CITY OF HAMILTON

BY-LAW NO. 15-072

To Amend Zoning By-law No. 05-200
Respecting Modifications and Updates

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, S.O. 1999, Chap. 14;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

AND WHEREAS it is desirable to enact a new Zoning By-law to comprehensively deal with zoning throughout the City;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 6 of Report 15-004 of the Planning Committee, at its meeting held on the 11th day of March, 2015, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS the Urban Hamilton Official Plan was declared in force and effect on August 16, 2013 and is the Official Plan in effect for lands within the Urban Area of the City of Hamilton;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan;

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

1. That Schedule “A” of By-law No. 05-200 is amended by adding lands to Map No. 1397, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A1”, to be zoned Neighbourhood Institutional (I1) Zone.

2. That Schedule “A” of By-law No. 05-200 is amended by deleting lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A2”, from Map No. 1135.
3. That Schedule “A” of By-law No. 05-200 is amended by deleting lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A3”, from Map No. 1295.

4. That Schedule “A” of By-law No. 05-200 is amended by adding lands to Map No.’s 1259, 1260, 1312 and 1313, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A4”, to be zoned Prestige Business Park (M3) Zone and Conservation/Hazard Land (P5) Zone.

5. That SECTION 4: GENERAL PROVISIONS is amended:

(a) by renumbering Subsection 4.2 – COMMUNITY GARDEN as 4.27.

(b) by revising the introduction and clause b) of SUBSECTION 4.20 – Outdoor Commercial Patios to read as follows:

**4.20 OUTDOOR COMMERCIAL PATIOS**

Notwithstanding any provisions of this By-law, every Outdoor Commercial Patio, inclusive of all outdoor areas and portions of the patio that cross property lines such as road allowances, shall comply with the following:

b) Seating Capacity Requirements

An Outdoor Commercial Patio shall be limited to a seated capacity of a minimum of 1.10 square metres of patio area per person.

6. That SUBSECTION 6.6.2 - REGULATIONS of SECTION 6.6 – DOWNTOWN MULTIPLE RESIDENTIAL (D6) ZONE is amended by renumbering clauses 6.6.2.6 and 6.6.2.7 as 6.6.2.3 and 6.6.2.4, respectively.

7. That SECTION 9: INDUSTRIAL ZONES is amended:

(a) by adding a “Dry Cleaning Plant” to Subsection 9.2.1 PERMITTED USES in Subsection 9.2 GENERAL BUSINESS PARK (M2) ZONE.

(b) by adding a “Dry Cleaning Plant” to Subsection 9.5.1 PERMITTED USES in Subsection 9.5 GENERAL INDUSTRIAL (M5) ZONE.

8. 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.
9. That this By-law No. 15-072 shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the Planning Act, either upon the date of passage of this By-law or as otherwise provided by the said Sub-section.

PASSED this 11th day of March, 2015.

Fred Eisenberger
Mayor

Rose Caterini
City Clerk

CI-14-H
Schedule "A1"

Map Forming Part of By-law No. 15-072 to Amend By-law No. 05-200 Map 1397

Subject Property
Lands to be removed from the "C-H/S-1484" (Urban Protected Residential, Etc.-Holding) District, Modified in Zoning By-law No. 6593 and Zoned Neighbourhood Institutional (II) Zone in By-law No. 05-200

1457 Upper Sherman Avenue

This is Schedule "A1" to By-law No. 15-072
Passed the 1, 3, 6, day of M.A.R.C.H., 2015

Mayor

Clerk
This is Schedule "A2" to By-law No. 15-072
Passed the 11th day of March, 2015

Schedule "A2"
Map Forming Part of By-law No. 15-072
to Amend By-law No. 05-200
Map 1135

Subject Property
Lands to be removed from Zoning By-law No. 05-200

Block 1: 660-662 Fennell Avenue East
Block 2: 307 East 27th Street
Block 3: 598 Upper Sherman Avenue
Block 4: 600 Upper Sherman Avenue

Scale: N.T.S.
Date: Dec. 8, 2014
File Name/Number: CI-14-H
Planner/Technician: PD/DB

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Hamilton
Schedule "A3"

Map Forming Part of By-law No. 15-072 to Amend By-law No. 05-200

Map 1295

Subject Property
Lands to be removed from Zoning By-law No. 05-200

271 Carson Drive

This is Schedule "A3" to By-law No. 15-072

Passed the 11th day of March, 2015
This is Schedule "A4" to By-law No. 15-072
Passed the 11th day of March, 2015

Schedule "A4"

Map Forming Part of By-law No. 15-072

to Amend By-law No. 05-200
Maps 1259, 1260, 1312 & 1313

Subject Property
Lands to be removed from By-law No. 3892-92 and Zoned as the following in By-law No. 05-200:

- Prestige Business Park (M3) Zone
- Conservation/Hazard Land (P5) Zone