

Authority: Item 6, Planning Committee
Report: 17-001 (PED17007)
CM: January 25, 2017

Bill No. 010

CITY OF HAMILTON

BY-LAW NO. 17-010

**To Amend Zoning By-law No. 6593, as amended by By-law Nos. 96-124 and 99-43,
Respecting Lands Located at 775-779 Upper Wentworth Street, Hamilton**

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

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as the “The Corporation of the City of Hamilton” and is the successor of 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Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 6 of Report 17-001 of the Planning Committee, at its meeting held on the 25th day of January, 2017, which recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

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 the “HH” (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A of Zoning By-law No. 6593, as amended by By-law Nos. 96-124 and 99-43, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”, are further amended to the extent only of the special requirements that:
 - (a) Paragraph (iii) of Section 2.(a) of By-law No. 96-124, as amended by By-law 99-43, is hereby repealed and replaced by the following:
 - i. A business or professional person’s office.
 - (b) The following additional uses shall also be permitted:
 - i. A personal service establishment;
 - ii. A commercial school; and,
 - iii. Office or consultative uses or personal clinical services by a ‘charitable organization’.
 - (c) No office shall exceed a gross floor area of 500 square metres.
 - (d) Where an addition or expansion of the existing building is proposed, a minimum five short term bicycle parking spaces shall be required to be provided on site.
2. 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 “HH” (Restricted Community Shopping and Commercial) District provisions, subject to the special requirements referred to in By-law Nos. 96-124 and 99-43 and Section 1 of this By-law.
3. That By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-1348b.
4. That Sheet No. E-27 of the District Maps is amended by marking the lands referred to in By-law Nos. 96-124 and 99-43 and further amended by Section 1 of this By-law, S-1348b.
5. In all other respects, By-laws No. 96-124 and 99-43 are hereby confirmed, unchanged.

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

PASSED this 25th day of January, 2017.

F. Eisenberger
Mayor

R. Caterini
City Clerk

ZAR-16-052



This is Schedule "A" to By-law No. 17- Passed the day of, 2017	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <h3 style="margin: 0;">Map Forming Part of By-law No. 17-_____</h3> <h3 style="margin: 0;">to Amend By-law No. 6593</h3>	Subject Property 775-779 Upper Wentworth Street
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Scale: N.T.S.	File Name/Number: ZAR-16-052	
Date: November 8, 2016	Planner/Technician: MS/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		