

Authority: Item 3, Planning Committee
Report: 17-010 (PED17075)
CM: June 14, 2017-06
Ward: 6

Bill No. 114

CITY OF HAMILTON

BY-LAW NO. 17-

To Amend Zoning By-law No. 6593 (Hamilton) Respecting Lands Located at 1405 Upper Ottawa Street, Hamilton

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 3 of Report 17-010 of the Planning Committee at its meeting held on the 14th day of June 2017, which recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan.

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

1. That Sheet No. E59c of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended as follows:

- (a) By changing the zoning from the "M-11" (Prestige Industrial) District, Modified, to the "M-11/S-1746" (Prestige Industrial) District, Modified;

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

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2. That the “M-11” (Prestige Industrial) District, regulations as contained in Schedule 17C of By-law No. 6593, as amended, be replaced with the following special requirements:
 - (a) In addition to Sections 17c 1(a), 1(b), 1(bb), and 1(c) in a “M-11” District, no building or structure shall be erected, altered, extended or enlarged, and no building or structure or part thereof shall be used for other than one or more of the following additional uses:
 - i) Veterinary Services / Clinics; and,
 - ii) Animal Shelters and Indoor Kennels (accessory to a Pet Store or Veterinary Clinic).
 - (b) Any single use over 10,000 square metres shall be prohibited.
3. Medical Clinics and offices are permitted provided they are located above the first storey.
4. That By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1746.
5. That Sheet No. E59c of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1746.
6. 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 “M-11/S-1746” (Prestige Industrial) District, Modified, subject to the special requirements referred to in Section 2 of this By-law.
7. 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 14th day of June, 2017.

F. Eisenberger
Mayor

R. Caterini
City Clerk

ZAC-16-047

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This is Schedule "A" to By-law No. 17- Passed the day of, 2017		<div style="text-align: center;"> ----- Mayor </div> <div style="text-align: center;"> ----- Clerk </div>	
<p style="text-align: center; font-size: 1.2em;">Schedule "A"</p> <p style="text-align: center;">Map Forming Part of By-law No. 17-_____</p> <p style="text-align: center;">to Amend By-law No. 6593</p>		<p>Subject Property 1405, 1439 & 1447 Upper Ottawa Street</p> <div style="display: flex; align-items: flex-start;"> <div style="width: 20px; height: 15px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); margin-right: 5px;"></div> <div> <p>Block 1 - Change in zoning from the "M-11" (Prestige Industrial) District to the "M-11/S-1746" (Prestige Industrial) District, Modified</p> </div> </div> <div style="display: flex; align-items: flex-start; margin-top: 10px;"> <div style="width: 20px; height: 15px; background-color: #cccccc; margin-right: 5px;"></div> <div> <p>Blocks 2 & 3 - Refer to By-law No. 05-200</p> </div> </div>	
Scale: N.T.S.	File Name/Number: ZAC-16-047 & CDM-CONV-16-02		
Date: February 17, 2017	Planner/Technician: RC/VS		
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT			