

Authority: Item 9, Planning Committee
Report 21-011 (PED20188)
CM: July 9, 2021
Ward: 15

Bill No. 138

CITY OF HAMILTON

BY-LAW NO. 21-

To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 585 Skinner Road (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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 9 of Report 21-011 of the Planning Committee, at its meeting held on the 9th day of July, 2021, recommended that Zoning By-law No. 90-145-Z (Flamborough), be amended as hereinafter provided;

WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment 154;

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

1. That the Urban Commercial "UC-14(H)" Zone regulations, as contained in Section 17.3.14 of Zoning By-law No. 90-145-Z, applicable to the subject lands, be further modified by deleting the following after the phrase (H) Holding Symbol:

"17.3.14 "UC-14(H)" (See Schedule A-32)

(H) Holding Symbol:

Block 10 is subject to a Holding Provision. Pursuant to:

Paragraph (k) of the Zone Provisions, the maximum Gross Leasable Floor Area for the lands shall be 9,300 sq. m. of retail and service commercial floor space while the Holding Provision remains in effect.

The Holding Provision shall be removed upon the build out of a minimum of 3,600 sq. m. of retail and service commercial floor space within the lands zoned as UC-13 (Block 9), to the satisfaction of the Director of Planning.

Upon the removal of the Holding Provision, the Gross Leasable Floor Area for retail and service commercial floor space may increase to a maximum of 16,000 sq. m. with no restrictions on the size of a supermarket or the amount of retail and service commercial floor space. The maximum GLFA is exclusive of office and service commercial uses located above the ground floor.

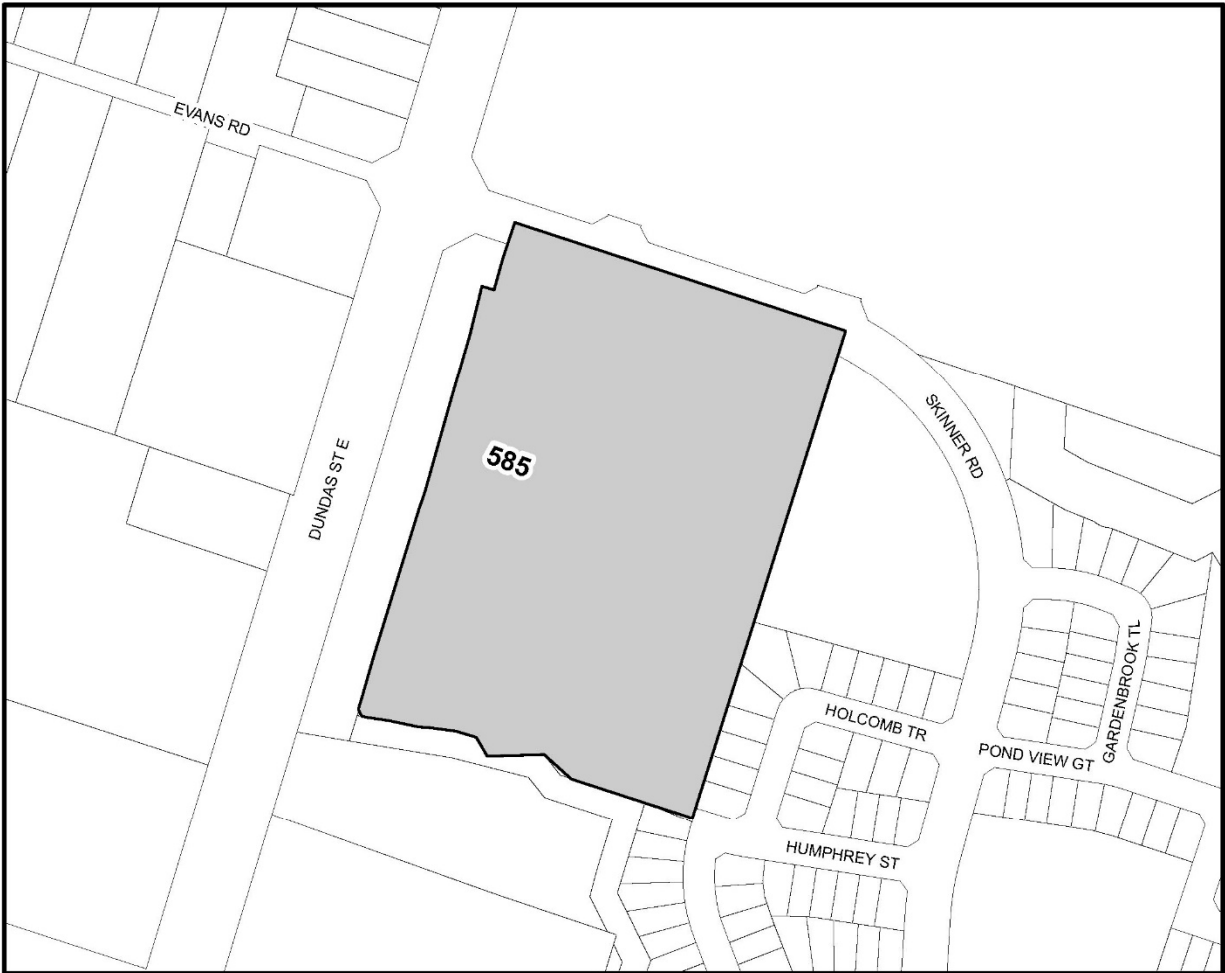
2. That the amending By-law be added to Schedule "A-32" of Flamborough Zoning By-law No. 90-145-Z.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 13th day of August, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-19-046



This is Schedule "A" to By-law No. 21-

Passed the day of, 2021

Mayor

Clerk


Schedule "A"

Map forming Part of
By-law No. 21-_____

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

Subject Property

585 Skinner Road, Flamborough

 To further amend the Urban Commercial "UC-14(H)"
Zone by removing the retail and commercial Gross
Leasable Floor Space provision for Block 10

Scale:
N.T.S

File Name/Number:
ZAC-19-046/UHOPA-19-013

Date:
June 14, 2021

Planner/Technician:
EM/VS



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT