

Authority: Item 4, Planning Committee Report 23-016 (PED23201)

CM: October 11, 2023 Ward: 5

Written approval for this by-law was given by Mayoral Decision MDE-2023-04 dated October 11, 2023

Bill No. 187

CITY OF HAMILTON

BY-LAW NO. 23-

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 65 Guise Street East, Hamilton

WHEREAS Council approved Item 4 of Report 23-016 of the Planning Committee, at its meeting held on October 11, 2023;

WHEREAS the Council of the City of Hamilton, in adopting Item 4 of Report 23-016 of the Planning Committee, at its meeting held on the 11th day of October, 2023, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

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

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

1. That Map Nos. 787 and 827 of Schedule "A" – Zoning Maps of Zoning By-law No. 05-200 are amended by changing the zoning from the Conservation / Hazard Land (P5) Zone to the Conservation / Hazard Land (P5, 873, H152) Zone for the lands known as 65 Guise Street East, Hamilton the extent and boundaries of which are shown on Schedule "A" to this By-law.
2. That Schedule "C": Special Exceptions is amended by adding the following new special exception:
 - "873: Within the lands zoned Conservation/Hazard Land (P5P Zone on Map Nos. 787 and 827 of Schedule "A" – Zoning Maps and described as 65 Guise Street East, Hamilton the following special provisions shall apply:
 - a) Section 5.1.a) ii) a) shall not apply.
 - b) In addition to Section 7.5.1 the following uses shall also be permitted in accordance Section c) below:

Parking Lot; and,
Commercial Parking Facility.

c) The following provisions shall apply for uses listed in b) above:

i)	Restriction of Uses	The uses permitted in Section a) above, shall only be permitted underground.
ii)	Minimum Distance of a Parking Gate from a Street Line	7.0 metres.
iii)	Minimum Distance of on and off Ramps from a Street Line	7.0 metres.

3. That Schedule “D” – Holding Provision be amended by adding the following Holding Provision:

“152. Notwithstanding Section 7.5 of this By-law, within lands zoned Conservation / Hazard Land (P5, 873, H152) Zone, identified on Map 787 and 827 of Schedule A – Zoning Maps and described as 65 Guise Street East, Hamilton (Blocks 12, 13 & 14 of 62M-1287), no development shall be permitted until such time as the applicant submits and receives approval of the following:

- i) The Owner or authorized applicant submits a Functional Servicing and Stormwater Management Report, including design and construction details to identify and implement any required modifications to the proposed stormwater management system to the satisfaction of Director of Growth Management and Chief Development Engineer.
- ii) The Owner or authorized applicant submits a Tree Protection Plan and Landscape Plan concept, including sections showing the planting depth of landscaped area with parking below to the satisfaction of the Director of Heritage and Design.
- iii) The owner or authorized applicant shall obtain Ministry of Environment, Conservation and Parks approval of an amended Certificate of Property Use that reflects the intended use of Blocks 12, 13 & 14 to include below grade parking.”

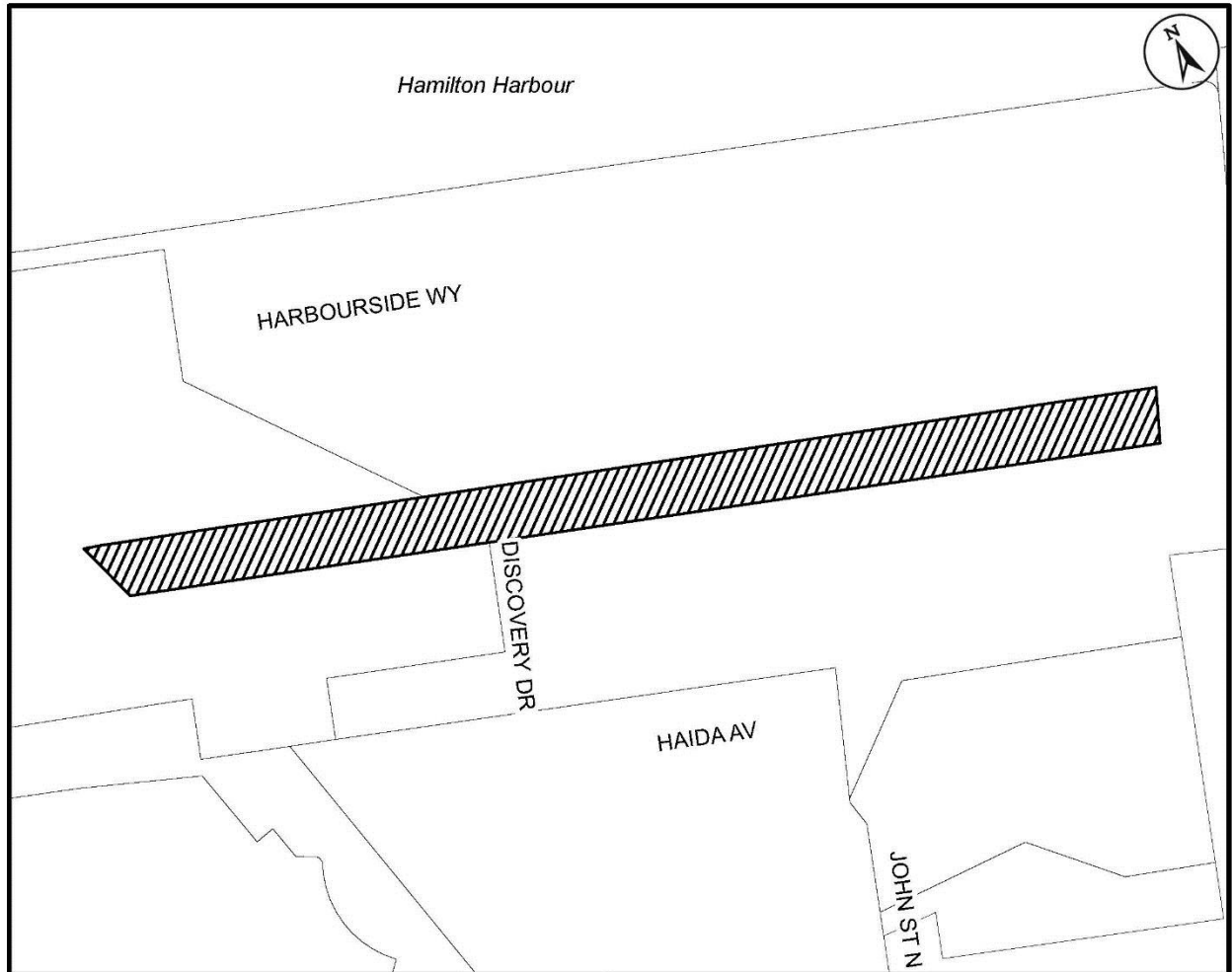
4. That no building of structure shall be erected, altered, extended or enlarged, nor shall any building or structure thereof be used, nor shall any land be used, except in accordance with the provisions of the Conservation/Hazard Land (P5, 873) Zone, subject to the special requirements referred to in Section Nos. 2 and 3 of this Bylaw.
5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law in accordance with the *Planning Act*.

PASSED this 11th day of October, 2023.

A. Horwath
Mayor

J. Pilon
Acting City Clerk

ZAC-23-033



<p>This is Schedule "A" to By-law No. 23-</p> <p>Passed the day of, 2023</p>	<p>-----</p> <p>Mayor</p> <p>-----</p> <p>Clerk</p>
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Schedule "A"

Map forming Part of
 By-law No. 23-_____

to Amend By-law No. 05-200
 Map 787 & 827

Subject Property

Pier 8, Hamilton (Ward 2)

 Change in zoning from Conservation / Hazard Land (P5) Zone to Conservation / Hazard Land (P5, 873, H152) Zone

<p>Scale: N.T.S</p>	<p>File Name/Number: ZAC-23-035</p>	 Hamilton
<p>Date: August 22, 2023</p>	<p>Planner/Technician: AB/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		