

CITY OF HAMILTON

BY-LAW NO. 22-

**To Amend Zoning By-law No. 05-200
Respecting Lands Located at 386 Wilcox Street**

WHEREAS Council approved Item 1 of Report 22-005 of the Planning Committee, at its meeting held on April 13, 2022.

AND WHEREAS this By-law conforms with the Urban Hamilton Official Plan.

NOW THEREFORE Council of the City of Hamilton amends Zoning By-law No. 05-200 as follows:

1. That Map Nos. 749, 750, 751, 789, 790, 791, 830, 831, 832, 872, 873, 874, 915 and 916 of Schedule “A” – Zoning Maps of Zoning By-law No. 05-200 are amended by changing the zoning for portions of the subject lands from the General Industrial (M5, 433) Zone to the General Industrial (M5, 433, H123) Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” to the By-law.
2. That Schedule “D” – Holding Provisions be amended by adding the following Holding Provision:
 - “123. Notwithstanding Section 9.5 and Special Exception No. 433 of this By-law, within the lands zoned General Industrial (M5, 433) Zone identified on Map Nos. 749, 750, 751, 789, 790, 791, 830, 831, 832, 872, 873, 874 and 915 of Schedule “A” – Zoning Maps and described as 386 Wilcox Street, development shall be restricted in accordance with the following:
 - a. For such time as the Holding Provision is in place, these lands shall only be used for permitted uses, buildings and structures listed in the (M5, 433) Zone;
 - b. Regulations

For such time as the Holding Provision is in place, these lands shall be subject to the regulations of the M5, 433 Zone and the following regulations:

- i. New development, including the establishment of uses permitted by the M5 Zone, and additions to existing buildings

shall be permitted to a maximum of 1,000 square metres, in accordance with the provisions of Zoning By-law No. 05-200;

- ii. Issuance of Demolition Permits shall be permitted, to the satisfaction of the Chief Building Official;
 - iii. Relocation of existing buildings and structures on site shall be permitted provided there is no increase in Gross Floor Area with the exception to additions up to a maximum of 1,000 square metres as set out in a) above, to the satisfaction of the Chief Building Official; and,
 - iv. Site remediation and earthworks shall be permitted, to the satisfaction of the Director of Growth Management.
- c. Conditions for Holding Provision Removal

The Holding Provision shall, upon application by the landowner, be removed by way of an amending Zoning By-law, from all or part of the lands subject to this provision, provided that the following conditions have been satisfied for such portion of the lands:

- i. The Owner submit a Concept Plan for the lands to the satisfaction of the Director of Planning. The Concept Plan shall include guidance on:
 - 1) Precincts and the distribution of land uses and buildings within each precinct;
 - 2) Road and rail network; and,
 - 3) Phasing.
- ii. The Owner shall provide a Master Servicing Plan, including a Transportation Master Plan, for the retained and severed portion of the lands to the satisfaction of the Director of Growth Management and Director of Transportation and Parking. Furthermore, the Owner shall develop a Terms of Reference to complete the Master Servicing Plan and Transportation Master Plan to the satisfaction of the Director of Growth Management and Director of Transportation and Parking;
- iii. The Owner enter into and register on title a Joint Use Agreement and/or Development Agreement (if required) to implement the Master Servicing Plan, to the satisfaction of the Director of Growth Management; and,
- iv. The Owner submits and receives approval of an Implementation Strategy to illustrate how the Concept Plan and Master Servicing Plan, including a Transportation Master Plan, may be

implemented through additional Planning Act approvals such as Draft Plan of Subdivision, Draft Plan of Condominium and/or applications for Site Plan Control, to the satisfaction of the Director of Planning and Chief Planner, Director of Transportation and Parking and Director of Growth Management.

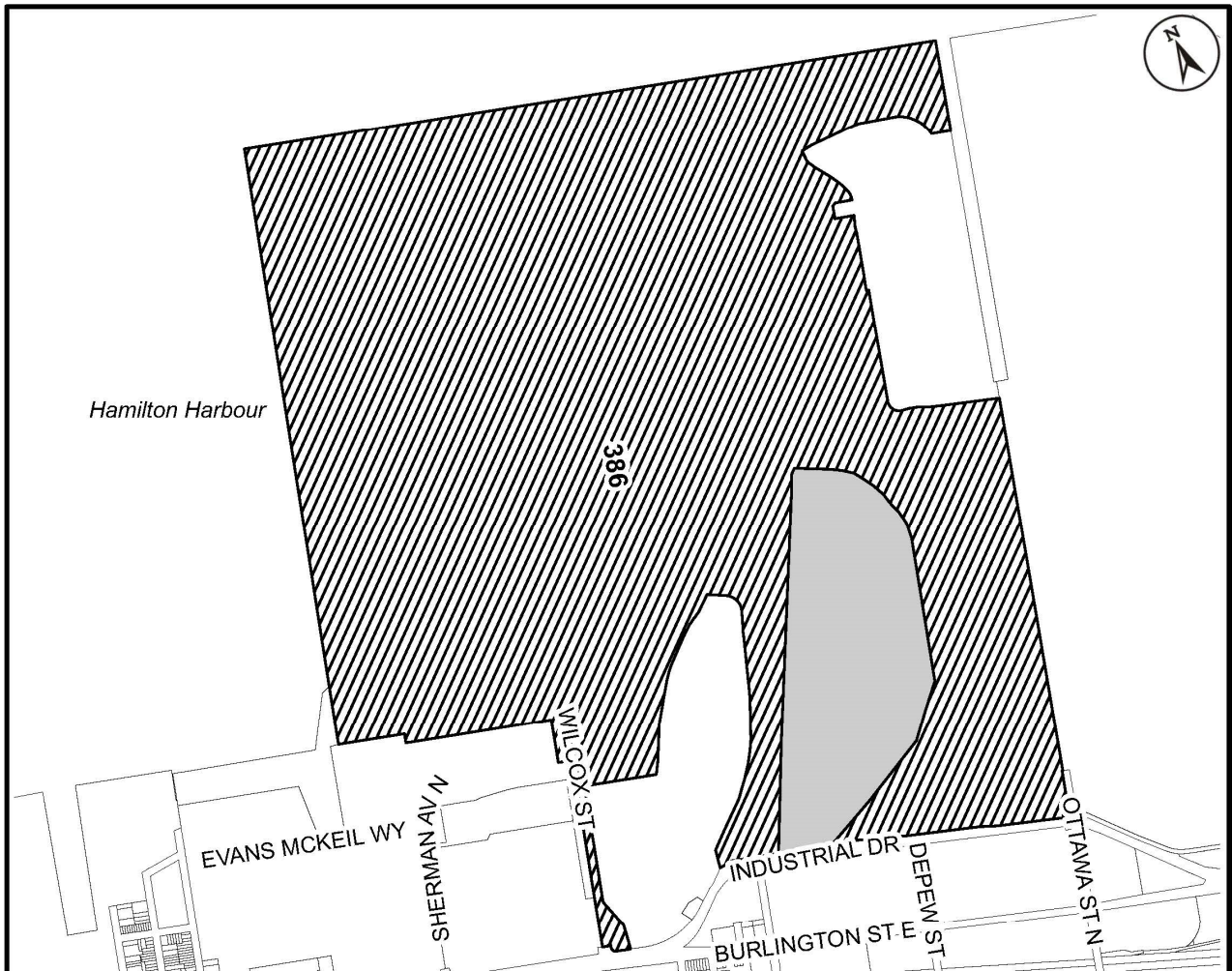
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this 13th day of April, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAR-22-009



This is Schedule "A" to By-law No. 22-

Passed the day of, 2022

Mayor

Clerk



Schedule "A"

Map forming Part of
By-law No. 22-_____

to Amend By-law No. 05-200
Maps 749, 750, 751, 789, 790, 791, 830,
831, 832, 872, 873, 874, 915 & 916

Subject Property

386 Wilcox Street

-  Block 1 - Change in Zoning from General Industrial (M5, 433) Zone to General Industrial (M5, 433, H123)
-  Block 2 - Other lands owned by occupant

Scale:
N.T.S

File Name/Number:
ZAR-22-009

Date:
March 9, 2022

Planner/Technician:
AB/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT