

Authority: Item,
Report (PED24173)
CM:
Ward: 8

Bill No.

CITY OF HAMILTON
BY-LAW NO.

To amend Zoning By-law No. 05-200 with respect to lands located on Upper James Street between the Lincoln M. Alexander Parkway and the utility corridor between Rymal Road and Twenty Road, City of Hamilton

WHEREAS Council approved Item ___ of Report PED24173 of the Planning Committee, at its meeting held on the 5th day of November 2024;

AND WHEREAS this By-law conforms with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No. ____;

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Schedule “A” – Zoning Maps, Map Nos. 1289, 1290, 1342 and 1343 are amended by changing the zoning from the Arterial Commercial (C7) Zone to the Transit Oriented Corridor Mixed Use (TOC1) Zone, changing the zoning from the Arterial Commercial (C7) Zone to the Transit Oriented Corridor Mixed Use (TOC1, 855) Zone, changing the zoning from the Arterial Commercial (C7, 559) Zone to the Transit Oriented Corridor Mixed Use (TOC1, 559) Zone, and changing the zoning from the Arterial Commercial (C7, 735) Zone to the Transit Oriented Corridor Mixed Use (TOC1) Zone, for the lands the extent and boundaries of which are shown on Schedule “A1” to this By-law.
2. That Schedule “A” – Zoning Maps, Map Nos. 1342, 1343, 1394 and 1395 are amended by changing the zoning from the Mixed Use Medium Density (C5) Zone to the Transit Oriented Corridor Mixed Use (TOC1) Zone, changing the zoning from the Mixed Use Medium Density (C5, 318) Zone to the Transit Oriented Corridor Mixed Use (TOC1, 855) Zone, changing the zoning from the Mixed Use Medium Density (C5, 318) Zone to the Transit Oriented Corridor Mixed Use (TOC1) Zone, and changing the zoning from the Mixed Use Medium Density (C5) Zone to the Transit Oriented Corridor Mixed Use (TOC1, 855) Zone, for the lands the extent and boundaries of which are shown on Schedule “A2” to this By-law.

3. That Schedule “A” – Zoning Maps, Map Nos. 1394 and 1445 are amended by changing the zoning from the Arterial Commercial (C7) Zone to the Transit Oriented Corridor Mixed Use (TOC1) Zone, changing the zoning from the Arterial Commercial (C7) Zone to the Transit Oriented Corridor Mixed Use (TOC1, 855) Zone, changing the zoning from the Arterial Commercial (C7, 560) Zone to the Transit Oriented Corridor Mixed Use (TOC1, 855) Zone, changing the zoning from the Mixed Use Medium Density (C5, 318) Zone to the Transit Oriented Corridor Mixed Use (TOC1, 855) Zone, and adding lands to Zoning By-law No. 05-200 and zoned the Transit Oriented Corridor Mixed Use (TOC1) Zone, the extent and boundaries of which are shown on Schedule “A3” to this By-law.
4. That Schedule “C”: Special Exceptions is amended as follows:
 - i) By modifying Special Exception No. 318 as follows:

- a) By deleting Map No. 1343 from the preamble so that it reads:

“Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 1342, 1394 and 1395 of Schedule “A” – Zoning Maps and described as:”

- b) By deleting the following properties from the list of lands subject to the Special Exception:

Property Address	Map Number
20 Rymal Road East	1394
1367 Upper James Street	1343
1379 Upper James Street	1343
1389 Upper James Street	1343
1405 Upper James Street	1342 and 1343
1425 Upper James Street	1342 and 1343
1451, 1471 Upper James Street	1342, 1343 and 1395
1495 Upper James Street	1342, 1394 and 1395
1505 and 1515 Upper James Street	1394 and 1395
1527 Upper James Street	1394
1545 Upper James Street	1394 and 1395
1565 Upper James Street	1394 and 1395
1587, 1591 and 1599 Upper James Street	1394
1595 Upper James Street	1394
1616 Upper James Street	1394

- c) By modifying b) ii) by replacing “Subsection 5.1 a) v)” with “Subsection 5.3.1 a)”.

- ii) By deleting Special Exception No. 559 in its entirety and replacing it with the following:

“559. Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map 1290 of Schedule “A” – Zoning Maps and described as 1187 Upper James Street, the following special provisions shall apply:

- a) Notwithstanding Subsections 5.2.1 a), 5.2.2 a), b) and c) and Subsections 4.20 b) and 4.20 c) i), and in addition to Subsection 4.20, the following regulations shall also apply:

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| i) Outdoor Commercial Patios | <ol style="list-style-type: none"> 1. An Outdoor Commercial Patio shall be permitted in the rear yard; 2. An Outdoor Commercial Patio shall not exceed an area of 30.0 square metres; and, 3. An Outdoor Commercial Patio shall be set back a minimum of 12.0 metres from the rear lot line. |
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| ii) Minimum Parking Space Dimensions | Parking space sizes shall be a minimum of 2.6 metres in width by 5.5 metres in length. |
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| iii) Minimum Accessible Parking Space Dimensions | Each accessible parking space shall have a minimum width of 4.4 metres and a minimum length 5.5 metres. |
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- iii) By deleting Special Exception No. 560 and Special Exception No. 735 in their entirety.

- iv) By adding new Special Exception No. 855 as follows:

“855. Within the lands zoned Transit Oriented Corridor Mixed Use (TOC1) Zone, identified on Map Nos. 1289, 1290, 1342, 1343, 1394, 1395, 1445, of Schedule “A” – Zoning Maps and described as:

Property Address	Map Number
4 Bartlett Avenue	1445
10 Bartlett Avenue	1445
20 Bartlett Avenue	1445
5 Rymal Road West, 1616, 1618 and 1628 Upper James Street	1394
20 Rymal Road West, 1625 and 1655 Upper James Street	1394 and 1445
1151, 1171 Upper James Street	1290
1200 Upper James Street	1290
1215, 1221 Upper James Street	1290
1242, 1246 and 1250 Upper James Street	1290
1243 and 1245 Upper James Street	1290
1259 Upper James Street	1290
1265 Upper James Street	1290
1290 Upper James Street	1289 and 1290
1294 Upper James Street	1289 and 1290
1341 Upper James Street	1343
15 Stone Church Road East	1343
1350 Upper James Street	1289, 1290, 1342 and 1343
1367 Upper James Street	1343
1379 Upper James Street	1343
1400, 1408, 1414 and 1416 Upper James Street	1342 and 1343
1428 Upper James Street	1342
1462 Upper James Street	1342
1471 Upper James Street	1342, 1343 and 1395
1489 and 1495 Upper James Street	1342, 1394 and 1395
1505 and 1515 Upper James Street	1394 and 1395
1527 Upper James Street	1394
1545 Upper James Street	1394 and 1395
1588 Upper James Street	1394
1666 Upper James Street	1394 and 1445
1670 Upper James Street	1394 and 1445
1699 Upper James Street	1445
1715 Upper James Street	1445
1717 Upper James Street	1445
1719 Upper James Street	1445
1739, 1749 and 1755 Upper James Street	1445

The following special provisions shall apply:

- a) In addition to Section 11.1.1 Permitted Uses, and notwithstanding Section 11.1.2 Prohibited Uses, the following shall also be permitted:
 - i) A use legally existing on the date of passing of this By-law.
- b) In addition to Section 4.12 e) i), and notwithstanding Sections 11.1.1.1 i) 1., and 11.1.3 a) ii), d) i), g) ii) and iii), an addition or alteration to a use permitted by Subsection a) i) above, shall be permitted to a maximum of 10% of the Gross Floor Area existing on the date of passing of this By-law.
- c) For the lands located at 1739, 1749 and 1755 Upper James Street, the following special provision shall also apply:
 - i) In addition to the requirements of Section 11.1.3, a Motor Vehicle Dealership shall provide and maintain a minimum 3.0 metre wide planting strip along the entire southerly lot line.

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 _____, 2024

A. Horwath
Mayor

M. Trennum
City Clerk

CI-24-I







This is Schedule "A1" to By-law No. 24-
Passed the day of, 2024


Mayor

Clerk

Schedule "A1"
Map forming Part of
By-law No. 24-_____
to Amend By-law No. 05-200
Maps 1289, 1290, 1342 & 1343

Subject Lands

-  Change in zoning from Arterial Commercial (C7) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone
-  Change in zoning from Arterial Commercial (C7) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1, 855) Zone
-  Change in zoning from Arterial Commercial (C7, 735) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone
-  Change in zoning from Arterial Commercial (C7, 559) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1, 559) Zone

Scale: 1:6,000	File Name/Number: PED24173	
Date: September 27, 2024	Planner/Technician: MS/SH	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		



This is Schedule "A2" to By-law No. 24-
Passed the day of, 2024

Mayor

Clerk

Schedule "A2"
Map forming Part of
By-law No. 24-_____
to Amend By-law No. 05-200
Maps 1342, 1343, 1394 & 1395

- Subject Lands**
- Change in zoning from Mixed Use Medium Density (C5) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone
 - Change in zoning from Mixed Use Medium Density (C5) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1, 855) Zone
 - Change in zoning from Mixed Use Medium Density (C5, 318) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone
 - Change in zoning from Mixed Use Medium Density (C5, 318) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1, 855) Zone

Scale: 1:7,000	File Name/Number: PED24173	
Date: September 27, 2024	Planner/Technician: MS/SH	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		









This is Schedule "A3" to By-law No. 24-
Passed the day of, 2024

Mayor

Clerk

Schedule "A3"
Map forming Part of
By-law No. 24-_____
to Amend By-law No. 05-200
Maps 1394 & 1445

- Subject Lands**
-  Change in zoning from Mixed Use Medium Density (C5, 318) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1, 855) Zone
 -  Change in zoning from Arterial Commercial (C7) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone
 -  Change in zoning from Arterial Commercial (C7) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1, 855) Zone
 -  Change in zoning from Arterial Commercial (C7, 560) Zone to Transit Oriented Corridor Mixed Use Medium Density (TOC1, 855) Zone
 -  Add to Zoning By-law No. 05-200 and zone Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone

Scale: 1:4,200	File Name/Number: PED24173	 Hamilton
Date: September 27, 2024	Planner/Technician: MS/SH	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		