

**Authority:** Item 7, Planning Committee  
Report: 15-014 (PED15142)  
CM: September 23, 2015

**Bill No. 220**

## **CITY OF HAMILTON**

### **BY-LAW NO. 15-**

#### **To Amend Zoning By-law No. 6593 (Hamilton), as amended, Respecting the Lands Located at 378 Main Street East (Hamilton)**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap.14, Schedule 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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** Zoning By-law No. 6593 (Hamilton) was enacted on the 25<sup>th</sup> day of July 1950, which 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 7 of Report 15- 014 of the Planning Committee, at its meeting held on the 23<sup>rd</sup> day of September, 2015, which recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**AND WHEREAS** Section 39 of the *Planning Act* authorize the City of Hamilton to pass By-laws to conditionally permit the temporary use of the buildings or structures.

**AND WHEREAS** this By-law will be in conformity with the Urban Hamilton Official Plan;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Sheet No. E14 of the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton), are amended by changing from the “C” (Urban Protected Residential, etc.) District to the “C” (Urban Protected Residential, etc.) District, Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. That the “C” (Urban Protected Residential, etc.) District regulations, as contained in Section 9. and 18A. of Zoning By-law No. 6593 applicable to this By-law, are modified to include the following special requirements:
  - (a) In accordance with Section 39 of the Planning Act, R.S.O. 1990, the temporary use of the lands for a Corrections Residence, having a maximum capacity of 36 residents, in conjunction with a Social Services Establishment that is limited to serving a maximum of 12 individuals at any one time who do not reside on the premises, shall be permitted within the existing building located at 378 Main Street East, for a period not exceeding one year from the day of the passing of this By-law being the 21 day of September, 2015.
  - (b) That a minimum radial distance separation between a Corrections Residence and Residential Care Facility not apply.
  - (c) That the existing parking provided on-site shall be deemed to conform.
3. That Zoning By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1726.
4. That Sheet E14 of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1726
5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law, in accordance with the *Planning Act*.

**PASSED** this 23<sup>rd</sup> day of September, 2015.

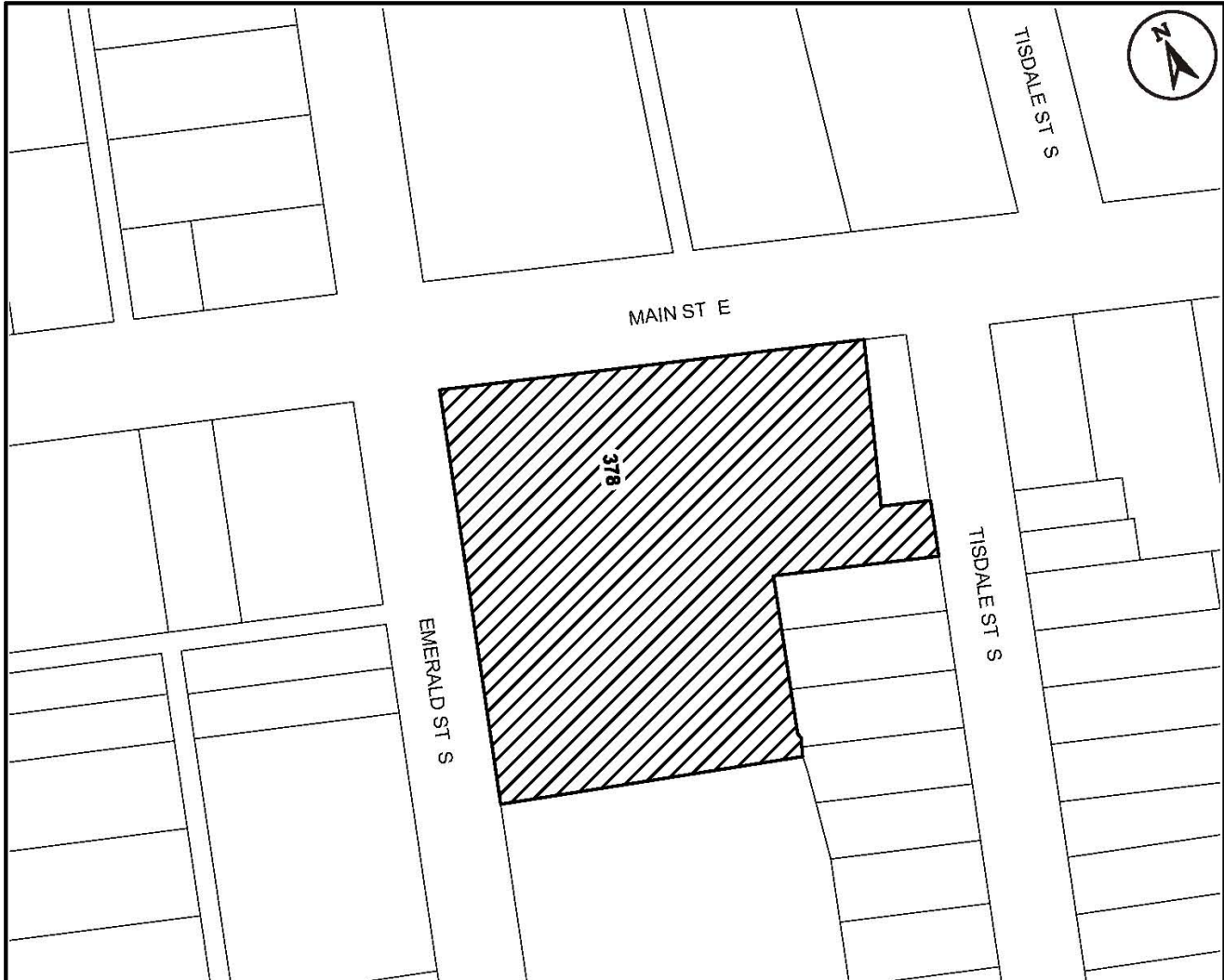
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Fred Eisenberger  
Mayor

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Rose Caterini  
City Clerk

CI-15-D



This is Schedule "A" to By-law No. 15-

Passed the ..... day of ....., 2015

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Mayor

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Clerk

## Schedule "A"

Map Forming Part of  
By-law No. 15-\_\_\_\_\_

to Amend By-law No. 6593

### Subject Property

378 Main Street East



Change in Zoning from the "C" (Urban Protected Residential, etc.) District to the "C/S-1726" (Urban Protected Residential, etc.) District, Modified for lands located at 378 Main Street East

Scale:  
N.T.S.

File Name/Number:  
CI-15-D

Date:  
August 21, 2015

Planner/Technician:  
AB/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT