

Authority: Item  
Report (PED18064)  
CM  
Wards: 2, 3, and 4

Bill No.

## CITY OF HAMILTON

### BY-LAW NO. 18- XXX

To Amend By-law 05-200 to Rezone Existing Industrial Zone Lands Located Along Hamilton Harbour to Industrial and Institutional Zones, and Update Certain Lands Zoned Open Space Zone along Hamilton Harbour

WHEREAS the City of Hamilton's new comprehensive Zoning By-law, being By-law No. 05-200, came into force on May 25, 2005;

WHEREAS this By-law amends By-law No. 05-200 to rezone certain industrial zoned lands located along Hamilton Harbour to Industrial and Institutional Zone and update lands zoned Open Space Zones along Hamilton located within Wards 2, 3, and 4 of the City; and,

WHEREAS the Council of the City of Hamilton, in adopting Item █ of Report PED18012 of the Planning Committee, at its meeting held on the █ day of █, 2018, recommended that Zoning By-law No. 05-200 be amended as hereinafter provided; and,

WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan and the Setting Sail Secondary Plan (City of Hamilton Official Plan).

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

1. That Schedule "A" – Zoning Maps of By-law 05-200 is hereby amended as follows:
  - a) by including Industrial Zones, Institutional Zones, and Open Space Zones boundaries, as shown on the Maps numbered 827, 828, 870, 871, 876, 877, 911, 912, 918, 947 attached in Schedule "2A" to "2D" of this By-law.
2. That Schedule "C" – Special Exceptions of By-law 05-200 is hereby amended by adding additional Special Exceptions as follows:

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"671. Within the lands zoned Open Space (P4) Zone, identified on Map 876 of Schedule "A" – Zoning Maps and described as part of 175 Pier 24 Gateway, the following special provisions shall apply:

a) In addition to Subsection 7.4.1, the following use shall also be permitted:

i) Private Access Road.

672. Within the lands zoned Community Institutional (I2) Zone, identified on Maps 827 and 828 of Schedule "A" – Zoning Maps and described as 650 – 658 Catherine Street North, the following special provisions shall apply:

a) Notwithstanding Subsection 8.2.1, the following uses shall only be permitted:

i) Museum;

ii) Marine Service;

iii) Place of Assembly;

iv) Recreation; and,

v) Retail.

b) Notwithstanding Subsection 8.2.1, the following uses shall be prohibited:

i) Lodging House;

ii) Multiple Dwelling;

iii) Retirement Home; and,

iv) Street Townhouse Dwelling.

c) In addition to Clause a) v) above, the maximum Gross Floor Area of each individual retail establishment shall not exceed 130 square metres.

676. Within the lands zoned Major Institutional (I3) Zone, identified on Maps 869 and 911 of Schedule "A" – Zoning Maps and described as 165 Barton Street East, the following special provisions shall apply:

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- a) In addition to Subsection 8.3.1, the following use shall also be permitted:
  - i) Correction Facility
- b) Notwithstanding Subsection 8.3.1, the following uses shall be prohibited:
  - i) Lodging House;
  - ii) Multiple Dwelling;
  - iii) Retirement Home; and,
  - iv) Street Townhouse Dwelling.

677. Within the lands zoned Light Industrial (M6) Zone, identified on Maps 870 and 871 of Schedule "A" – Zoning Maps and described as 440 Victoria Avenue North, the following special provisions shall apply:

- a) Notwithstanding Subsections 9.6.3 e) i), c), and i), the following special regulations shall also apply:
  - i) Minimum Yard Abutting a Street
    - 1. 3.0 metres; and,
    - 2. 0.0 metres abutting Victoria Avenue
  - ii) Maximum Building Height Abutting Residential Zone or an Institutional Zone 16.0 metres.
  - iii) Gross Floor Area for Office Use
    - Maximum Gross Floor Area for Office use within an individual building, shall be limited to 3,500 square metres.
- b) Notwithstanding Subsections 5.2b) and f), the following parking regulation shall apply:
  - i) Parking Space Size Dimension
    - A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided and maintained.

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- ii) Barrier Free Parking Space Size Dimension      A minimum barrier parking space size dimension of 4.4 metres by 5.5 metres shall be provided and maintained."
- 3. 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.
- 4. That for the purposes of the Building Code, this by-law or any part of it is not made until it has come into force as provided by section 34 of the *Planning Act*.
- 5. That this By-law comes into force in accordance with section 34 of the Planning Act.

PASSED this \_\_\_\_ day of \_\_\_\_, 2018.

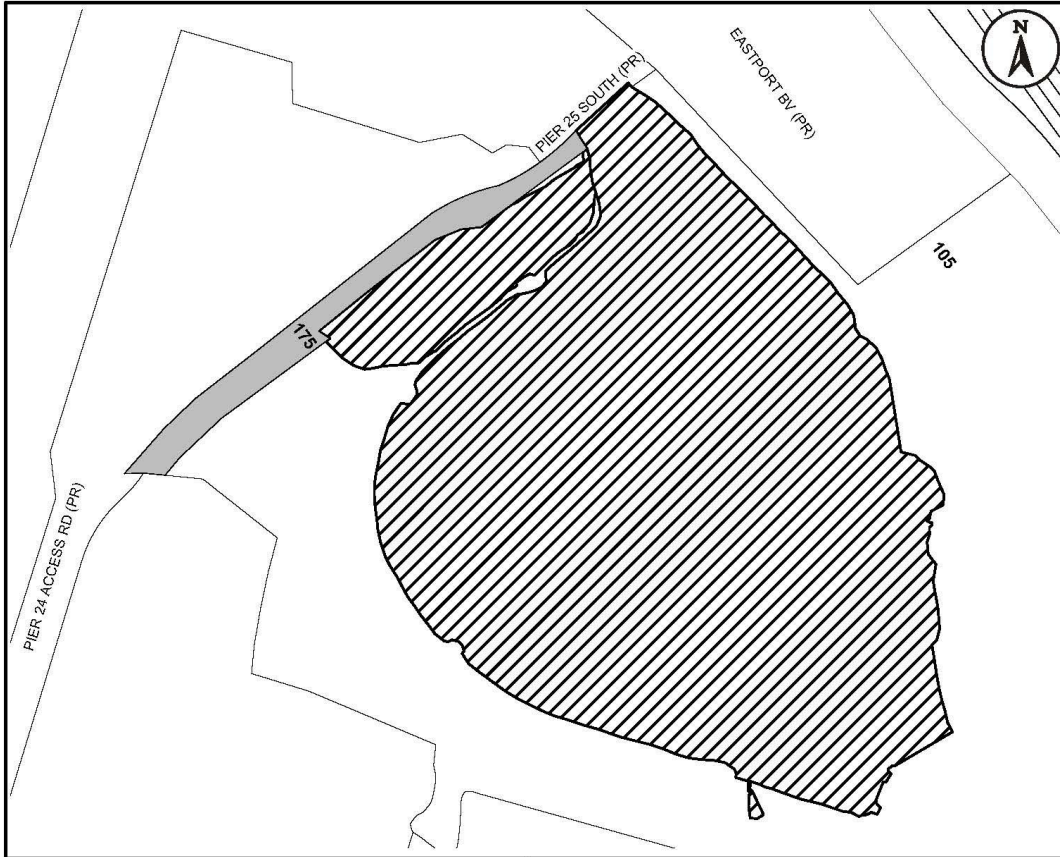
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Fred Eisenberger  
Mayor

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City Clerk

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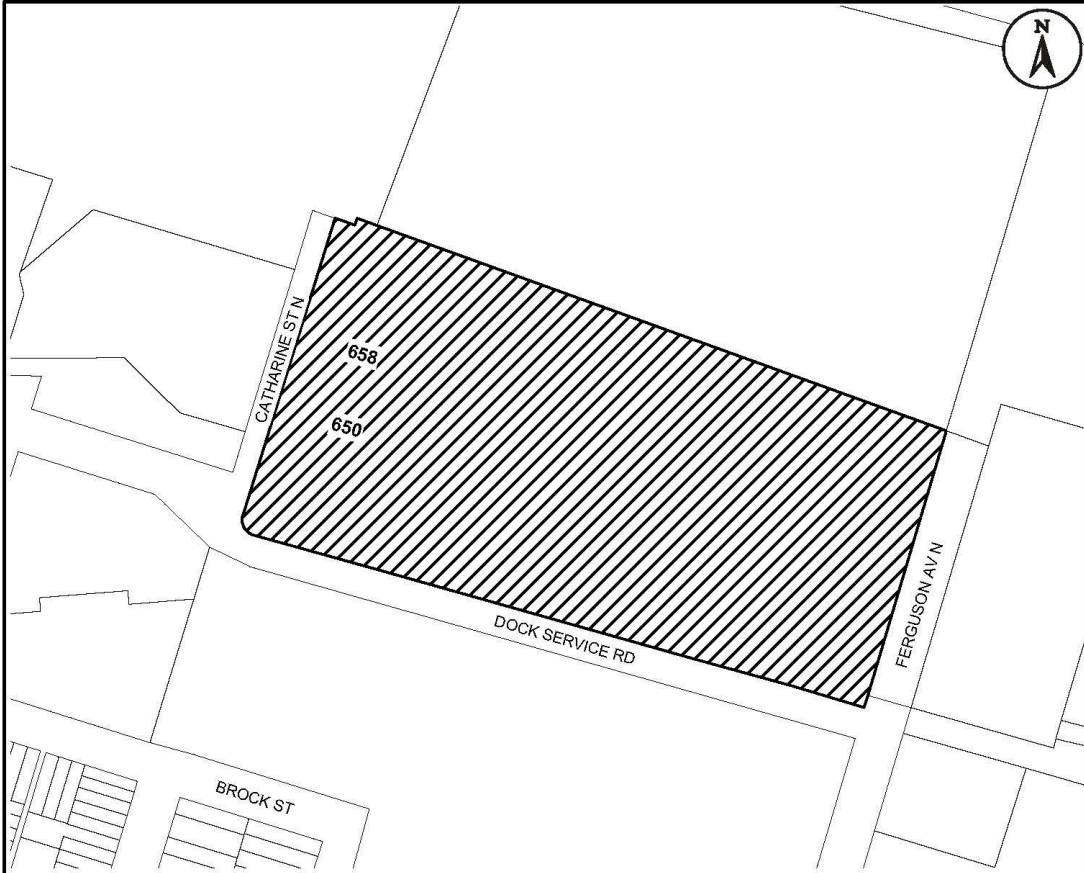


This is Schedule "A" to By-law No. 18-  Passed the ..... day of ....., 2018	----- Mayor  ----- Clerk
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<p style="text-align: center;"><b>Schedule "A1"</b></p> <p style="text-align: center;">Map Forming Part of By-law No. 18-_____</p> <p style="text-align: center;">to Amend By-law No. 05-200 Map 876, 877, 918</p>	<p><b>Subject Property</b></p> <p> Lands added to By-law No. 05-200 and zoned Conservation/Hazard Land (P5) Zone</p> <p> Lands added to By-law No. 05-200 and zoned Open Space (P4, 671) Zone</p>
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Scale: N.T.S.	File Name/Number: CI-18-B	
Date: February 14, 2018	Planner/Technician: TL/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

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<p>This is Schedule "A" to By-law No. 18-</p> <p>Passed the ..... day of ....., 2018</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<p><b>Schedule "A2"</b></p> <p>Map Forming Part of By-law No. 18-_____</p> <p>to Amend By-law No. 05-200 Map 827, 828</p>	<p><b>Subject Property</b></p> <p> Lands added to By-law No. 05-200 and zoned Community Institutional (I2, 672)</p>
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<p>Date: February 14, 2018</p>	<p>Planner/Technician: TL/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		<p><u>Hamilton</u></p>

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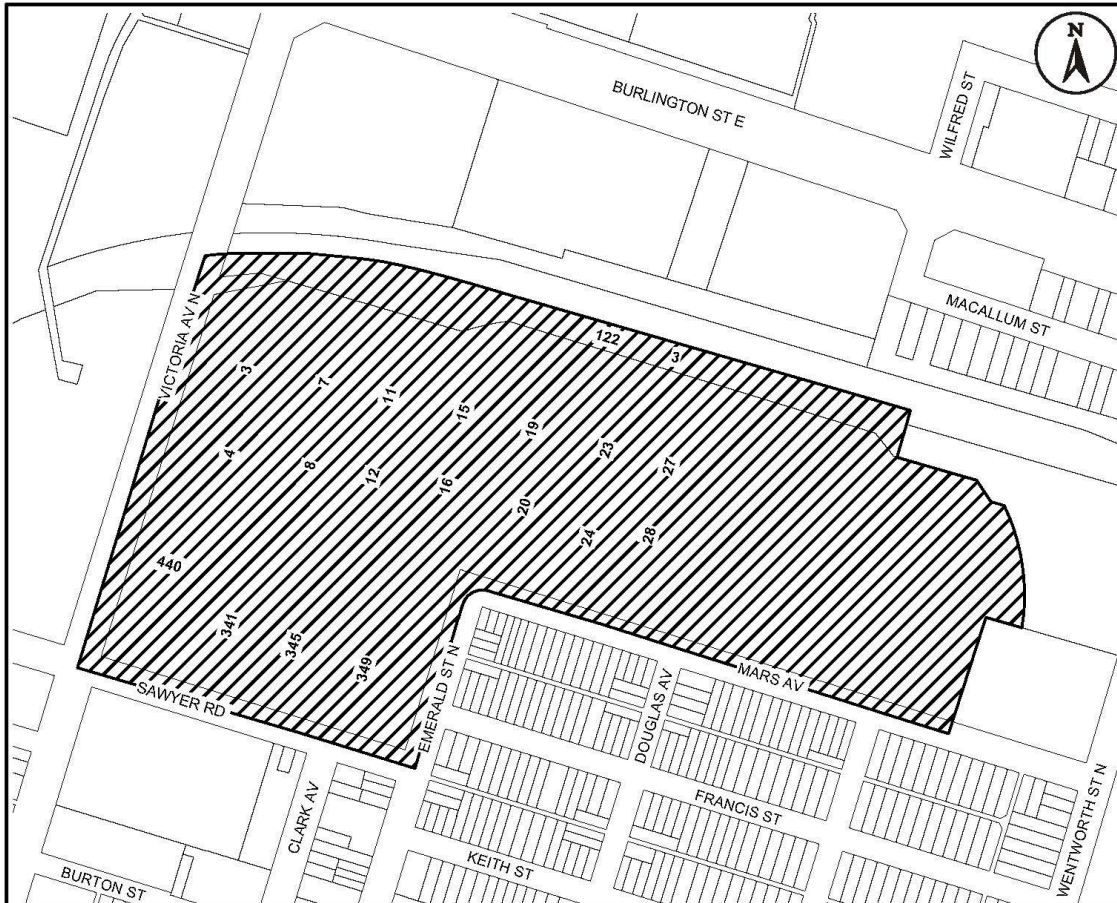


This is Schedule "A" to By-law No. 18-  Passed the ..... day of ....., 2018	----- Mayor  ----- Clerk
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<p style="text-align: center;"><b>Schedule "A3"</b></p> <p style="text-align: center;">Map Forming Part of By-law No. 18-_____</p> <p style="text-align: center;">to Amend By-law No. 05-200 Map 869, 911, 921</p>	<p><b>Subject Property</b></p> <p> Lands added to By-law No. 05-200 and zoned Major Institutional (I3, 677)</p>
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<h2 style="margin: 0;">Schedule "A4"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 18-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Map 870, 871</p>	<p><b>Subject Property</b></p> <p> Lands added to By-law No. 05-200 and zoned Light Industrial (M6, 677) Zone</p>
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*For Office Use Only, this doesn't appear in the by-law - Clerk's will use this information in the Authority Section of the by-law*

Is this by-law derived from the approval of a Committee Report? Yes Committee: Planning Committee      Report No.: PED18xxx      Date: 4/03/2018 Ward(s) or City Wide: Wards: 3, 4, and 5 (04/03/2018)
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Prepared by: Timothy Lee      Phone No: 1249 <i>For Office Use Only, this doesn't appear in the by-law</i>
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