

Authority: Item 4, Planning Committee
Report 15-011 (PED15085)
CM: July 10, 2015

Bill No. 171

CITY OF HAMILTON

BY- LAW NO. 15-171

To Amend Zoning By-law No. 6593 (Hamilton) Respecting James Street North and South Corridors and "H" District Properties

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 4 of Report 15-011 of the Planning Committee, at its meeting held on the 10th day of July 2015, which recommended that Zoning By-law No. 6593 (Hamilton) 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 Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

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 **SECTION 18A: PARKING AND LOADING REQUIREMENTS** is amended by adding two new Subsections:

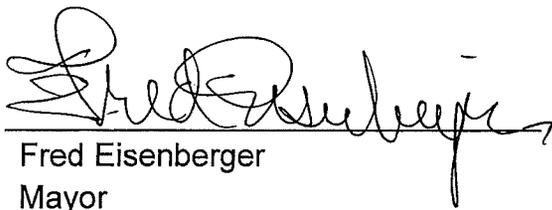
To Amend Zoning By-law No. 6593 (Hamilton)
Respecting James Street North and South Corridors
and "H" District Properties

(45) Notwithstanding Section 18A(3) and Table 7 and Section 18A(36)(1)(a), the provisions of Subsection 18A(1) shall not apply to any permitted commercial use(s), except "Medical Office" which includes "Doctor, Dentist, Osteopath and Drugless Practitioner," located in all or part of a building existing on the effective date of this By-law, within the areas shown on Schedules "U" – James Street North and "U" – James Street South, attached as Schedules "A1" and "A2" to this By-law, no parking spaces are required provided that the number of parking spaces which existed on the effective date of this By-law shall continue to be provided and maintained. Where an addition or expansion of an existing building is proposed, the parking requirements of Section 18A(1) above, shall only apply to the commercial use or uses contained within the increased gross floor area.

"(46) Notwithstanding Section 18A(3) and Table 7 and Section 18A(36)(1)(a), the provisions of Subsection 18A(1) shall not apply to any permitted commercial use(s), except "Medical Office" which includes "Doctor, Dentist, Osteopath and Drugless Practitioner," located in all or part of a building existing on the effective date of this By-law that is zoned "H" (Community Shopping and Commercial, etc.) District or a site specific "H" District, except those properties identified on Schedule "R", no parking spaces are required provided that the number of parking spaces which existed on the effective date of this By-law shall continue to be provided and maintained. Where an addition or expansion of an existing building is proposed, the parking requirements of Section 18A(1) above, shall only apply to the commercial use or uses contained within the increased gross floor area.

2. 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 10th day of July, 2015.


Fred Eisenberger
Mayor


Rose Caterini
City Clerk

To Amend Zoning By-law No. 6593 (Hamilton)
 Respecting James Street North and South Corridors
 and "H" District Properties



Schedule "U" - James Street North to Zoning By-law No. 6593 - Parking for Specific Commercial Uses is Exempt Under Certain Conditions



This is Schedule "A1" to By-law No. 15-171

Passed the 10th day of July, 2015

[Signature]
 Mayor
[Signature]
 Clerk

Schedule "A1"

Map Forming Part of
 By-law No. 15-171

to Amend By-law No. 6593

Subject Property

 Delineates lands in which parking for specific commercial uses is exempt under certain conditions

Scale: N.T.S.	File Name/Number: CI-15-C
Date: May 28, 2015	Planner/Technician: PD/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	



To Amend Zoning By-law No. 6593 (Hamilton)
 Respecting James Street North and South Corridors
 and "H" District Properties

Schedule "U" - James Street South to Zoning By-law No. 6593 - Parking for Specific Commercial Uses is Exempt Under Certain Conditions



This is Schedule "A2" to By-law No. 15-171

Passed the 10th day of July, 2015

[Signature]
 Mayor
 Clerk

Schedule "A2"

Map Forming Part of
 By-law No. 15-¹⁷¹

to Amend By-law No. 6593

Subject Property



Delineates lands in which parking for specific commercial uses is exempt under certain conditions

Scale:
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 PD/AL



Hamilton