

**Authority:** Item 2, Economic Development  
and Planning Committee  
Report 07-019 (PED07271)  
CM: November 14, 2007

**Bill No. 158**

## **CITY OF HAMILTON**

### **BY-LAW NO. 08-158**

#### **To Amend Main West Esplanade Business Improvement Area By-law No. 90-197, as amended**

**WHEREAS** on the 26<sup>th</sup> day of June, 1990, the Council of The Corporation of the City of Hamilton passed and enacted By-law No. 90-197 respecting the Main West Esplanade Business Improvement Area in accordance with subsection 217(1) of the *Municipal Act*, R.S.O. 1980, Chapter 302;

**AND WHEREAS** By-law No. 90-197 has been amended by By-law No. 96-168 of The Corporation of the City of Hamilton and By-law No. 06-273 of the City of Hamilton;

**AND WHEREAS** pursuant to the *City of Hamilton Act, 1999*, S.O. 1999, c. 14, Schedule "C", The Corporation of the City of Hamilton was dissolved on January 1, 2001 and the City of Hamilton stands in the place of The Corporation of the City of Hamilton for all purposes;

**AND WHEREAS** pursuant to the *City of Hamilton Act, 1999*, S.O. 1999, c. 14, Schedule "C", every by-law of an old municipality, such as the former Corporation of the City of Hamilton, that was in force on December 31, 2000 is deemed to be a by-law of the City of Hamilton until it expires or is repealed or amended to provide otherwise;

**AND WHEREAS** pursuant to section 209 of the *Municipal Act, 2001*, S.O. 2001, c. 25, a municipality may alter the boundaries of an improvement area;

**AND WHEREAS** on November 14, 2007, the Council of the City of Hamilton approved Item 2 of Report 07-019 of the Economic Development and Planning Committee, authorizing the expansion of the boundaries of the Main West Esplanade Business Improvement Area;

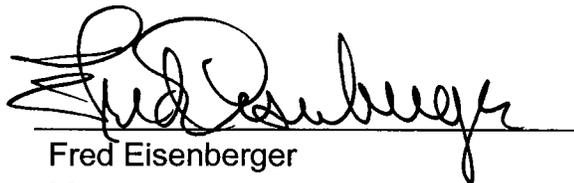
**AND WHEREAS** notice of this expansion has been circulated within the boundaries of the Main West Esplanade Business Improvement Area as required pursuant to section 210 of the *Municipal Act, 2001*, S.O. 2001, c. 25, and insufficient objections have been received to prevent passage of this By-law;

**To Amend Main West Esplanade Business Improvement  
Area By-law No. 90-197 as amended  
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**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The boundaries of the area designated as the Main West Esplanade Business Improvement Area by By-law 90-197, as amended, and comprised of the Business Improvement Area shown on Appendix "1" are altered by expanding the boundaries to include the area which is comprised of the Expansion Area as shown on Appendix "1" attached to this By-law.
2. Appendix "1" forms part of this By-law and the notations, references and other information shown on Appendix "1" are as much a part of this By-law as if these notations, references and other information were fully described.
3. Section 1 of By-law No. 90-197 is deleted and replaced with the following new Section 1:
  1. The area shown in Schedule "A" attached to this By-law is designated as an improvement area.
4. By-law No. 90-197 is further amended by adding the following new Section 2:
  2. Schedule "A" forms part of this By-law and the notations, references and other information shown on Schedule "A" are as much a part of this By-law as if these notations, references and other information were fully described.
5. Schedule "A" attached to By-law 90-197 is deleted and in its place Appendix "2" attached to this By-law and forming part of it is attached to By-law 90-197 as Schedule "A".
6. This By-law comes into force on the day it is passed and enacted.

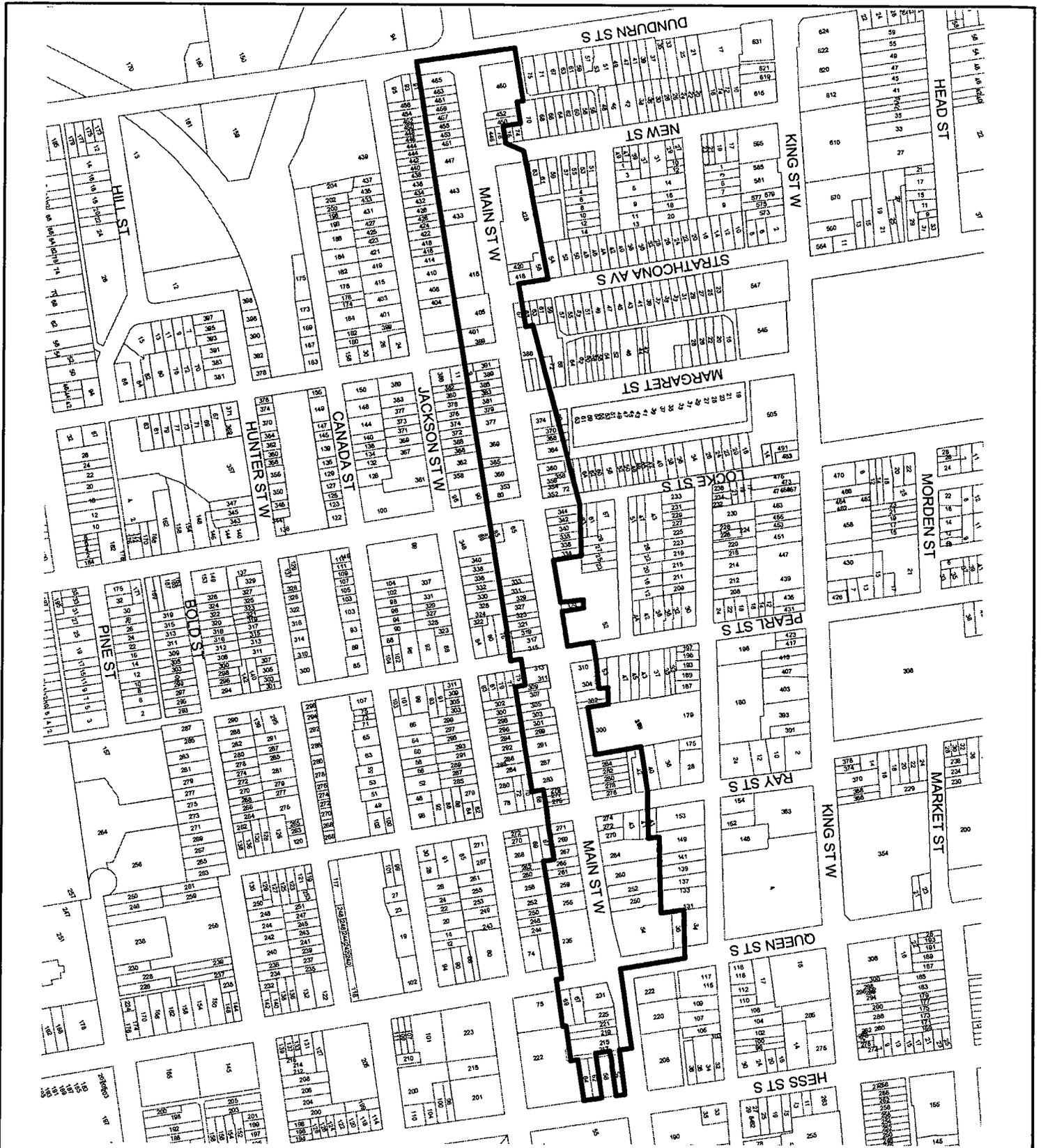
PASSED AND ENACTED this 25<sup>th</sup> day of June, 2008.



Fred Eisenberger  
Mayor

  
Kevin C. Christenson  
City Clerk

**Schedule "A" to  
By-law 90-197**



**Legend**

 Main West Esplanade BIA

**Main West Esplanade BIA  
Appendix "2" to By-law 08-158  
being a By-law to amend  
By-law 90-197**

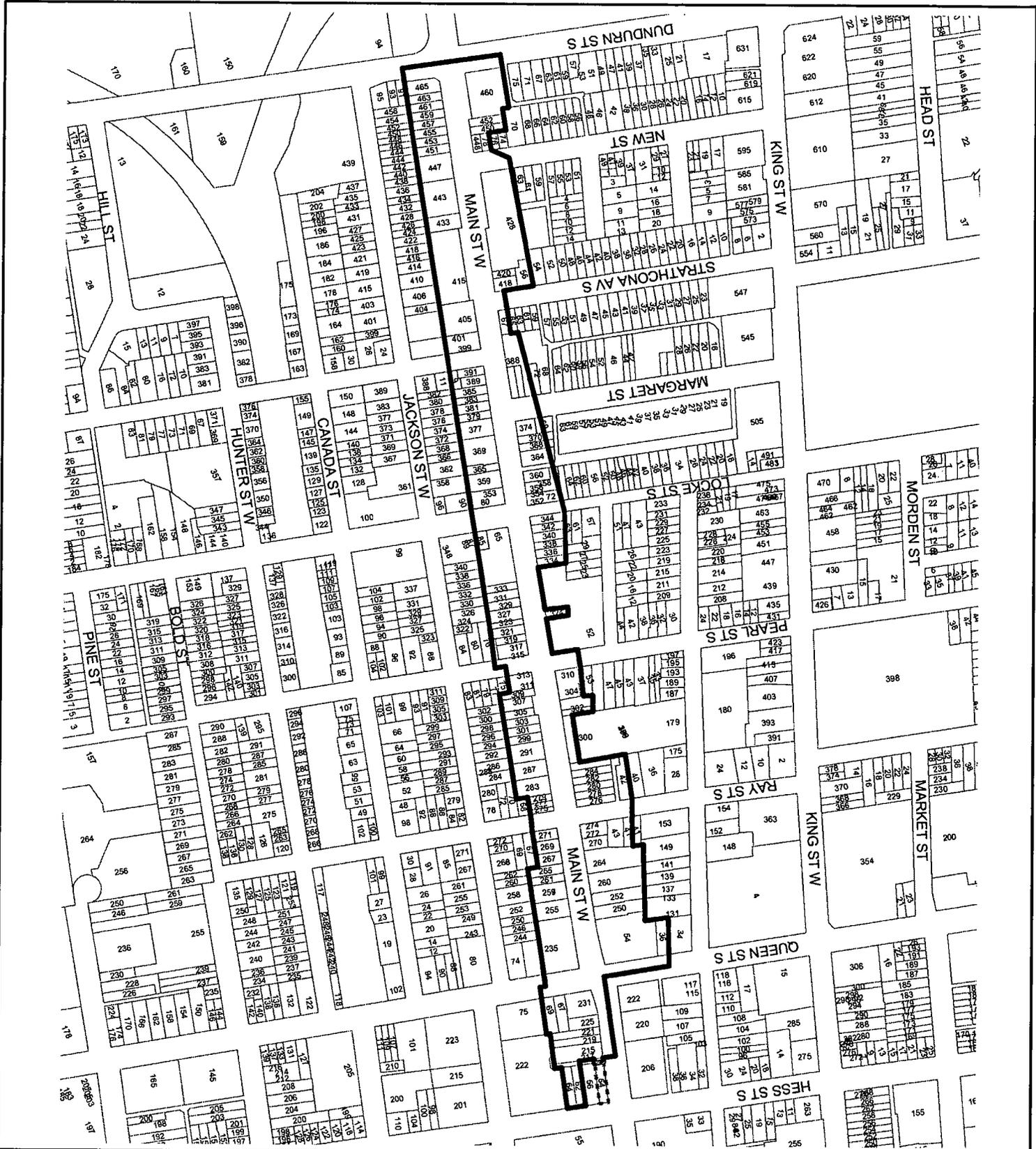
Date:  
June 9, 2008



Not to Scale



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2008/11/07 AM 10:16 AM  
7493 S/KO7A PLAN OF SURVEY



**Legend**

-  Main West Esplanade BIA Expansion Area
-  Main West Esplanade BIA

Main West Esplanade BIA  
 Appendix "1" to By-law 08-158  
 being a By-law to amend  
 By-law 90-197

Date: June 8, 2008



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