

Authority: Item17, Planning and
Economic Development
Committee
Report 05-002 (PD05009)
CM: March 23,2005

Bill No. 058

CITY OF HAMILTON

BY-LAW NO. 05-058

**To Amend Zoning Bylaw No. 6593 as amended by By-law 74-280
Respecting Lands Located at 1940 Main Street West**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 17 of Report 02-005 of the Planning and Economic Development Committee at its meeting held on the 26th day of January, 2005, 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 "B-1" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8A of Zoning By-law No. 6593, applicable to the lands,

By-law respecting 1940 Main Street West (Page 2 of 3)
the extent and boundaries of which are shown on a plan hereto annexed as
Schedule " A are further amended to the extent only of the following special
requirements:

- (a) That notwithstanding Section 8A(1) of Zoning By-law 6593, a physiotherapy, acupuncture and osteopathy clinic shall be permitted within the existing dwelling, occupying not more than 30 m² of gross floor area;
 - (b) That notwithstanding Section 8A(3)(ii) of Zoning By-law 6593, the minimum side yard shall be that existing on the date of passing of this by-law;
 - (c) That notwithstanding Section 8A(3)(iii) of Zoning By-law 6593, the minimum rear yard shall be that existing on the date of passing of this by-law; and,
 - (d) That notwithstanding Section 18A(14g) of Zoning By-law 6593, a maximum of 2 parking spaces shall be permitted in the required front yard.
2. 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 "B-1" (Suburban Agriculture and Residential, etc.) District provisions, subject to the special requirements referred to in Section 1.
 3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-371a.
 4. Sheet No. W-52 of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-371a.
 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.

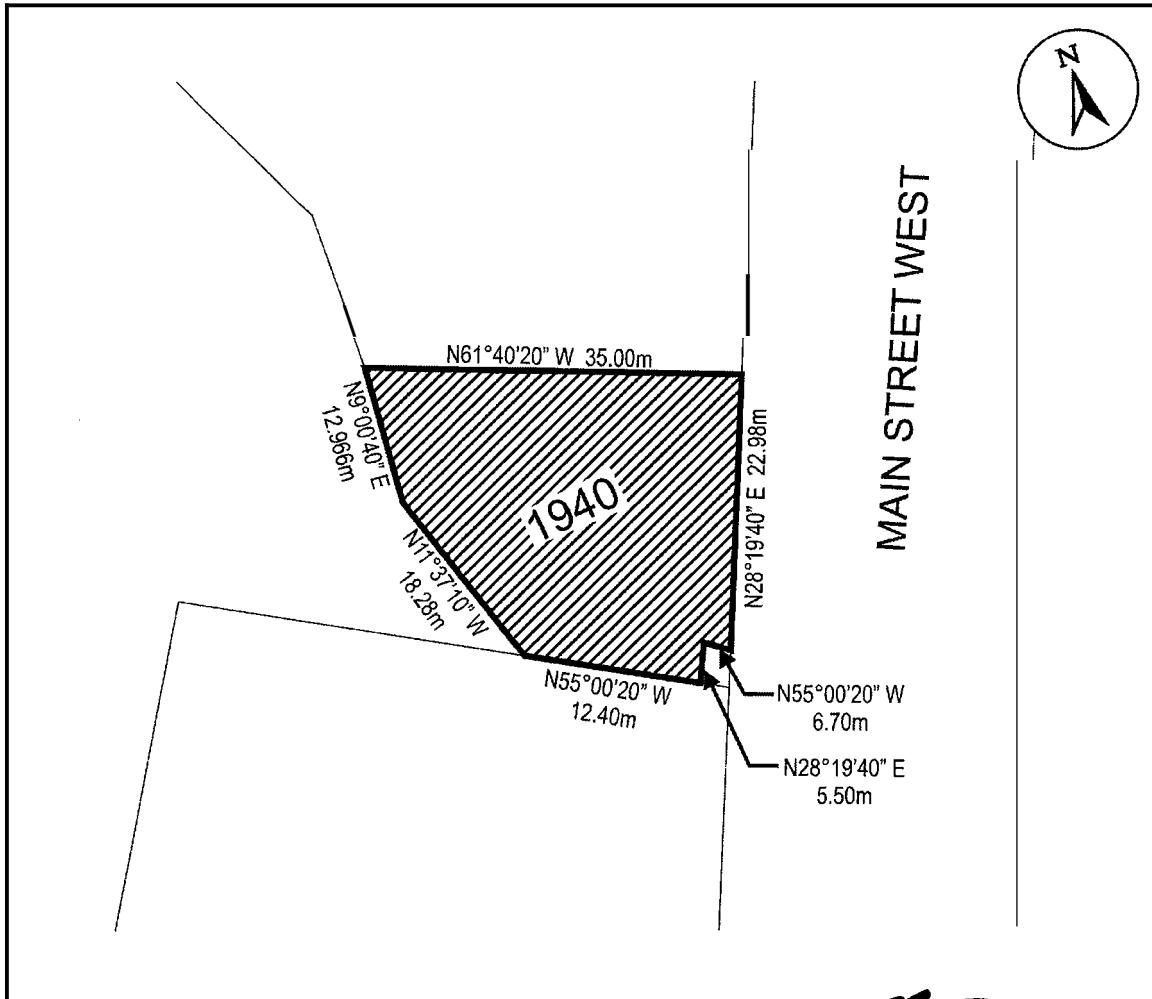
PASSED and ENACTED this 23rd

day of March, 2005.

MAYOR

CLERK

ZAR-04-80



This is Schedule "A" to By-Law No 05-058

Passed the 23rd day of March, 2005

[Signature]
Clerk

[Signature]
Mayor

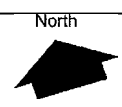
Schedule "A"

Map Forming Part of
By-Law No. 05-058
to Amend By-Law No 6593



Subject Property
1940 Main Street West

Further Modification to the established "B-1"
(Suburban Agriculture & Residential, etc.) District



Scale:
Not to Scale

Date:
December 2004

File Name/Number:
ZAR-04-80

Planner/Technician:
HT/LM

T&C File Name: