

**Authority:** Item 16, Planning and  
Economic Development  
Committee  
Report 04-014 (PD04203)  
CM: August 12, 2004

**Bill No. 188**

## **CITY OF HAMILTON**

### **BY-LAW NO. 04-188**

#### **To Amend Zoning By-law No. 6593 Respecting Lands Located at 74 Hughsonll Hunter Street**

**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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 16 of Report 04-014- of the Planning and Economic Development Committee at its meeting held on the 12th day of August, 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, as amended by Official Plan Amendment No. 195 proposed by the Corporation of the City of Hamilton as By-law No. 04-187 but not yet approved in accordance with the provisions of the Planning Act;

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

1. Sheet No. E-5 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
  - (a) by modifying the “I” (Central Business) Districts;  
  
the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. The “I” (Central Business) Districts regulations as contained in Section 15 of Zoning By-law No. 6593, applicable to the subject lands are modified to the extent only of the following special requirements:
  - (a) That notwithstanding Section 15. (1) of Zoning By-law No. 6593, only the following uses shall be permitted:
    - i) Multiple dwellings, provided the ground floor is maintained for commercial use;
    - ii) Restaurants;
    - iii) Commercial Schools;
    - iv) Outdoor Patios;
    - v) Business Offices;
    - vi) Professional Offices;
    - vii) Medical or Dental Offices;
    - viii) Banks;
    - ix) Personal Service Establishments;
    - x) Retail Stores; and
    - xi) Custom Tailor’s Shops.
  - (b) That notwithstanding Subsection 15 (2) (i) and (ii) a maximum building height of four storeys shall be provided and maintained;
  - (c) That notwithstanding Subsection 15 (3) (i) and (iii) a front yard having a minimum depth of 0.0 metres and a maximum depth of 2.0 metres shall be provided and maintained;
  - (d) That Subsection 15 (3) (ii) shall not apply;
  - (e) For the purposes of this by-law Personal Services Establishment shall mean the following:

“The provision of services involving the health, beauty or grooming of a person or the maintenance or cleaning of apparel.”
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 “I” (Central Business) District provisions subject to the special requirements referred to in Section 2.

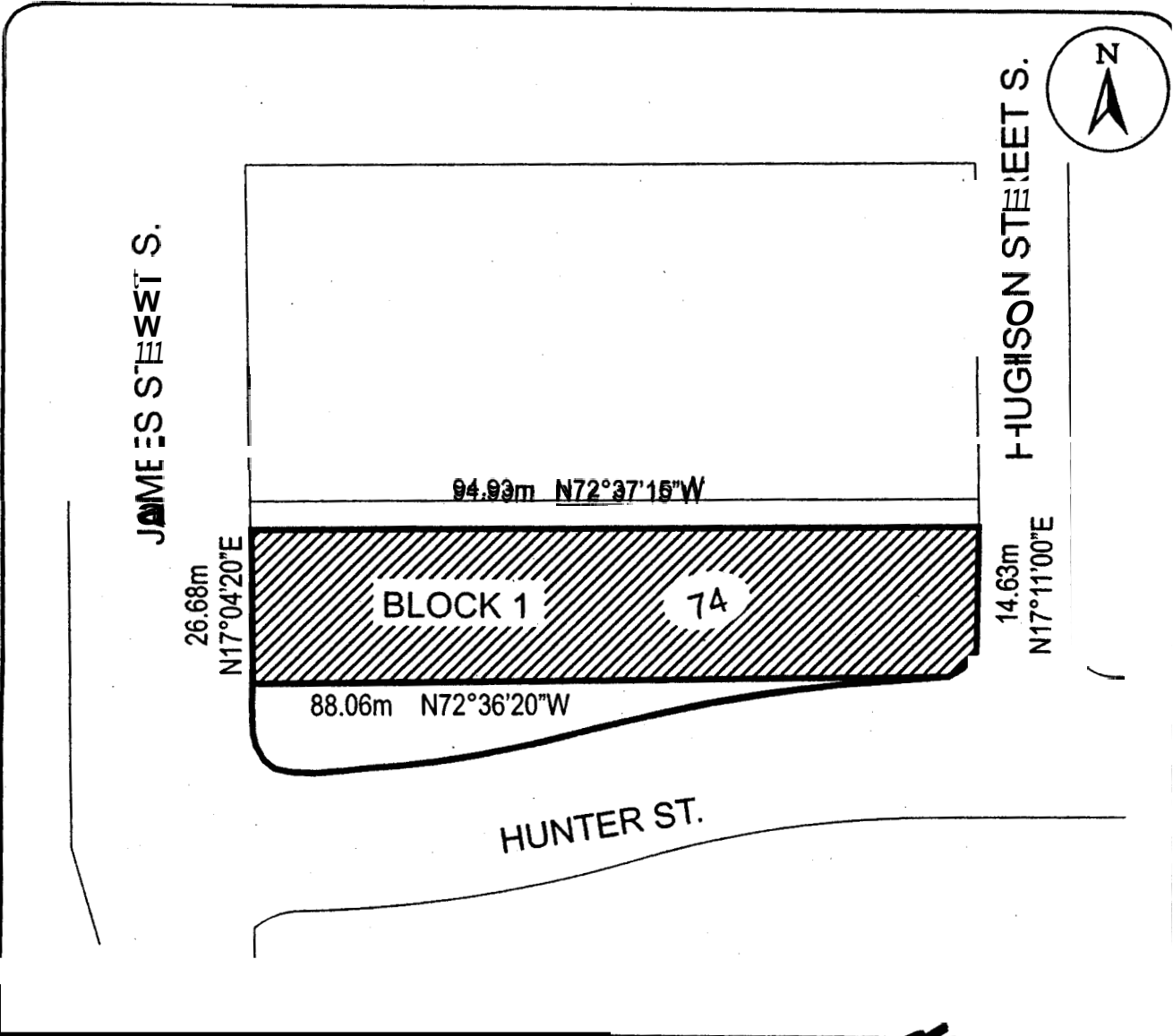
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1509.
5. Sheet No. E-4 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1509.
6. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 12<sup>th</sup> day of August, 2004.

MAYOR

CI-04-D

CLERK



This is Schedule "A" to By-Law No. 04-188

Passed the 12th day of August, 2004

*[Signature]*  
Clerk

*[Signature]*  
Mayor

# Schedule "A"

Map Forming Part of  
By-Law No. 04-188  
to Amend By-Law No 6593

**Subject Property**  
74 Hughson Street South/1 Hunter Street

**BLOCK 1**  
 Zoning By-law Amendment to modify the "I" (Central Business Districts) Zoning