

**Authority:** Item 6, Planning Committee  
Report: 11-018 (PED11170)  
CM: October 18, 2011

**Bill No. 087**

**CITY OF HAMILTON**

**BY-LAW NO. 12-**

**To Amend Zoning By-law No. 6593 (Hamilton),  
Respecting 75 Queenston Road**

**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Plan of the former Regional Municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 6 of Report 11-018 of the Planning Committee, at its meeting held on the 18<sup>th</sup> day of October, 2011, 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-54 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), are amended:

- (a) by changing the zoning from the “H” (Community Shopping and Commercial, etc.) District to the “H/S-1649” (Community Shopping and Commercial, etc.) District, Modified, on the lands identified as “Block 1”;
- (b) by changing the zoning from the “C” (Urban Protected Residential, etc.) District to the “H/S-1649” (Community Shopping and Commercial, etc.) District, Modified, the lands identified as “Block 2”;
- (c) by changing the zoning from the “G-3” (Public Parking Lot) District to the “H/S-1649” (Community Shopping and Commercial, etc.) District, Modified, the lands identified as “Block 3”; and,
- (d) by changing the zoning from the “H” (Community Shopping and Commercial, etc.) District to the “H/S-1649” (Community Shopping and Commercial, etc.) District, Modified, on the lands identified as “Block 4”;

the lands, 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 to include the following special provisions:
  - (a) That notwithstanding Section 14(1) of Zoning By-law No. 6593, a flea market, having a maximum of 72 stalls, provided that it shall not be located outdoors, shall also be permitted;
  - (b) That notwithstanding Sections 18A(1)(d) and (e) of Zoning By-law No. 6593, one loading space, with a minimum size of 18.0m x 3.7m x 4.3m, shall be provided and maintained;
  - (c) That notwithstanding Section 18A(1)(f) of Zoning By-law No. 6593, a minimum manoeuvring space aisle width of 5.5m shall be provided and maintained; and,
  - (d) That notwithstanding Section 18A(7) of Zoning By-law No. 6593, parking spaces having a minimum size of 2.6m (W) x 5.5m (L) shall be provided and maintained;
- 3. That Zoning By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1649.
- 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 “H” District provisions, subject to the special requirements referred to in Section 2.

5. That Sheet No. E-54 of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1649.
6. That 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** this 11<sup>th</sup> day of April, 2012.

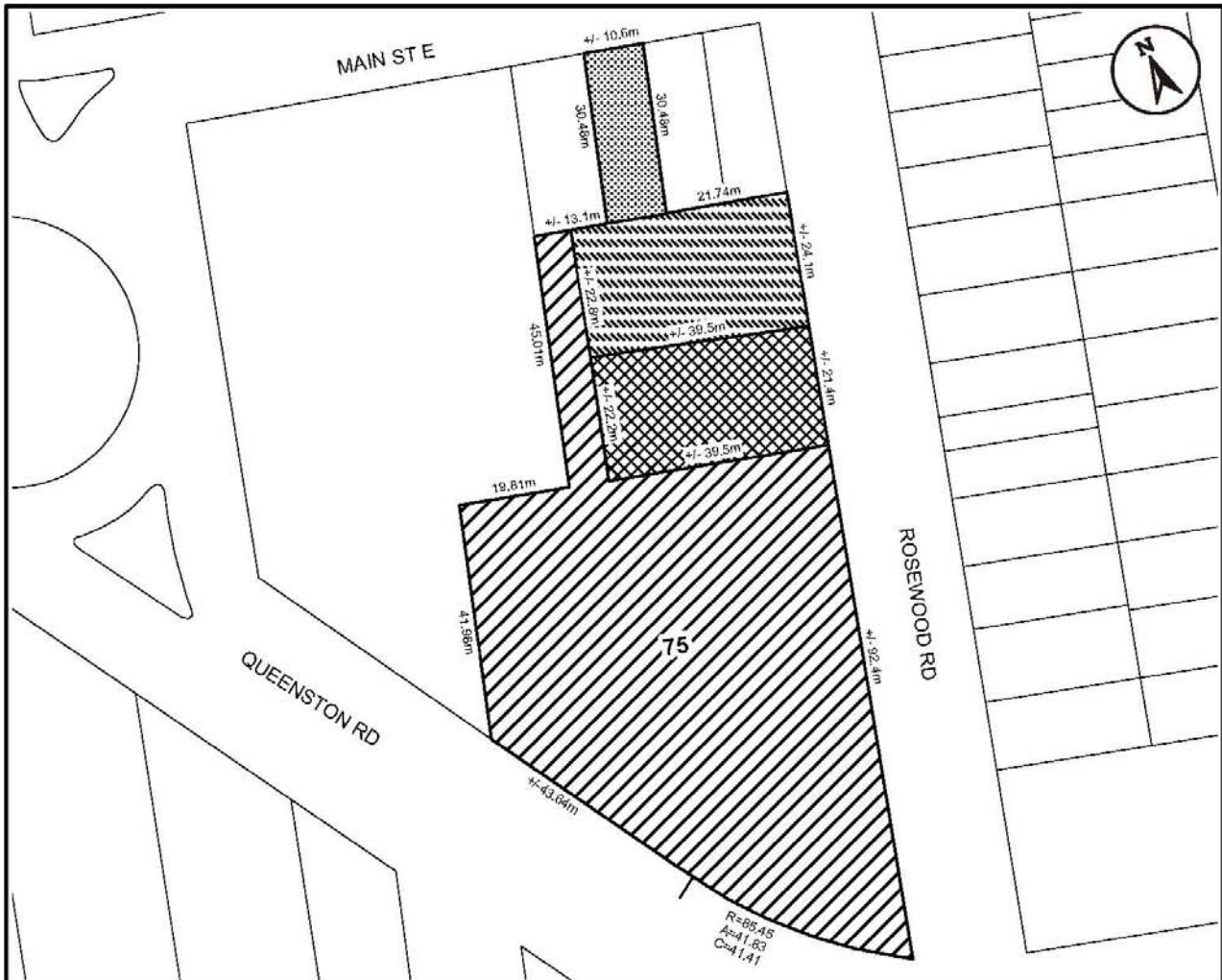
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R. Bratina  
Mayor

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M. Gallagher  
Acting City Clerk

ZAR-11-023



This is Schedule "A" to By-Law No. 12-

Passed the ..... day of ....., 2012

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 Clerk

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 Mayor

## Schedule "A"

Map Forming Part of  
 By-Law No. 12-\_\_\_\_\_

to Amend By-law No. 6593

### Subject Property

75 Queenston Road



Block 1 - Lands to be rezoned from the "H" (Community Shopping and Commercial, etc.) District to the "H/S-1649" (Community Shopping and Commercial, etc.) District, Modified



Block 2 - Lands to be rezoned from the "C" (Urban Protected Residential, etc.) District to the "H/S-1649" (Community Shopping and Commercial, etc.) District, Modified



Block 3 - Lands to be rezoned from the "G-3" (Public Parking Lots) District to the "H/S-1649" (Community Shopping and Commercial, etc.) District, Modified



Block 4 - Lands to be rezoned from the "H" (Community Shopping and Commercial, etc.) District to the "H/S-1649" (Community Shopping and Commercial, etc.) District, Modified

Scale:  
 N.T.S.

File Name/Number:  
 ZAR-11-023

Date:  
 April 5, 2012

Planner/Technician:  
 MB/AL

