

**Authority:** Item 25, Planning and Economic  
Development Committee  
Report: 06-019(PED06404)  
CM: October 25, 2006

**Bill No. 329**

## **CITY OF HAMILTON**

### **BY-LAW NO. 06-329**

#### **To Amend Zoning By-law No. 6593 Respecting Lands Located at 444 Hughson Street North and 400 John Street 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 25 of Report 06-018 of the Planning and Economic Development Committee at its meeting held on the 17<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 City of Hamilton, as amended by Official Plan Amendment No.      to the former Official Plan of the City of Hamilton, proposed by the Corporation of the City of Hamilton, 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. That Sheet No. E-2 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
  - (a) by changing Block "1" from "D" (Urban Protected Residential, One and Two Family Dwellings, etc.) District to "D" (Urban Protected Residential, One and Two Family Dwellings, etc.) District, Modified; and,
  - (b) by changing Block "2" from "D" (Urban Protected Residential, One and Two Family Dwellings, etc.) District to "D" (Urban Protected Residential, One and Two Family Dwellings, etc.) District, Modified;

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

2. That the "D" (Urban Protected Residential, One and Two Family Dwellings, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, applicable to Block "1", are modified to the extent only of the following special requirements:
  - (a) That notwithstanding Section 10. (1) of Zoning By-law No. 6593, only the following uses and accessory uses thereto shall be permitted:
    - Medical Clinic; and,
    - Library.
  - (b) That notwithstanding Section 10.(2) of By-Law No. 6593, no building or structure shall exceed 10.5 metres in height.
  - (c) That notwithstanding Section 10.(3)(ii) of Zoning By-law No. 6593, a yard having a minimum depth of 1.0 metre shall be provided and maintained along the southerly lot line.
  - (d) That all parking areas shall be separated from the street by a planting strip of not less than 3.0 metres in width, except for any areas used for access driveways.
  - (e) That all parking areas shall be separated from all lot lines other than a street line, by a planting strip of not less than 1.5 metres in width, except for any areas used as walkways.
  - (f) That notwithstanding Table 1 of Section 18A of Zoning By-law No. 6593, or any provision of this By-law to the contrary, a

minimum of 100 parking spaces shall be provided, of which a maximum of 60 spaces may be provided on lands located at 400 John Street North.

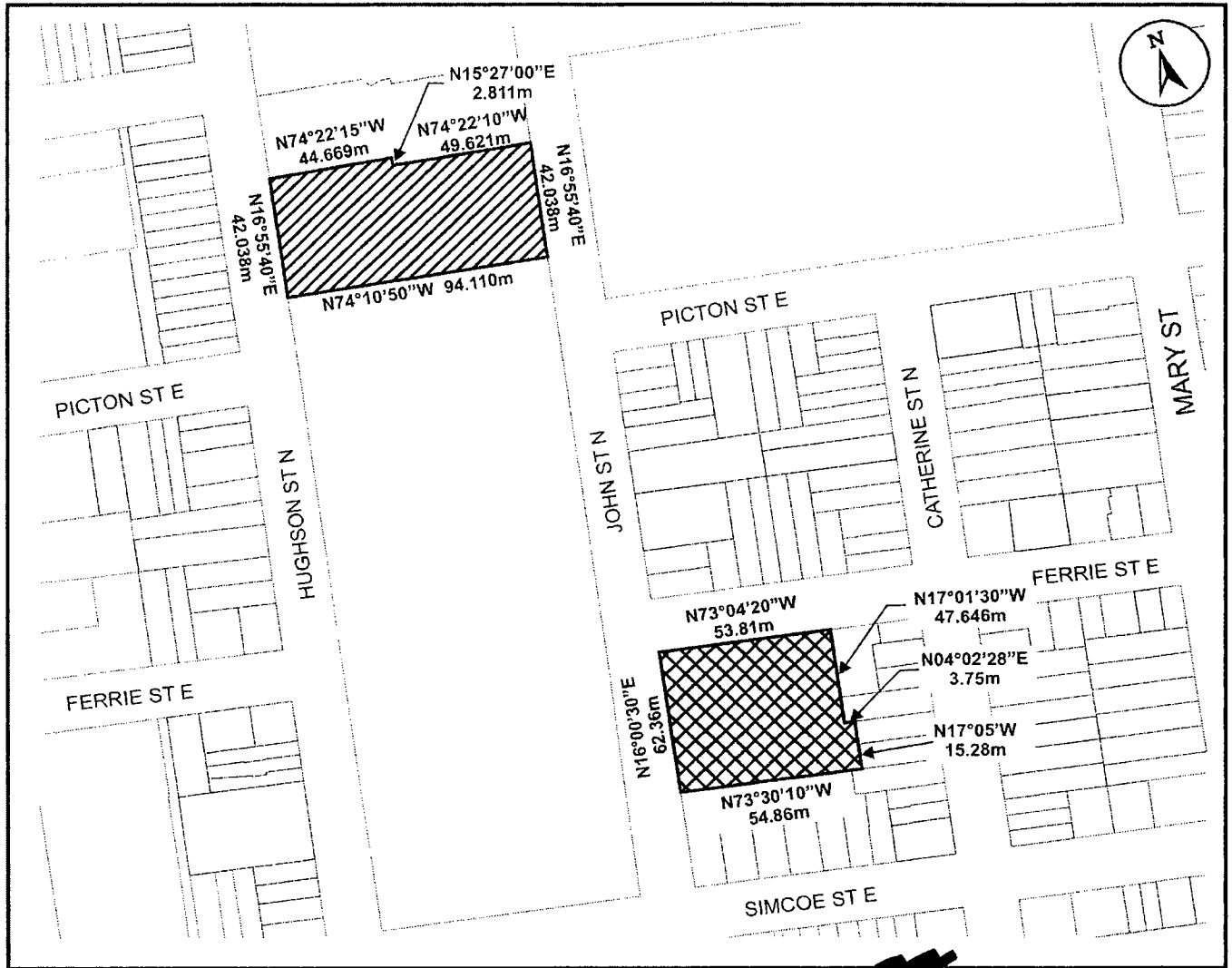
3. That the "D" (Urban Protected Residential, One and Two Family Dwellings, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, applicable to Block "2" are modified to the extent only of the following special requirements:
  - (a) That notwithstanding Section 10.(1) of Zoning By-law No. 6593, only the following use shall be permitted:
    - A parking lot, used in conjunction with the uses at 444 Hughson Street North and 45 Simcoe Street East.
  - (b) That all parking areas shall be separated from any lot line by a planting strip of not less than 3.0 metres in width, except for any areas used for access driveways or walkways.
  - (c) That notwithstanding Table 1 of Section 18A or any other provision to the contrary of Zoning By-law No. 6593, 60 parking spaces shall be provided and maintained for the uses located at 444 Hughson Street North.
4. That 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 Sections 2 and 3.
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

CI-04-E

CLERK



This is Schedule "A" to By-Law No. 06—329

Passed the 25th day of October, 2006

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

# Schedule "A"

Map Forming Part of  
 By-law No. 06- 329

to Amend By-law No. 6593

## Subject Property

444 Hughson St North and 400 John St North



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



Block 2 - Change in zoning from "D" (Urban Protected Residential, One and Two Family Dwellings, etc.) District to "D" (Urban Protected Residential, One and Two Family Dwellings, etc.) District Modified

Scale: <b>Not to Scale</b>	File Name/Number: CI-04-E
Date: <b>September 2006</b>	Planner/Technician: <b>DS/MB</b>

