

**Authority:** Item 16, Planning and Economic  
Development Committee  
Report: 08 -006 (PED07286(a))  
CM: April 9, 2008

**Bill No. 074**

**CITY OF HAMILTON**

**BY-LAW NO. 08-074**

**To Amend Zoning By-law No. 6593 (Hamilton),  
Respecting 1 Hayden Street**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1<sup>st</sup>, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Hamilton" and is the successor of 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 16 of Report 08-006 of the Economic Development and Planning Committee at its meeting held on the 9<sup>th</sup> day of April, 2008, 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. E9 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended, is hereby amended:

Zoning By-law Respecting 1 Hayden Street (Page 2 of 4)

- (a) by changing from the "D" (Urban Protected Residential, One and Two Family Dwellings, etc.) District to the "D/S-1584" (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".

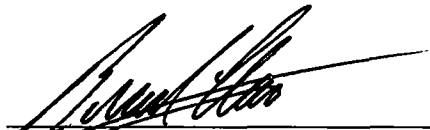
- 2. That the "D" (Urban Protected Residential, One and Two Family Dwellings, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, be modified to include the following special requirements:

- (a) That notwithstanding Section 10(1) of Zoning By-law 6593, a dentist office, to be limited to not more than 2 dentists, shall be permitted within the building existing on the day of the passing of this By-law, being the 9<sup>th</sup> day of April, 2008.
- (b) That notwithstanding Sections 18A.1, 18A(9) and Table 1 of By-law 6593, a minimum of 6 parking spaces shall be provided for a dentist office, of which 4 parking spaces may be provided and maintained within the road allowance of Mohawk Road East.
- (c) That notwithstanding Section 18A.(1)(f) and Table 6 of Zoning By-law 6593, a manoeuvring aisle, having a minimum width of 3.5 metres, shall be permitted for parking spaces which are situated at 40 degree angles.
- (d) That notwithstanding Section 18A.(7) of Zoning By-law 6593, the minimum dimensions of a parking space, other than a parallel parking space, shall be 2.7 metres wide by 5.5 metres long.
- (e) That notwithstanding Section 18A.(11)(a) of Zoning By-law 6593, the boundary of a parking area containing five or more parking spaces located on the surface of a lot adjoining a residential district may be located 0.0 metres from the adjoining residential district boundary.
- (f) That notwithstanding Section 18A.(11)(b) of Zoning By-law 6593, a parking area may be located a minimum of 0.0m from the adjacent Residential District for the first 6.0m from the street lines.
- (g) That notwithstanding Section 18A.(12)(a) of Zoning By-law 6593, a minimum landscape strip of 1 metre in width, shall be provided along the southerly property line, except within 3 metres of the front lot line.
- (h) That notwithstanding Section 18A.(26) of Zoning By-law 6593, an access driveway may be located 0.0 metres from the common boundary with the residential district along the southerly side lot line, except where a 1.0 metre wide landscape strip is required.

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- (i) That a minimum landscaped area of 23% shall be provided and maintained.
  - (j) That notwithstanding Section 18(4)(v)(b) of Zoning By-law 6593, an air conditioning unit may be located within 0.5 metres of the northerly side lot line.
3. By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1584.
  4. Sheet No. E-9 of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1584.
  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 April, 2008.



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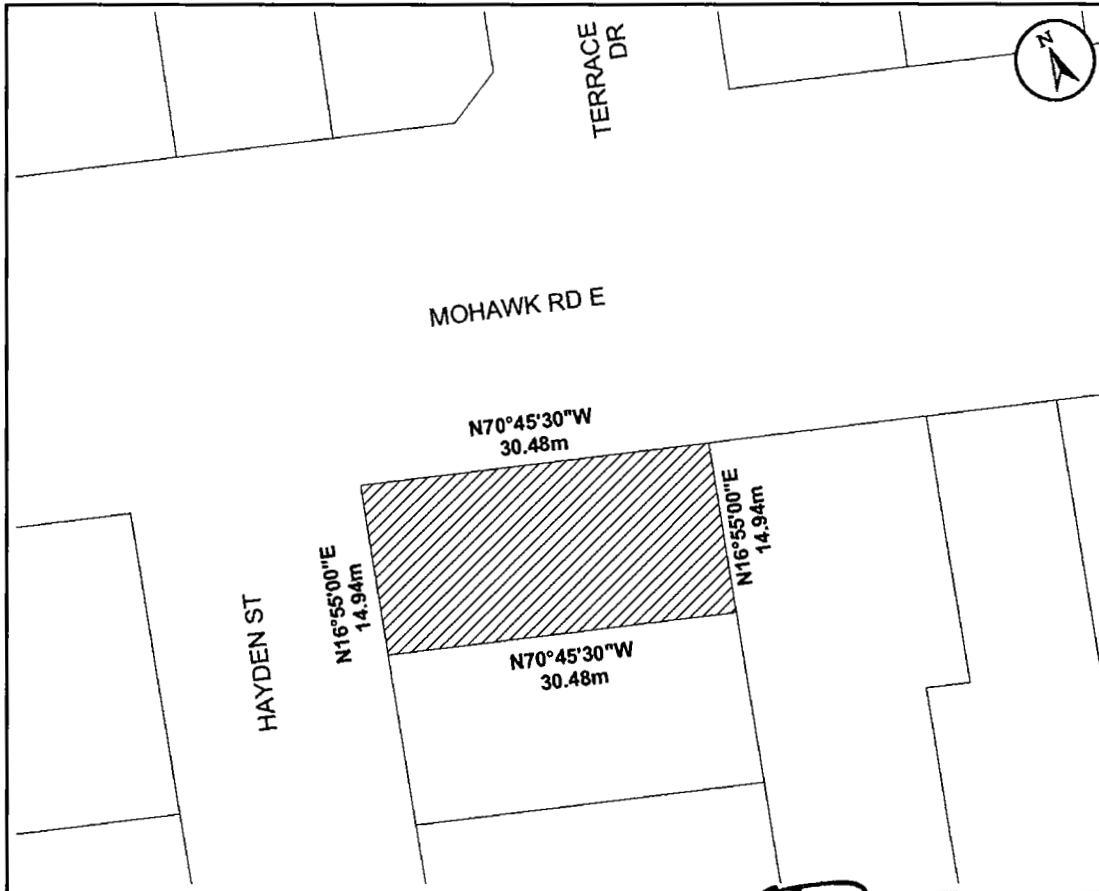
Brad Clark  
Acting Mayor



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Kevin C. Christenson  
City Clerk

ZAR-07-033



This is Schedule "A" to By-Law No. 08-074  
 Passed the ..9th.. day of ....April....., 2008


*[Signature]*  
 Mayor

**Schedule "A"**

Map Forming Part of  
 By-Law No. 08- 074

to Amend By-law No.6593

**Subject Property**  
 1 Hayden Street

 Change from the "D" (Urban Protected Residential, One and Two Family Dwellings, etc.) District to the "D/S-1584" (Urban Protected Residential, One and Two Family Dwellings, etc., ) District, Modified.

Scale: N.T.S.	File Name/Number: ZAR-07-033
Date: October 16, 2007	Planner/Technician: CT/MB

