Appendix "C" to Report PED18173

Page 1 of 5

Authority: Item,

Report (PED18173)

CM: Ward: 8

Bill No.

CITY OF HAMILTON BY-LAW NO.

To Amend Zoning By-law No. 05-200, Respecting Lands Located at 567 Scenic Drive, Hamilton

WHEREAS Council approved Item _	of Report	of the Planning Committee,	at
its meeting held on September 18, 20	18;	-	

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

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

- 1. That Map No. 1035 on Schedule "A" Zoning Maps, to Zoning By-law No. 05-200 is amended by incorporating Neighbourhood Commercial (C2, 704) Zone, boundaries for the applicable lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
- 2. That Schedule "C": Special Exemptions of Zoning By-law No. 05-200, as amended, is hereby further amended by adding the following site specific Neighbourhood Commercial (C2, 704) Zone:
 - "704. Within the lands zoned Neighbourhood Commercial (C2, 704) Zone, identified on Map 1035 of Schedule "A" Zoning Maps and described as 567 Scenic Drive, the following special provisions shall apply:
 - a) Notwithstanding Section 10.2.1. Permitted Uses, and in addition to Section 10.2.2, the following uses shall also be prohibited:
 - i) Day Nursery
 - ii) Emergency Shelter
 - iii) Motor Vehicle Service Station
 - iv) Repair Services
 - v) Social Services Establishment
 - vi) Veterinary Service
 - b) Notwithstanding Subsections 10.2.1.1ii)1., 10.2.3b)ii), 10.2.3i)vi), and 10.2.3j), the following regulations shall also apply:
 - i) Restriction of Residential Notwithstanding Section 10.2.1, Uses within a Building a Dwelling unit(s) in conjunction

To Amend Zoning By-law No. 05-200, Respecting Lands Located at 567 Scenic Drive, Hamilton

with a commercial use shall only be permitted above the ground floor except for access. accessory office and utility areas, shall not occupy more than 63%, being a maximum of 308 square metres of the total gross floor area of the building within the lot, and shall not contain more than two dwelling units.

- ii) Minimum Rear Yard
- 3.6 metres shall be provided abutting a Residential Zone.
- iii) Locational Restriction of Parking Area

Only a barrier free parking space may project 0.2 metres beyond the building façade facing Scenic Drive.

iv) Planting Strip Requirement

- A minimum easterly planting strip of 1.35 metres shall be provided and maintained.
- 2) A minimum 1.35 metres strip shall planting be provided along the southerly lot lines except at the manoeuvring space is provided minimum а landscape width of 0.8 metres shall be provided.
- c) In addition to Sections 10.2.1.1 Restricted Uses and Section 10.2.3 Regulations, the following special provisions shall also apply:

Restriction of Commercial Uses on site

Notwithstanding Section 10.2.1, a maximum two commercial units are permitted on site.

Restriction of Medical Clinics

Notwithstanding Section 10.2.1, a Medical Clinic shall only be permitted on the ground floor, shall occupy more than 94

To Amend Zoning By-law No. 05-200, Respecting Lands Located at 567 Scenic Drive, Hamilton

square metres, and shall not contain more than one medical practitioner.

Amenity Area

A minimum 10.5 square metres of amenity space shall be provided for each dwelling unit and may be provided as a private balcony.

d) In addition to Subsections 4.6d) and 4.6e) the following regulation shall also apply:

Permitted Rear Yard Encroachments

- A porch or canopy may encroach into a required rear yard to a maximum of 2.0 metres.
- A balcony may encroach into a required rear yard to maximum of 2.0 metres.
- e) Notwithstanding Subsections 5.2b)i) and 5.2f) the following regulations shall also apply:
 - i) Parking Space Size A minimum Dimensions dimension o

A minimum parking space size dimension of 2.6 metres in width by 5.8 metres in length

ii) Barrier Free Parking Space Size Dimensions

A minimum barrier free parking space size dimension of 4.4 metres in width by 5.8 metres in length

- 3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this by-law, in according with the *Planning Act.*
- 4. That no building or structure shall be erected, 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 Neighbourhood Commercial (C2) Zone provisions, subject to the special requirements as referred to in Section 2 of this By-law.

DAGOED (L.)	0040
PASSED this	. 2018

To Amend Zoning By-law No. 05-200, Respecting Lands Located at 567 Scenic Drive, Hamilton

F. Eisenberger	J. Pilon
Mayor	Acting City Clerk

ZAC-17-030

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