

**Authority:** Item 14, Economic Development and  
Planning Committee  
Report 08- 014 (PED08151)  
CM: July 10, 2008

**Bill No. 173**

## **CITY OF HAMILTON**

### **BY-LAW NO. 08-173**

#### **To Amend Zoning By-law No. 05-200**

#### **Respecting Lands Located at 460 Wentworth Street North**

(Robert Land Community Centre)

**WHEREAS** the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, S.O. 1999, Chap. 14;

**AND WHEREAS** the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law 05-200;

**AND WHEREAS** it is desirable to enact a new Zoning By-law to comprehensively deal with zoning throughout the City;

**AND WHEREAS** the first stage of the new Zoning By-law, being By-law 05-200, came into force on May 25, 2005;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 14 of Report 08014 of the Economic Development and Planning Committee at its meeting held on the 10<sup>th</sup> day of July, 2008, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

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

1. That Schedule "A" of By-law No. 05-200 be amended to include additional zone boundaries to Map Nos. 871 and 913, as shown on Schedule "A" to this By-law;
2. That Schedule "C" of By-law No. 05-200 is amended by adding an additional special exception as follows:
  - "12. Within the lands zoned Major Institutional (I3) Zone, identified on Maps 871 and 913 of Schedule "A" and described as 460 Wentworth Street North, the following special provisions shall apply:

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**(Robert Land Community Centre)**

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- a) Notwithstanding Section 5 of this By-law, a minimum of 30 parking spaces shall be provided for the Community Centre on site and a street or laneway shall also be considered a right-of-way.
- b) For the purposes of this By-law, a driveway shall be permitted to lead directly from a private right-of-way.
- c) Notwithstanding Section 8.3.1 the following uses shall not be permitted:
  - Hospital
  - Lodging House
  - Long Term Care Facility
  - Medical Clinic
  - Medical Office
  - Multiple Dwelling
  - Place of Worship
  - Residential Care Facility
  - Retirement Home
- d) In addition to Section 8.3.1 of this By-law, the following uses shall be permitted:
  - Bicycle Repair Shop
  - Second Hand Goods Exchange and Sales
  - Museum
  - Retail
  - Outdoor Farm Market
- e) Notwithstanding Section 8.3.2.1, the following regulations shall apply:
  - i) Location and Size of Bicycle Repair Shop, Second Hand Goods Exchange and Sales, Museum and Retail:
    - a) Shall only be located within the building existing on the date of the passing of this By-law, being the 10<sup>th</sup> day of July 2008;

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**(Robert Land Community Centre)**

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- b) Shall be limited to a maximum GFA of 85 square metres for each use; and,
- c) Shall be operated as a non-for-profit establishment.

ii) Open Air Market

- a) Shall only be permitted in the parking area adjacent to Wentworth Street North and shall not occupy more than 9 parking spaces.

f) Notwithstanding Section 8.3.2.3 of this By-law, the following regulations shall apply:

- a) Minimum Lot Area for Unit:                      i) 150 square metres for each dwelling unit; and,
- c) Minimum Front Yard:                              i) 3.0 metres.”

3. That Schedule “D” of By-law No. 05-200 is amended by adding additional Holding provisions as follows:

“3. Notwithstanding Section 8.3 and Special Exception No. 12 of this By-law, within the lands zoned Major Institutional (I3) Zone, on Schedule 871 and 913 of Schedule “A”, known as 460 Wentworth Street South (Hamilton), street townhouse units shall not be permitted until such time as a signed Record of Site Condition is submitted with the corresponding administration fee, to the satisfaction of the Director of Planning, including an acknowledgement from the Ministry of Environment.

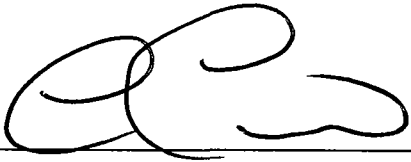
Notwithstanding Section 8.3 and Special Exception No. 12 of this By-law, within the lands zoned Major Institutional (I3) Zone, Schedule 871 and 913 of Schedule “A”, known as 460 Wentworth Street South (Hamilton), street townhouse units shall not be permitted until such time as an acoustical report is prepared by a qualified Professional Engineer containing the recommended control measures, to the satisfaction of the Director of Planning.”

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(Robert Land Community Centre)**

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4. The Clerk is 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 10<sup>th</sup> day of July , 2008.



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Lloyd Ferguson  
Acting Mayor



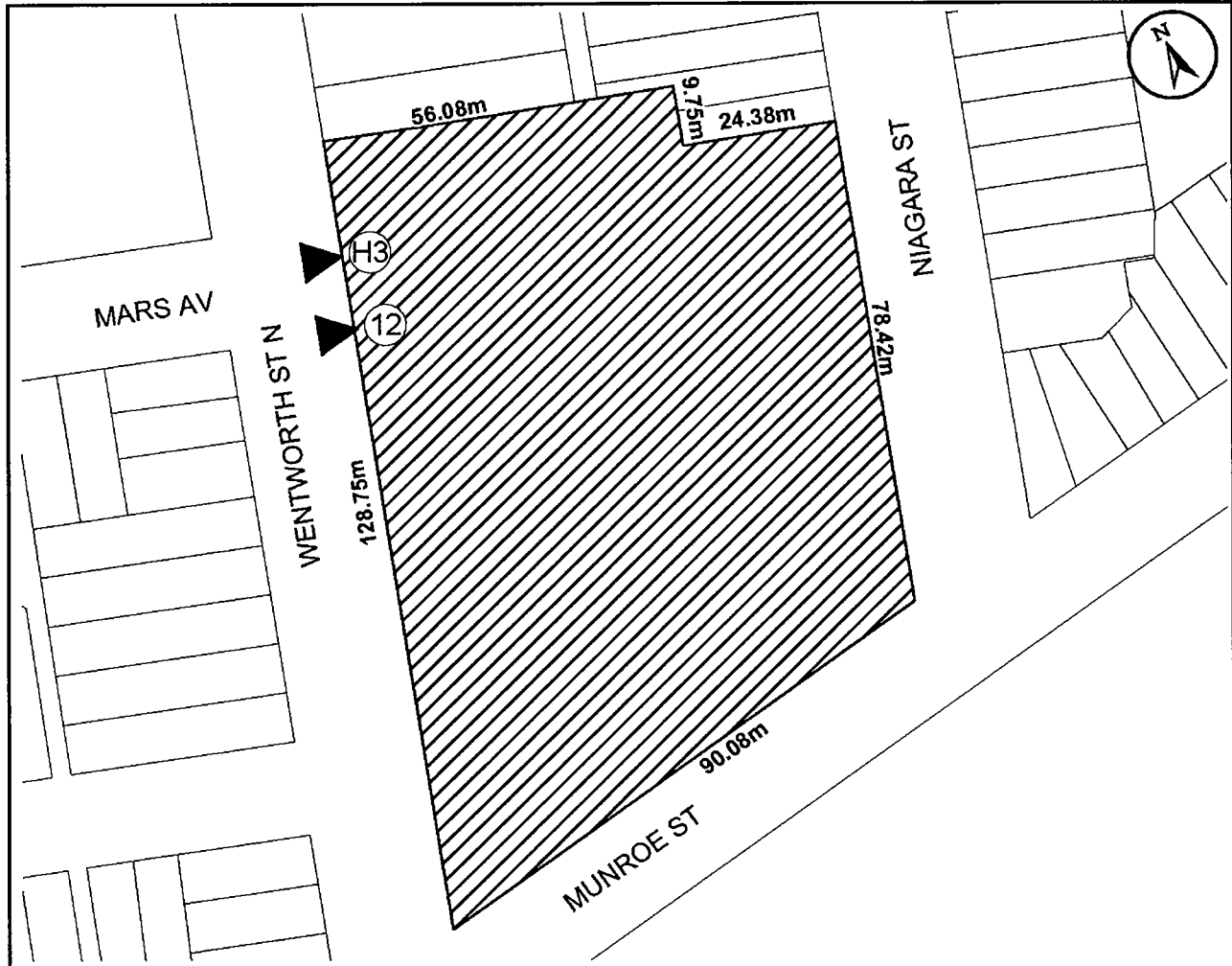
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Kevin C. Christenson  
City Clerk



ZAC-07-100

**By-law Respecting Lands Located at 460 Wentworth Street North  
(Robert Land Community Centre)**

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This is Schedule "A" to By-Law No. 08- 173  
 Passed the 10th day of July, 2008


  
 Clerk  
  
 Mayor


**Schedule "A"**

Map Forming Part of  
 By-Law No. 08- 173

to Amend By-law No. 05-200  
 Maps No. 871 and 913

**Subject Property**  
 460 Wentworth Street North

 Lands to be Zoned Site-Specific Holding  
 Major Institutional (H-13-12) Zone

Scale: N.T.S.	File Name/Number: ZAC-07-100	 <b>Hamilton</b>
Date: May 28, 2008	Planner/Technician: JM / MB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		