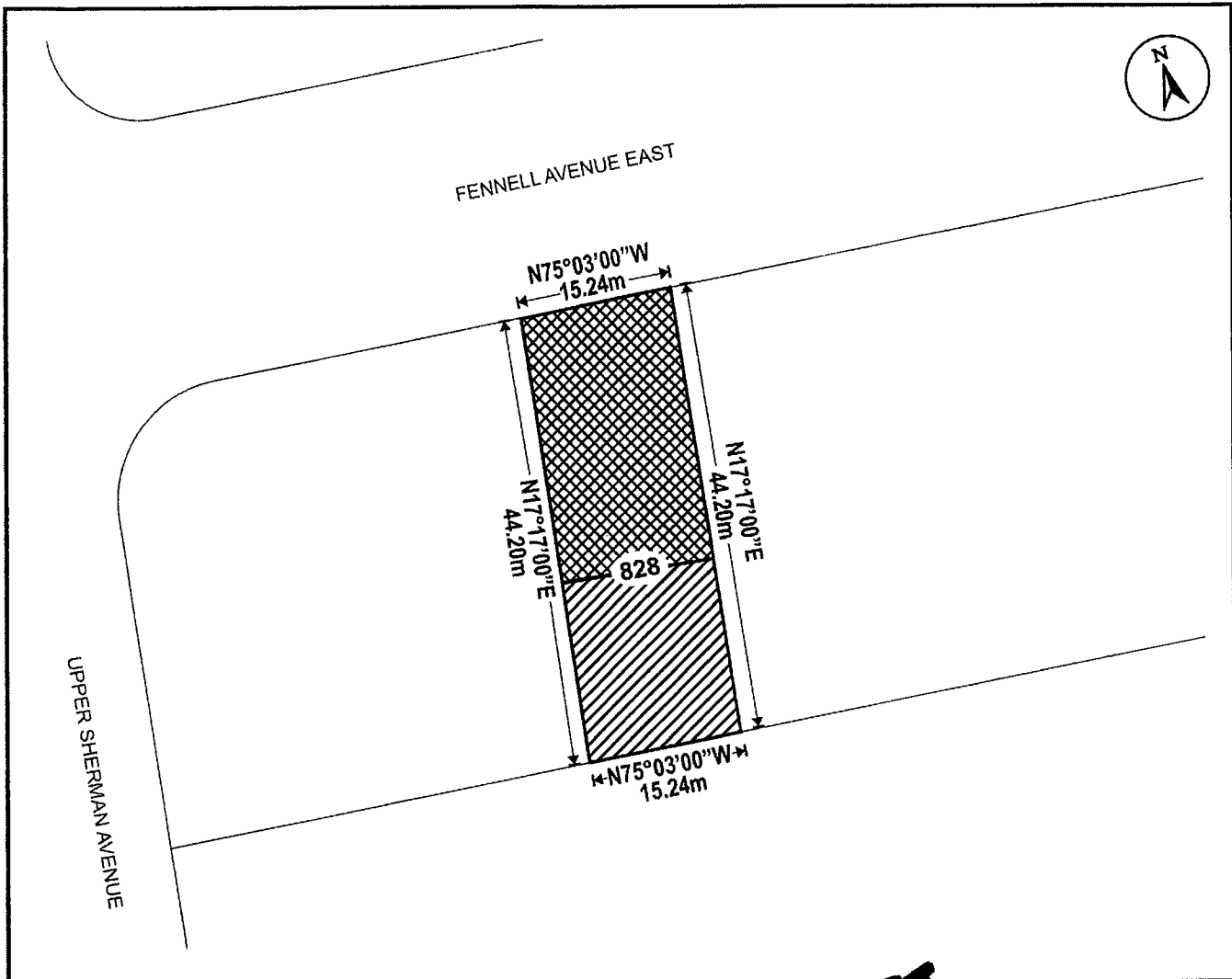
the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands referred to in Section 1, are amended to the extent of the following special requirement:
 - (a) That notwithstanding the provisions of Section 14 of Zoning By-law No. 6593, the location of the building existing on the day of the passing of this By-law being March 28, 2007, shall be deemed to comply.
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 "H" District provisions, subject to the special requirement referred to in Section 2 of this By-law.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1576.
5. Sheet No. E-36 of the District Maps is amended by marking the land referred to in Section 1 of this By-law as S-1576.
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 28th day of March, 2007


Fred Eisenberger
MAYOR


Kevin Christenson
CLERK



This is Schedule "A" to By-Law No. 07— 093

Passed the 28th day of March, 2007

[Signature]
Clerk
[Signature]
Mayor


Schedule "A"


Map Forming Part of
By-law No. 07- 093

to Amend By-law No. 6593

Subject Property

828 Fennell Avenue East

Block 1
 Change in Zoning from the "C" (Urban Protected Residential, etc.) District to the "H/S-1576" (Community Shopping and Commercial, etc.) District, Modified.

Block 2
 Change in Zoning from the "H" (Community Shopping and Commercial, etc.) District to the "H/S-1576" (Community Shopping and Commercial, etc.) District, Modified.

Scale: Not to Scale	File Name/Number: ZAC-06-88
Date: February 2007	Planner/Technician: DF/MF
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

