

Authority: Item ,
Report (PED21XXX)
CM:
Ward: 7

Bill No.

**CITY OF HAMILTON
BY-LAW NO.**

To amend Zoning By-law No. 05-200 with respect to lands located at 1411 and 1415 Upper Wellington Street, Hamilton

WHEREAS Council approved Item ___ of Report _____ of the Planning Committee, at its meeting held on MONTH DAY, 201X;

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 Nos. 1375 and 1376 of Schedule "A" – Zoning Maps of Zoning By-law No. 05-200 are amended as follows:
 - (a) Changing the zoning from Neighbourhood Institutional (I1) Zone to Major Institutional (I3, 745, H39) Zone; and,
 - (b) Lands to be added to Zoning By-law No. 05-200 as Major Institutional (I3, 745, H39) Zone.
2. That Schedule "C" – Special Exceptions is amended by adding the following new Special Exception:

"745. Within the lands zoned Major Institutional (I3, 745) Zone, identified on Maps 1375 and 1376 of Schedule "A" – Zoning Maps and described as 1411 and 1415 Upper Wellington Street, the following special provisions:

 - a) Notwithstanding Section 5.2a), a visual barrier shall not apply along the southerly lot line abutting a Residential Zone.
 - b) Notwithstanding uses permitted in Section 8.3.1, the following use is prohibited:
 - i) Street Townhouse Dwelling

- c) In addition to uses permitted in Section 8.3.1, the following are permitted only as accessory uses to a Long Term Care Facility:
- i) Retail
 - ii) Restaurant
- d) Notwithstanding Sections 8.3.2.1 b) and c) the following regulations shall apply to a Long Term Care Facility and Retirement Home:
- i) Minimum Side Yard 7.0 metres except as shown in Figure 2 of Schedule "B" – Property Details.
 - ii) Minimum Rear Yard 7.0 metres
 - iii) Maximum Building Height 30.0 metres
3. That Schedule "D" – Holding Provisions be amended by adding the additional Holding Provision as follows:
- "39. Notwithstanding Section 8.3 of this By-law, within lands zoned Major Institutional (I3, 745) Zone, identified on Maps 1375 and 1376 of Schedule "A" – Zoning Maps and described as 1411 and 1415 Upper Wellington Street, no development or demolition shall be permitted until such time as:
- i) The Owner / Applicant provides a signed agreement with the property owner to the north and east to allow for drainage to outlet to private lands, to the satisfaction of the Manager of Development Engineering Approvals.
 - ii) The Owner / Applicant provides a signed agreement with the property owner to the south allowing for reception of stormwater flows through their site via connection to a private storm sewer system and outlet of emergency overland flow route, to the satisfaction of the Manager of Development Engineering Approvals.
 - iii) That the Owner / Applicant implement the Documentation and Salvage Report by submitting confirmation that materials have been appropriately salvaged from the building on-site, to the satisfaction of the Director of Planning and Chief Planner."

4. 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 _____ , _____

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-20-033





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. 05-200
 Maps 1375 & 1376

Subject Property
 1411 & 1415 Upper Wellington Street

-  Block 1 - Change in zoning from the Neighbourhood Institutional (I1) Zone to the Major Institutional (I3, 745, H39) Zone.
-  Block 2 - Lands to be added to Zoning By-law No. 05-200 as Major Institutional (I3, 745, H39) Zone.

Scale: N.T.S	File Name/Number: ZAC-20-033
Date: July 19, 2021	Planner/Technician: MS/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	





Figure 2, Schedule "B":1411 & 1415 Upper Wellington Street, Hamilton

Date:
August 4, 2021

Legend



Minimum side yard setback in the Major Institutional (I3, 745) Zone



Hamilton

PLANNING AND ECONOMIC
DEVELOPMENT DEPARTMENT