

Authority: Item 11, Planning Committee
Report: 18-004 (PED18065)
CM: March 28, 2018
Ward: 10

Bill No. 087

CITY OF HAMILTON

BY-LAW NO. 18-

A By-law to Amend Zoning By-law No. 05-200 Respecting Lands Located at 417, 419, 421, & 423 Highway No. 8, and a Portion of the Lands Located at 176 Millen Road and 175 Margaret Avenue, Stoney Creek

WHEREAS Council approved Item 11 of Report 18-004 of the Planning Committee, at its meeting held on March 28, 2018;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No. 99;

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

1. That Map No. 1252 of Schedule "A" – Zoning Maps, of Zoning By-law No. 05-200 is amended as follows:
 - a. By rezoning 419, 421, and 423 Highway No. 8 from Neighbourhood Commercial (C2, 579) Zone to Neighbourhood Commercial (C2, 673) Zone, the lands to the extent and boundaries shown as "Block 1" on Schedule "A" to this By-law; and,
 - b. By removing the lands known as 417 Highway No. 8, and a portion of 176 Millen Road and 175 Margaret Avenue, the lands to the extent and boundaries of which are shown as "Block 2" on Schedule "A" to this By-law, from the City of Stoney Creek Zoning By-law 3692-92 and adding said lands into to the City of Hamilton Zoning By-law 05-200; and,
 - c. By establishing a Neighbourhood Commercial (C2, 673) Zone, to the lands the extent and boundaries of which are shown together as "Block 1" and "Block 2" on Schedule "A" to this By-law.

2. That Schedule “C” – Special Exceptions of By-law No. 05-200 is hereby amended by removing 419, 421, and 423 Highway No. 8 from Special Exception No. 579.
3. That Schedule “C” – Special Exceptions, of By-law No. 05-200 is hereby amended by adding an additional special exception as follows:

“673 Within the lands zoned Neighbourhood Commercial (C2, 673) Zone, identified on Map No. 1252 of Schedule “A” Zoning Maps and described as 417, 419, 421, & 423 Highway No. 8, and the rear portions of the lands located at 176 Millen Road and 175 Margaret Avenue, the following special provisions shall apply:

a) Notwithstanding Sections 5.2b), h) and 5.6 c) the following special parking regulations shall apply:

i) Parking Space Size Dimension A minimum parking space size dimension of 2.75 metres by 5.8 metres shall be provided;

iii) Section 5.2 h) shall not apply.

iv) Minimum Parking Requirement 59 parking spaces shall be provided and maintained for the entire site.

b) In addition to Section 10.2.3 a) ii) and Notwithstanding Sections 10.2.3 c) ii), d), f), and g) the special regulations shall apply:

i)	Maximum Building Setback from a Street Line	5.3 metres for the building existing on the date of the passing of this By-law.
ii)	Minimum Interior Side Yard	2.7 metres abutting a Residential or Institutional Zone or lot containing a residential use;
iii)	Maximum Height	15.0 metres;
iv)	Section 10.2.3 f) shall not apply;	
v)	Maximum Gross Floor Area for	1,800 square metres;

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	Commercial Uses on a Lot	
vi)	Maximum Glazing of Façade	A maximum of 50% of glazing on west facing windows shall be composed of transparent vision glass.

4. That the Clerk is hereby authorized and directed to proceed with the giving of the notice of passing of this By-law, in accordance with the *Planning Act*.

PASSED this 11th day of April, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-17-028/UHOPA-17-15



<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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<h2 style="margin: 0;">Schedule "A"</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 1252</p>	<p>Subject Property 417, 419, 421 & 423 Highway No. 8 176 Millen Road & 175 Margaret Avenue</p> <p> Block 1 - Change in zoning from Neighbourhood Commercial (C2, 579) Zone to Neighbourhood Commercial (C2, 673) Zone</p> <p> Block 2 - Lands to be added to City of Hamilton Zoning By-law No. 05-200 Neighbourhood Commercial (C2, 673) Zone</p>
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