

**Authority:** Item 6, Planning Committee  
Report 15-004 (PED15028)  
CM: March 11, 2015

**Bill No. 072**

**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 11<sup>th</sup> 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**

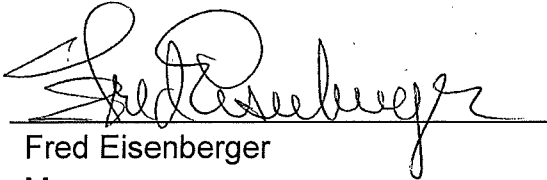
Notwithstanding any provisions of this By-law, every Outdoor Commercial Patio, inclusive of all outdoor areas and portions of the patio that cross property lines such as road allowances, shall comply with the following:

    - 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 11<sup>th</sup> day of March, 2015.



Fred Eisenberger  
Mayor



Rose Caterini  
City Clerk

CI-14-H



This is Schedule "A1" to By-law No. 15- 072

Passed the 11<sup>th</sup> day of March, 2015

*Frederick Dubief*  
 Mayor  
*Alvin*  
 Clerk


### 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 (I1) Zone in By-law No. 05-200

 1457 Upper Sherman Avenue

Scale:  
 N.T.S.

File Name/Number:  
 CI-14-H

Date:  
 Dec. 8, 2014

Planner/Technician:  
 PD/DB



**Hamilton**



This is Schedule "A2" to By-law No. 15- 072

Passed the 11th day of March, 2015

*[Signature]*  
 Mayor  
 -----  
*[Signature]*  
 Clerk





## 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.

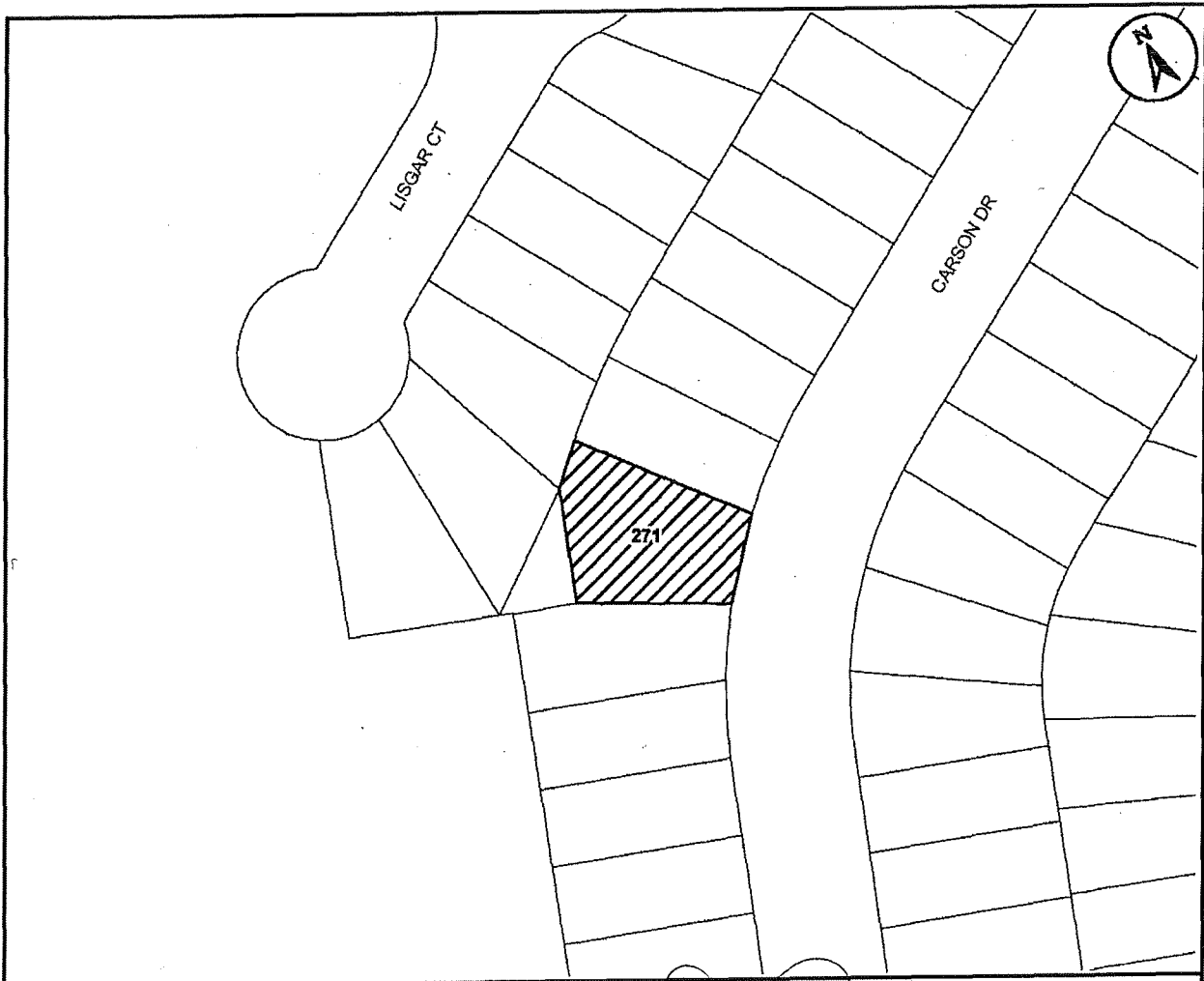
File Name/Number:  
 CI-14-H

Date:  
 Dec. 8, 2014

Planner/Technician:  
 PD/DB



Hamilton



This is Schedule "A3" to By-law No. 15- 072  
 Passed the 11th day of March, 2015

*Frederick...*  
 Mayor  
*[Signature]*  
 Clerk


**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

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





This is Schedule "A4" to By-law No. 15- 072

Passed the 11th day of March, 2015

*Fred Esuliga*  
 Mayor  
 \_\_\_\_\_  
*[Signature]*  
 Clerk



**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. 3692-92 and Zoned as the following in By-law No. 05-200:

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

Scale:  
 N.T.S.

File Name/Number:  
 CI-14-H

Date:  
 March 5, 2015

Planner/Technician:  
 PD/VS



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT