

**Authority:** Item 24, Planning and Economic  
Development Committee  
Report: 06-019 (PED02075a)  
CM: October 25, 2006

**Bill No. 323**

**CITY OF HAMILTON**

**BY-LAW NO. 06-323**

**To Amend Zoning By-law No. 6593 (Hamilton),  
Respecting a Portion of the Lands Located at 126-128 Sanford Avenue North**

**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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25<sup>th</sup> day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7<sup>th</sup> day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Section 24 of Report 06-018 of the Planning and Economic Development Committee at its meeting held on the 25<sup>th</sup> day of October, 2006, 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. That Sheet No. E-21 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

- (a) by changing the zoning from the "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District to the "H/S-1567" (Community Shopping and Commercial, etc.) District, Modified, for Block "1"; and,
- (b) by changing the zoning from the "H" (Community Shopping and Commercial, etc.) District to the "H/S-1567" (Community Shopping and Commercial, etc.) District, Modified, for Block "2";

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

2. That the "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, be modified for Blocks "1" and "2" as described in Section 1 of this By-law to include the following special requirements:
  - (a) That notwithstanding Subsection 14(1) of Zoning By-law No. 6593, a High-Speed Mechanical Carwash shall also be permitted;
  - (b) That notwithstanding Subsections 14(9)(i) and 18(3)(ivc)(b) of Zoning By-law No. 6593, a planting strip at least 2.0 metres wide shall be provided and maintained along and within every side lot line and rear lot line adjoining a residential district, except that a minimum 1.0 metre wide planting strip shall be provided and maintained between a garbage enclosure and a residential district;
  - (c) That notwithstanding Subsection 18(A)(26) of Zoning By-law No. 6593, an access driveway is permitted to be located not less than 2.0 metres from a residential district; and,
  - (d) That notwithstanding Subsections 18(3)(ivc)(a) and 18(3)(ive)(b) of Zoning By-law No. 6593 a High-Speed Mechanical Carwash is permitted to be located a minimum of 2.0 metres from the northerly and easterly side lot lines.
3. Zoning By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1567.
4. 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" (Community Shopping and Commercial, etc.) District provisions, subject to the special requirements referred to in Section 2.

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 25<sup>th</sup> day of October, 2006.

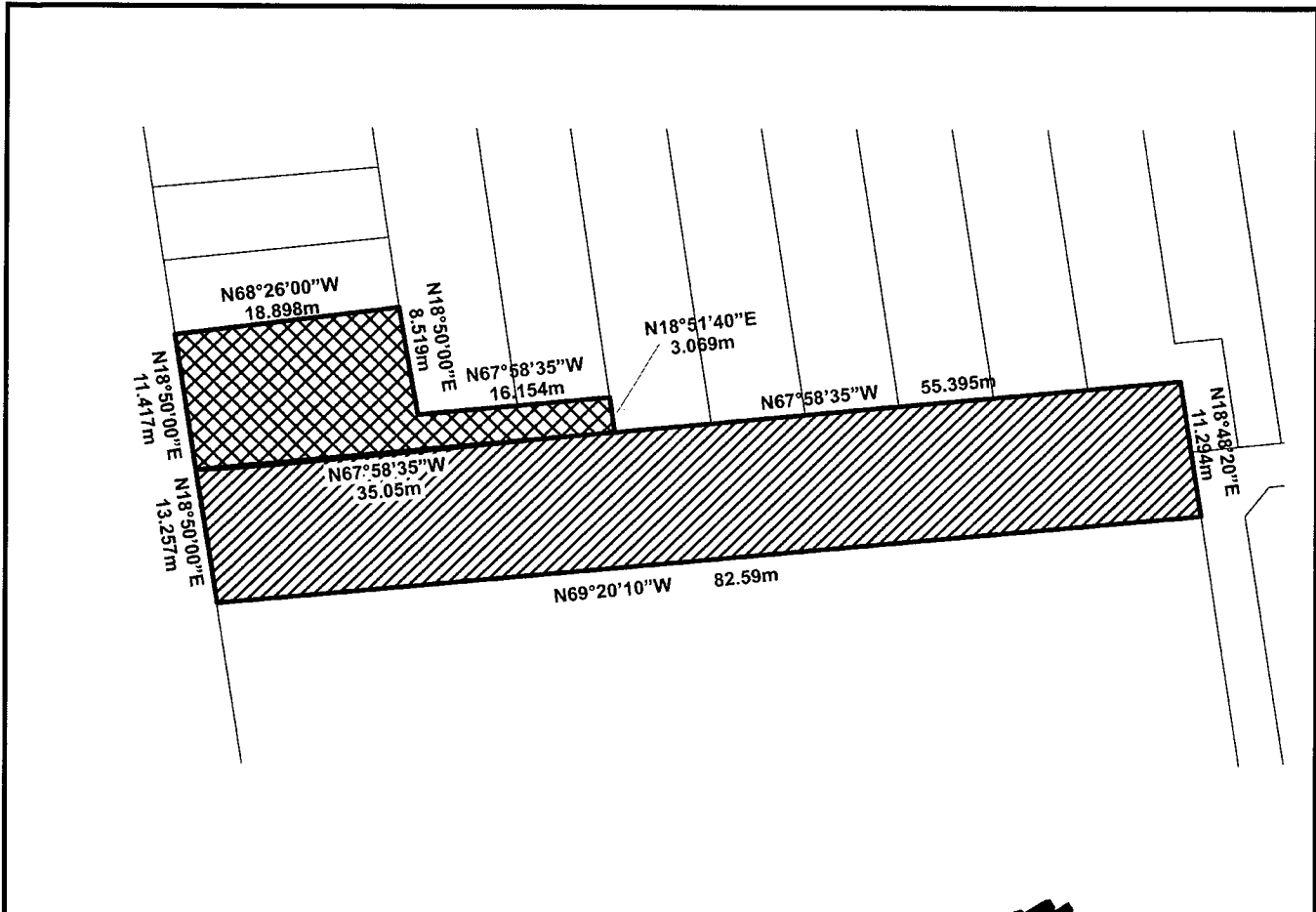
MAYOR

A large, stylized handwritten signature in black ink, consisting of several loops and a long tail, positioned above a horizontal line.

CLERK

A signature area where the text has been completely blacked out with heavy marker, leaving only a horizontal line visible.

ZAC-02-10



This is Schedule "A" to By-Law No. 06- 323

Passed the ..25th day of ..October....., 2006

\_\_\_\_\_  
Clerk  
\_\_\_\_\_  
Mayor

# Schedule "A"

## Map Forming Part of By-Law No. 06- 323

to Amend By-law No. 6593

### Subject Property

126-128 Sanford Avenue North



Block 1 Change in Zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "H" (Community Shopping and Commercial , etc.) District, Modified



Block 2 Modification to the "H" (Community Shopping and Commercial, etc.) District

Scale:  
N.T.S.

File Name/Number:  
25T-200611

Date:  
July 27, 2006

Planner/Technician:  
KW/LC



Hamilton