

**Authority:** Item 13, Planning Committee  
Report: 17-013  
CM: August 18, 2017  
Ward: 13

**Bill No. 182**

## **CITY OF HAMILTON**

### **BY-LAW NO. 17-**

#### **To Amend By-law No. 3581-86, Respecting Lands Located at 118 Hatt Street (Dundas)**

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";

WHEREAS, the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as the "The Corporation of the Town of Dundas" and is the successor to the former Regional Municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS, Zoning By-law No. 3581-86 (Dundas) was enacted on the 22nd day of May 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988;

WHEREAS, the Council of the City of Hamilton, in adopting Item 13 of Report 17-013 of the Planning Committee, at its meeting held on the 18<sup>th</sup> day of August, 2017, which recommended that Zoning By-law No. 3581-86 (Dundas) be amended as hereinafter provided;

WHEREAS, Section 39 of the *Planning Act* authorizes the City of Hamilton to pass By-laws to permit the temporary use of buildings or structures; and,

WHEREAS, this By-law will be in conformity with the Urban Hamilton Official Plan approved August 16, 2013.

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

1. That Schedule "A" appended to and forming part of Zoning By-law No. 3581-86 (Dundas) as amended, is hereby further amended by changing the zoning of lands from Industrial General – Flood Plain "IG-FP" Zone to Industrial General – Flood Plain "IG-FP/S-132" Zone, Modified, the extent and boundaries of which are shown on Schedule "A", annexed hereto and forming part of this By-law.
2. That Section 32: "EXCEPTIONS" of Zoning By-law No. 3581-86 (Dundas) is hereby amended by adding the following sub-sections:

IG-FP/S-132

That notwithstanding the provisions of Section 6.9, 6.11.1, 6.11.2.2, 7.3.4, 22.2.2.1, 22.2.2.2: the following Special Provisions shall apply to lands known municipally as 118 Hatt Street shown as IG-FP/S-132 on Schedule "A".

6.9            Front Yards Adjoining a Residential Zone  
Minimum Front Yard Setback: 0.0 metres.

6.11.1        Landscaping Along Street Lines (Front Yard and Easterly Yard)  
When a lot is used for a non-residential use, there shall be provided and maintained on the lot, except for the area occupied by an access driveway or walkway, a landscaped area having a minimum depth of 0.0 metres directly abutting any street line.

6.11.2.2     Buffer Strip  
Minimum width of buffer strip: 0.9 metres along westerly lot line.

7.3.4        Access  
Where a non-residential use is adjacent to a residential zone, every access driveway to or from the non-residential use shall be located not less than 0.9 metres from the common boundary with the residential zone.

(i)        In addition to Section 22.1: Permitted Uses, the following uses shall also be permitted:

- A Medical Office, specifically Offices of Physicians, Surgeons and Dentists, Private Practice; and,
- Business Service Industries:
  - Employment agencies and personnel suppliers;
  - Computer and related services;
  - Accounting and bookkeeping services;
  - Advertising services;
  - Architectural engineering and other scientific and technical services;
  - Offices of lawyers and notaries;
  - Management consulting services; and,
  - Other business services.

22.2.2.1     Minimum Front Yard  
Minimum Front Yard Setback: 0.0.

22.2.2.2 i)   Minimum Side Yard – East (Flankage Street)

Minimum Side Yard Setback: 0.0 metres metres to the hypotenuse of the daylight triangle at the corner of Hatt Street and McMurray Street.

22.2.2.2 ii) Minimum Side Yard - West

Minimum Side Yard Setback: 4.5 metres.

3. That By-law No. 3581-86 (Dundas) is amended by adding this By-law to Section 32 as Schedule S-132.
4. That Schedule "A" of the Zoning Schedule Key Map is amended by marking the lands referred to in Section 1 of this By-law as "IG-FP/S-132".
5. 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 18<sup>th</sup> day of August, 2017.

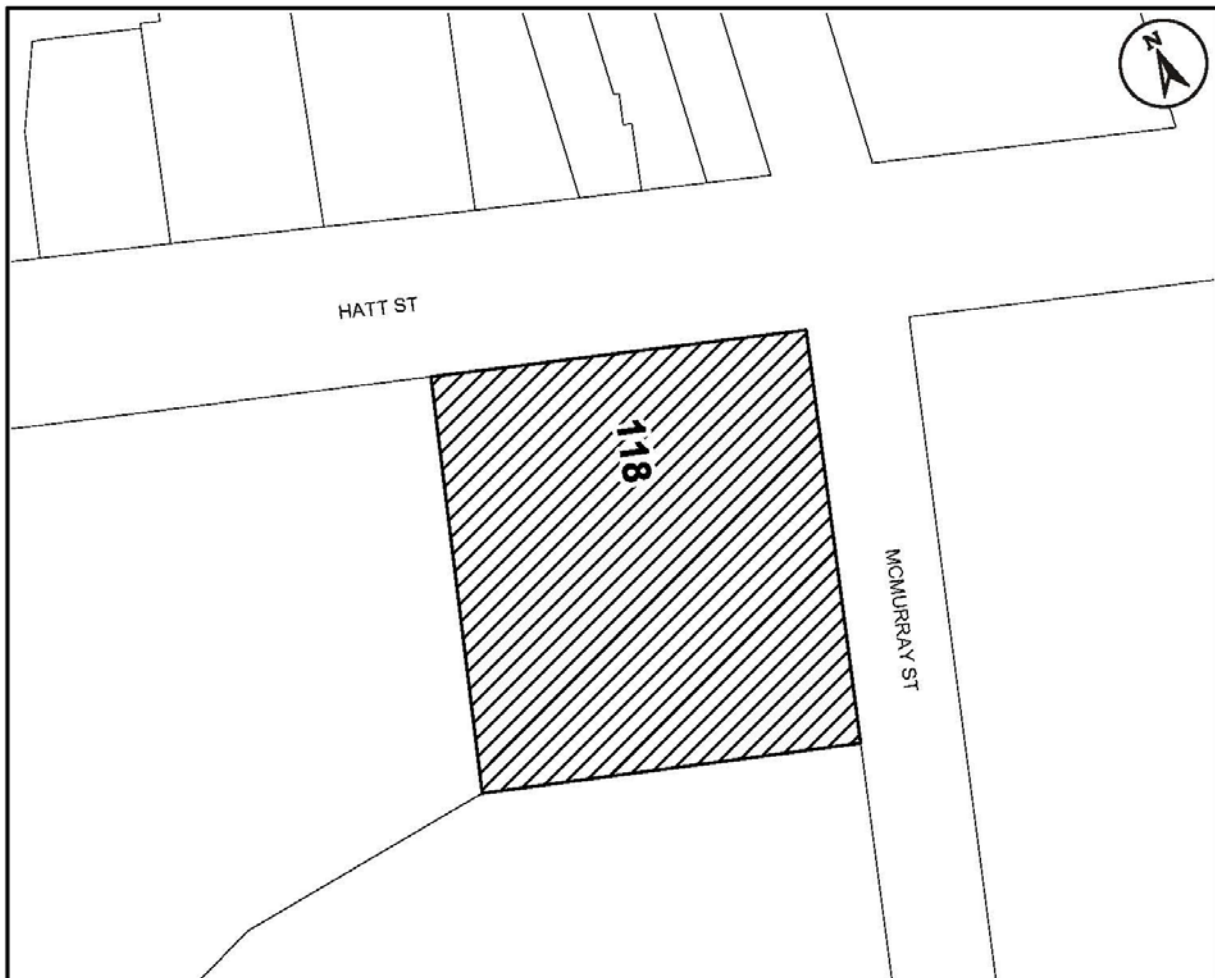
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J. Farr  
Acting Mayor

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R. Caterini  
City Clerk

ZAR-16-028



This is Schedule "A" to By-law No. 17-  Passed the ..... day of ....., 2017	----- Mayor  ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 17-_____</p> <p style="margin: 0 0 0 0;">to Amend By-law No. 3581-86</p>	<p><b>Subject Property</b> 118 Hatt Street</p> <p> Change in zoning from General Industrial (IG-FP) Zone to General Industrial Food Plain (IG-FP/S-132) Zone, Modified.</p>
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Scale: N.T.S.	File Name/Number: ZAR-16-028	
Date: July 17, 2017	Planner/Technician: TSVS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		