

Authority: Item 9, Planning Committee
Report 18-012 (PED18170)
CM: August 17, 2018
Ward: 6

Bill No. 236

CITY OF HAMILTON

BY-LAW NO. 18-

To Amend Zoning By-law No. 6593, as amended by By-law No. 99 - 114 Respecting lands located at 1221 Limeridge Road East, Hamilton

WHEREAS the City of Hamilton Act, 199, Statutes of Ontario, 1999 Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the lawful successor to certain area municipalities, including the former area municipality known as the “the Corporation of the city of Hamilton” and is the successor of 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 7th day of December 1951 (File No. P.F.C 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item 9 of Report 18-012 of the Planning Committee, at its meeting held on the 17th day of August 2018, which recommended that Zoning By-law No. 6593 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. E7 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton) as amended, is further amended by modifying the “DE-3/S-1427” (Multiple Dwellings), District, Modified to the “DE-3/S-1427a” (Multiple Dwellings), District, Modified on the lands the extent and boundaries of which are shown on plan hereto annexed as Schedule “A”.
2. That Subsection 2(a)(ii) of By-law No. 99-114 be repealed and replaced with:
 - (ii) a commercial retail store with a maximum gross floor area of 345 square metres;

3. That Subsection 2(a)(iii) of By-law No. 99-114 be repealed and replaced with:
 - i) barber shop;
 - ii) hairdressing establishment;
 - iii) beauty parlour;
 - iv) a business or professional person's office;
 - v) a laundry or dry cleaning establishment using non-inflammable solvents only;
 - and,
 - vi) offices for social service practitioners.
4. That Subsection 2(b) of By-law No. 99-114 be repealed and replaced with:
 - b) For the purpose of this by-law, a "Community and Residential Care Access Centre" shall mean a building in which a residential care facility is provided in conjunction with medical offices and related services, subject to the following provisions:
 - i) a Retirement Home for the accommodation of a maximum of 42 residents;
 - ii) an accessory dining room which shall only be used in conjunction with the Retirement Home; and,
 - iii) offices for medical or dental practitioners, osteopaths or drugless practitioners, physiotherapists, optometrists, and shall include medical related services such as reception areas, examination rooms, x-ray, ultra sound, a medical laboratory, and a drugstore.
5. That Subsection 2(d)(i) of By-law No. 99-114 be repealed and replaced with:
 - a) a minimum front yard depth of 1 metre from Limeridge Road East.
6. That Subsection 2(e) of By-law No. 99-114 be repealed and replaced with:
 - a) Notwithstanding Section 10C.5, a maximum gross floor area of 2049 square metres for the Retirement Home and 950 square metres for the combined medical offices and commercial uses permitted by this By-law, including hallways and common amenity areas shall be permitted.
7. That Subsection 2(f) of By-law No. 99-114 be deleted in its entirety.
8. That the "DE-3" (Multiple Dwellings) District provisions, as contained in Section 10C of Zoning By-law No. 6593, as amended by By-law No. 99-114, applicable to the lands, are further amended to include the following special requirements:
 - a) Notwithstanding Section 18A(7) the required parking space, other than parallel parking spaces, shall have dimensions not less than 2.6 metres wide and 5.5 metres long and every required barrier free parking stall dimensions shall have dimensions not less than 4.4 metres wide and 5.5 metres long.

- b) Notwithstanding Section 18A Table 1, the required minimum number of parking spaces shall be 29, including 3 barrier free spaces.
9. 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 "DE-3" (Multiple Dwellings) District provisions, subject to the special requirements as referred to in Section 1 of this By-law.
10. That By-law No. 6593 is further amended by adding this By-law to Section 19B as Schedule S-1427a.
11. That Sheet No. E7 of the district Maps is amended by marking the lands referred to in Section 1 of this by-law S-1427a.
12. That the City 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 17th day of August, 2018

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-17-057



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> Map Forming Part of By-law No. 18- ____ to Amend By-law No. 6593	Subject Property 1221 Limeridge Road East Lands to be zoned "DE-3/S-1427a-" (Multiple Dwellings) District
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Scale: N.T.S.	File Name/Number: ZAC-17-057		Date: May 30, 2018
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT			Planner/Technician: JR/VS