

Authority: Item 3
Planning Committee
Report 13-001 (PED13019)
CM: January 23, 2013

Bill No. 018

CITY OF HAMILTON

BY- LAW NO. 13-

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 726 Upper Gage Avenue (Hamilton)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which By-law was approved by the Ontario Municipal Board by Order, dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item 3 of Report 13-001 of the Planning Committee, at its meeting held on the 23rd day of January, 2013, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

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

1. That Sheet No. E-37 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended as follows:
 - (a) By changing the zoning from the “C” (Urban Protected Residential, Etc.) District to the “G/S-1662” (Neighbourhood Shopping Centre, Etc.) District, Modified,

on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule ‘A’.
2. That the “G” (Neighbourhood Shopping Centre, Etc.) District provisions, as contained in Section 13 of Zoning By-law No. 6593, be modified to include the following special requirements:
 - (a) That notwithstanding Sub-section 13.(1) of Zoning By-law No. 6593, no drive-through shall be permitted, even as an accessory use;
 - (b) That notwithstanding Sub-section 13.(9)(i) of Zoning By-law No. 6593, no planting strip shall be required along the westerly lot line adjoining a residential district or use;
 - (c) That notwithstanding Sub-section 18A.(1) of Zoning By-law No. 6593, 1 parking space per 22.0 sq. m of floor is required for a medical office(s) and/or clinic;
 - (d) That notwithstanding Sub-section 18A.(7) of Zoning By-law No. 6593, every required parking space, other than a parallel parking space, shall have dimensions not less than 2.6m wide and 5.5m long;
 - (e) That notwithstanding Sub-section 18A.(1) of Zoning By-law No. 6593, no loading space shall be required;
 - (f) That notwithstanding Sub-sections 18A.(11)(a) and 18A.(12) of Zoning By-law No. 6593, a parking area shall be permitted 0.0m from the adjoining westerly residential district boundary, and no planting strip or visual barrier is required along the westerly residential district boundary; and,
 - (g) That Sub-section 18A.(11)(b) shall not apply to the parking area along the southerly residential district boundary.

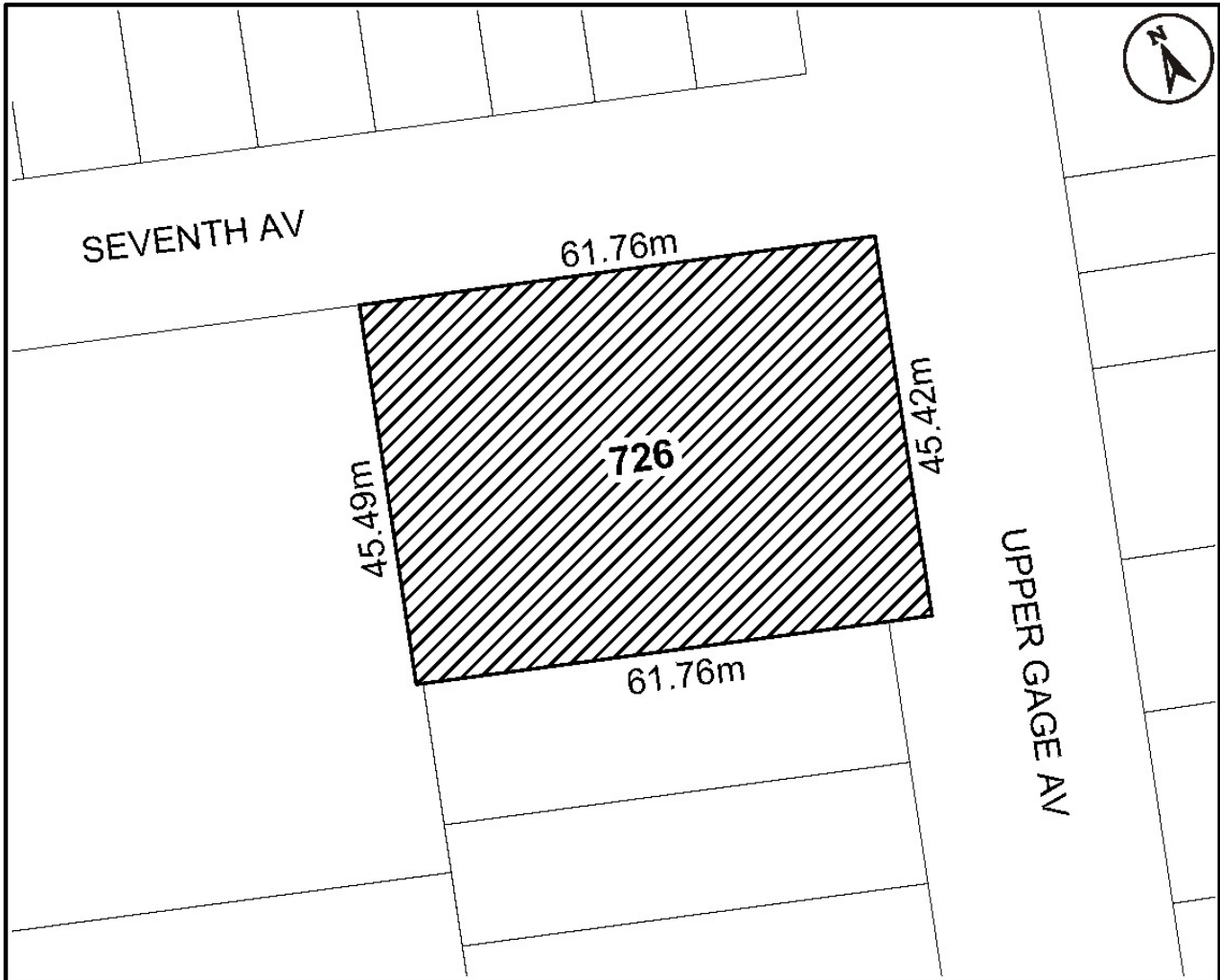
3. That By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1662.
4. That Sheet No. E-37 of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1662.
5. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" (Neighbourhood Shopping Centre, Etc.) District provisions, subject to the special requirements referred to in Section 2 of this By-law.
6. 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 23rd day of January, 2013.

R. Bratina
Mayor

R. Caterini
City Clerk

ZAC-12-037



This is Schedule "A" to By-Law No. 13-
 Passed the day of, 2013

 Mayor


 Clerk

Schedule "A"

Map Forming Part of
 By-Law No. 13-_____

to Amend By-law No. 6593

Subject Property
 726 Upper Gage Avenue

 Change in Zoning from the "C" (Urban Protected Residential, Etc.) District to the "G/S-1662" (Neighbourhood Shopping Centre, Etc.) District, Modified

Scale:
 N.T.S.

Date:
 January 5, 2013

File Name/Number:
 ZAC-12-037

Planner/Technician:
 GM/NB

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

