Authority:
Ward: 15
Bill No.

# CITY OF HAMILTON

## BY-LAW NO.

### To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 100 Hamilton Street North (Flamborough)

WHEREAS the *City of Hamilton Act 1999*, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 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 Corporation of the Town of Flamborough" 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

WHEREAS the Council of the City of Hamilton, in adopting Item        of Report 18-        of the Planning Committee, at its meeting held on the        day of        , 2018, recommended that Zoning By-law No. 90-145-Z (Flamborough), be amended as hereinafter provided;

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 Schedule No. "A-30", attached to and forming part of Zoning By-law 90-145-Z (Flamborough), as amended, is hereby amended by changing from the Urban Commercial "UC" Zone to the Urban Commercial "UC-18(H)" Zone, Modified, the extent and boundaries of which are shown on Schedule "A", annexed hereto and forming part of this By-law.

2. That the Urban Commercial "UC" Zone regulations, be modified to include the following special requirements:

    "17.3.18 "UC-18(H)" (See Schedule A-30)

a) Notwithstanding Subsection 17.2(c), the maximum height shall be 19.5 metres.

b) Notwithstanding Subsection 5.21.1(c), the maximum parking space requirement for an apartment dwelling shall be 1.61 spaces per unit.

c) Notwithstanding Subsection 5.21.1(t), a Retail Establishment, Service Shop, Personal Service Establishment, Convenience Retail Store or Custom Workshop shall not require a minimum parking space.

d) Notwithstanding Subsection 5.21.1(r), an Office shall not require a minimum parking space

e) Notwithstanding Subsection 5.21.6(b), a driveway with two-way vehicular movement shall have a minimum unobstructed width of 6.0 metres.

f) Notwithstanding Subsection 5.21.11(b), an enclosed parking structure shall be setback a minimum of 0.1 metres from any lot line.

g) In addition to Subsection 17.3.18 "UC-18(H)", ground floor residential units fronting onto Hamilton Street North, shall be prohibited.

3. That the amending By-law be added to Schedule "A-30" of Flamborough Zoning By-law No. 90-145-Z.
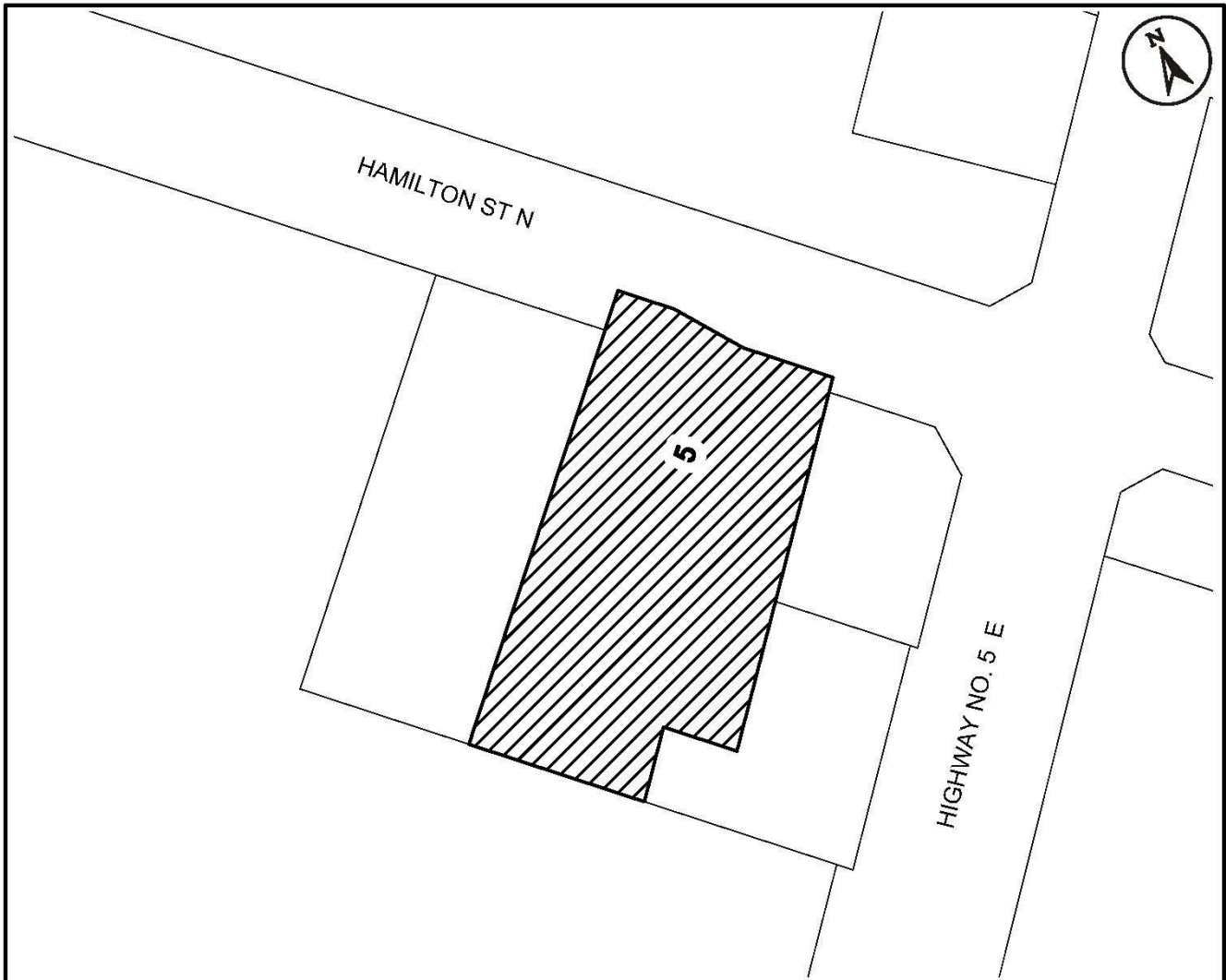
4. (H) Holding Symbol

Where an (H) Symbol is prefixed to a Zone identified in Schedule "A", the following condition must be fulfilled, to the satisfaction of the City, prior to the lifting of the (H) provision on any portion of the lands:

i) That an updated Traffic Impact Study is submitted, approved, and implemented, to the satisfaction of the Manager, Transportation Planning, Planning and Economic Development Department.

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 ___ day of _____, 2018.


_____          _____
Fred Eisenberger                          Janet Pilon
Mayor                                     Acting City Clerk

HAMILTON ST N

HIGHWAY NO. 5 E

5

This is Schedule "A" to By-law No. 18-

Passed the ............ day of ........................, 2018

_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _
Mayor

_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _
Clerk

# Schedule "A"

## Map Forming Part of By-law No. 18-_____

to Amend By-law No. 90-145-Z

**Subject Property**

5 Hamilton Street North

Change in zoning from "UC" Urban Commercial Zone to "UC-18(H)" Urban Commercial Zone, Holding, Modified

| Scale: N.T.S. | File Name/Number: ZAR-18-015 | |
|---|---|---|
| Date: July 12, 2018 | Planner/Technician: EM/NB | Hamilton |

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

| | |
|---|---|
| *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: Chair and Members | Report No.: PED18179 Date: 06/28/2018 |
| Ward: Ward: 15 | (MM/DD/YYYY) |

| | |
|---|---|
| Prepared by: Elyse Meneray | Phone No: 905-546-2424 ext. 6360 |
| *For Office Use Only, this doesn't appear in the by-law* | |