

**Authority:** Item 13, Planning and Economic  
Development Committee  
Report: 06-014 (PED06335)  
CM: August 9, 2006

**Bill No. 240**

**CITY OF HAMILTON**

**BY-LAW NO. 06-240**

**To Amend Zoning By-law No. 6593 (Hamilton),  
Respecting 86 Homewood Avenue and 91 Stanley Avenue**

**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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Item 13 of Report 06-014 of the Planning and Economic Development Committee at its meeting held on the 9<sup>th</sup> day of August, 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. W-14 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

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- (a) by changing the zoning from the "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District to the "D/S-1549" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified,

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

2. That the "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, be modified to include the following special requirements:

- (a) That notwithstanding Subsection 10.(1) of Zoning By-law No. 6593, the following additional uses are permitted only in conjunction with a place of worship existing on the date of the passing of the by-law, being the 9<sup>th</sup> day of August, 2006, and having a combined maximum gross floor area of 1,600 square metres:

- (i) Professional Offices, except that medical offices shall not be permitted;
- (ii) Catering Services within the existing kitchen having a maximum gross floor area of 100 square metres; and,
- (iii) Commercial School with a maximum of 6 classrooms.

3. Zoning By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1549.

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 "D" (Urban Protected Residential – One and Two Family Dwellings, 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.

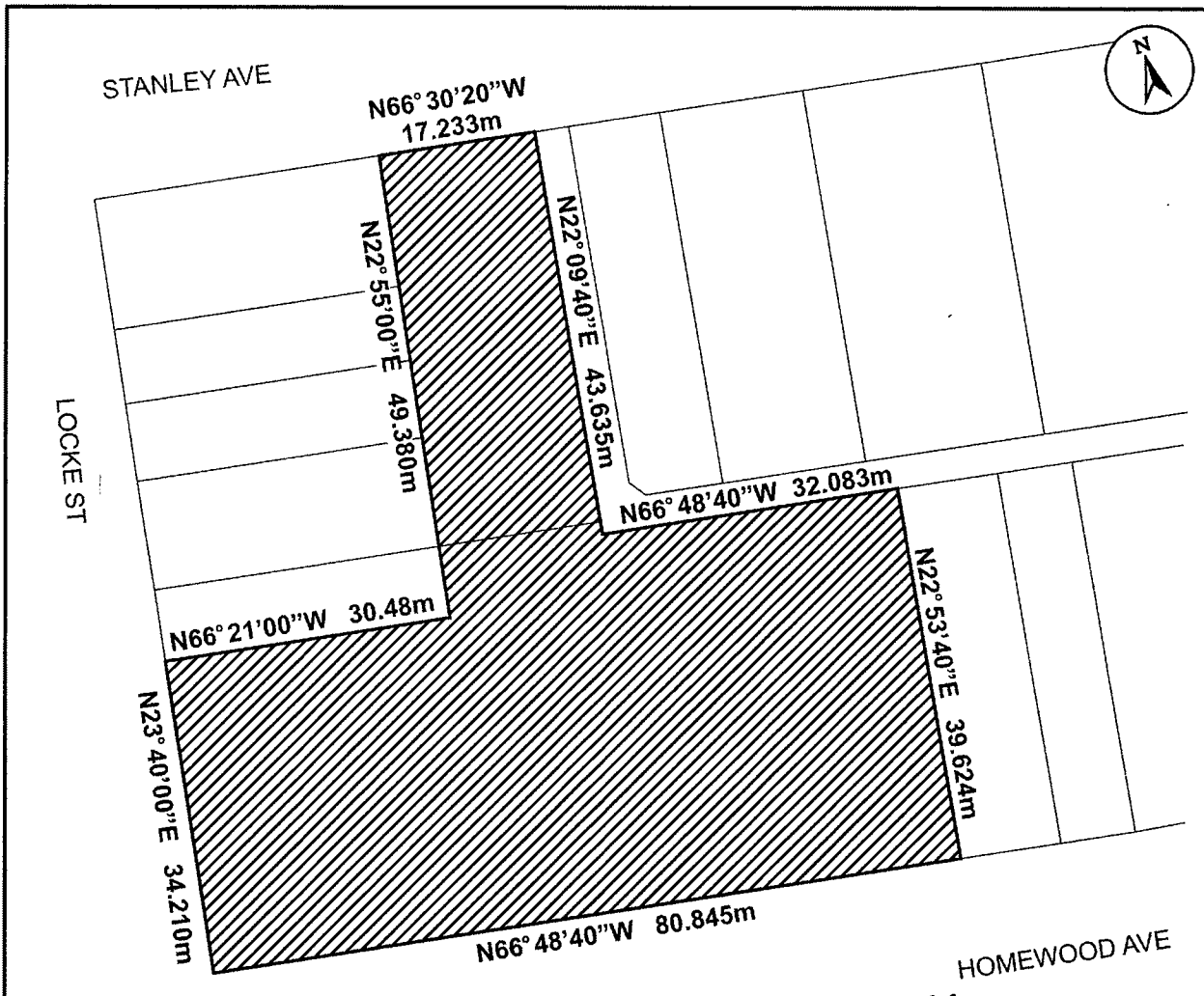
**PASSED and ENACTED** this 9<sup>th</sup> day of August, 2006.

  
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MAYOR

  
\_\_\_\_\_  
CLERK

ZAC-05-122

**By-law Respecting 86 Homewood Avenue and 91 Stanley Avenue**  
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This is Schedule "A" to By-Law No. 06— 240

Passed the 9th day of August, 2006


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Clark


*[Signature]*  
Mayor

**Schedule "A"**

Map Forming Part of  
By-law No. 06- 240  
to Amend By-law No. 6593

**Subject Property**  
86 Homewood Avenue and 91 Stanley Avenue (Hamilton)

 Modification to the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District

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|--|--|---|
| Scale:<br><b>Not to Scale</b>                | File Name/Number:<br><b>ZAC-05-122</b> | <br>Hamilton |
| Date:<br><b>July 2006</b>                    | Planner/Technician:<br><b>GM/MB</b>    |   |
| PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT |  |   |