

WELCOME TO THE CITY OF HAMILTON

# PLANNING COMMITTEE

February 19 ,2019

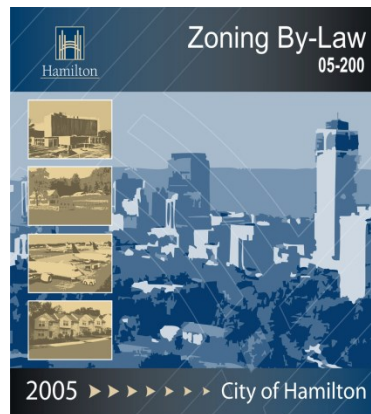
# PED19029

Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 (City Wide)

Presented by: Timothy Lee

# Background Information

- The Zoning By-laws are “living documents”: they need to be monitored and amended on an on-going basis.
- Staff continuously identify general text and mapping amendments to provide clarity and consistency throughout the Zoning By-law.
- Updates are provided to the Zoning By-law where text or mapping errors have a more immediate impact.



# Background Information

Since 2015, the following Zone categories have been added into Hamilton Zoning By-law No. 05-200:

Zone Categories	Year
Rural	2015
Transit Oriented Corridor	2016, updated 2018
Waterfront	2017
Commercial and Mixed Use	2017
Downtown	Updated 2018
Residential	Commenced

# Scope of the Changes

Review Zoning By-law for consistency in wording, interpretation, accuracy, and provide for correct cross referencing. The purpose of the By-law is to:

- Remove redundancies within regulations;
- Clarification of language
- Correct inconsistencies especially a common regulation across zones;
- Correct typographical errors;
- Correct general mapping changes.

# Remove Redundancy

## Example: Definition of Motor Vehicle - Commercial

“Shall mean a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses, tractors, and tow trucks used for hauling purposes on the highways, but does not include:

- a) a commercial motor vehicle, other than a bus, having a gross weight or registered gross weight of not more than 4,500 kilograms, **an ambulance, a fire apparatus, a hearse, a casket wagon, a mobile crane, a motor home or vehicle commonly known as a tow truck,**”

# Clarification of Language

## Example: Definition of Motor Vehicle Dealership

“Shall mean **a** use **within a** building or structure, or part thereof, where new and/or used motor vehicles are stored or displayed for the purpose of sale, rental or leasing and may include a building for the storage and sale of accessories and lubricants for motor vehicles and an associated Motor Vehicle Service Station

“Shall mean **the** use **of land,** building or structure, or part thereof, where new and/or used motor vehicles are stored or displayed for the purpose of sale, rental or leasing and may include a building for the storage and sale of accessories and lubricants for motor vehicles and an associated Motor Vehicle Service Station”

# Inconsistencies in Cross Referencing

Examples:

Zone or Special Exception Number	Original	Amended
C5a	Section 10.5a.3ii)	Section 10.5a.3 <b>a</b> )ii)
SE 98	The use identified in a) above shall be subject to the regulations contained within Section 12.2.3.6b) through <b>e)</b>	The use identified in a) above shall be subject to the regulations contained within Section 12.2.3.6b) through <b>f)</b>
SE 99	Notwithstanding <b>a) above</b> for the Place of Worship located at 2149 Upper James Street, a minimum northerly side yard setback of 2.0m shall be provided	Notwithstanding <b>Section 12.1.3.1b)</b> for the Place of Worship located at 2149 Upper James Street, a minimum northerly side yard setback of 2.0m shall be provided



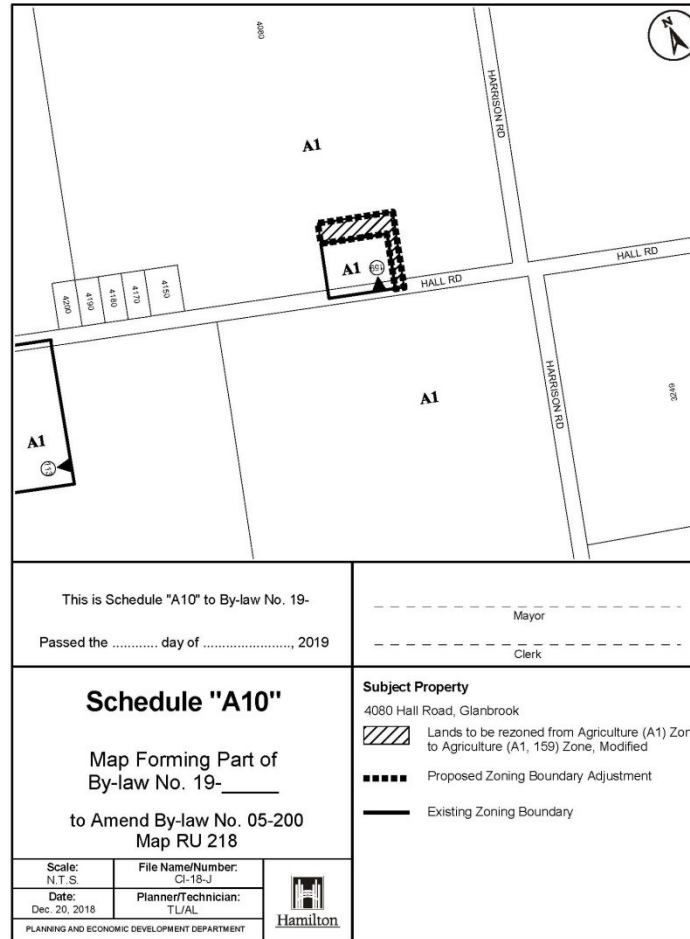
# Correct Typographical Errors

Example:

Zone or Special Exception Number	Original	Amended
SE 319	No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 6.0 metres from the east and south lot lines or closer than 7.5 metres from the <b>nor than</b> west lot lines.	No parking space or part thereof shall be located and no land shall be used for the temporary parking or storage of any motor vehicle at a distance of less than 6.0 metres from the east and south lot lines or closer than 7.5 metres from the <b>north and</b> west lot lines.
9.10.2ii), 9.11.2ii)	<b>High School</b>	<b>Secondary School</b>




# Mapping Changes

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# Mapping Changes

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<p>This is Schedule "A11" to By-law No. 19-_____</p> <p>Passed the ..... day of ....., 2019</p> <p>----- Mayor</p> <p>----- Clerk</p>	
<p align="center"><b>Schedule "A11"</b></p> <p align="center">Map Forming Part of By-law No. 19-_____</p> <p align="center">to Amend By-law No. 05-200 Map RU 80</p>	
<p><b>Subject Property</b> 706 Highway No. 8</p> <p> Change in zoning from Settlement Residential (S1, 23) Zone to Settlement Residential (S1, 712) Zone, Modified</p>	
<p>Scale: N.T.S.</p>	<p>File Name/Number: CMU</p>
<p>Date: Dec. 20, 2018</p>	<p>Planner/Technician: TL/AL</p>
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>	
	

# Mapping Changes

PED19029

<p>This is Schedule "A8" to By-law No. 19-</p> <p>Passed the ..... day of ....., 2019</p>	<p>----- Mayor</p> <p>----- Clerk</p>				
<p><b>Schedule "A8"</b></p> <p>Map Forming Part of By-law No. 19-_____</p> <p>to Amend By-law No. 05-200 Map 947</p>	<p><b>Subject Property</b> 1546 Main Street West</p> <p> Lands added to By-law 05-200 and zoned Mixed Use Medium Density (C5, 570) Zone, Modified</p>				
<table border="1"> <tr> <td>Scale: N.T.S.</td> <td>File Name/Number: CMU</td> </tr> <tr> <td>Date: Dec. 12, 2018</td> <td>Planner/Technician: TJ/AL</td> </tr> </table>	Scale: N.T.S.	File Name/Number: CMU	Date: Dec. 12, 2018	Planner/Technician: TJ/AL	
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# Scope of the Changes - Continued

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- Schedule “C”
  - General text changes, omissions, and referencing corrections
  - Adding new Special Exceptions as a result of privately initiated Zoning By-law Amendment application approved prior to Council adopting By-laws 17-239 and 17-240 in November 2017. They include:
    - 1405 Upper Ottawa (C6, SE 706)
    - 3079 Homestead Drive (C6, SE708)
    - 118 Hatt Street (C5, SE709)
    - 52-64 Ottawa Street (C5a, SE710)
    - 3079 Binbrook Road (C5a, SE711)
- Schedule “D”
  - General text changes, omissions, and referencing corrections

# Commercial Properties held in Abeyance

- Since the Commercial and Mixed Use (CMU) Zones were adopted by Council in November 2017, there have been numerous privately initiated Zoning By-law Amendment applications approved by Council.
- Planners brought forward parallel draft Zoning By-laws under Hamilton Zoning By-law No. 05-200 and held in abeyance until the CMU Zones are in effect.
- By-laws held in abeyance continues to be brought forward to Council by the Planners on file.

# Questions