

**Authority:** Item 6, Planning Committee  
Report 16-007 (PED16064)  
CM: April 27, 2016

**Bill No. 120**

## **CITY OF HAMILTON**

### **BY-LAW NO. 16-120**

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 1055 and 1099 King Street East, 876 Cannon Street  
East and 60 Balsam Avenue North**

**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 the Council of the City of Hamilton, in adopting Item 6 of Report 16-007 of the Planning Committee, at its meeting held on the 27<sup>th</sup> day of April, 2016, which recommended that Zoning By-law No. 05-200 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 Map No. 998 of Schedule "A" – Zoning Maps, appended to and forming part of By-law 05-200, is amended as follows:
  - (a) by changing the zoning from the Community Park (P2) Zone, to the Community Institutional (I2, 475) Zone, with a Special Exception, on the lands the extent and boundaries of which are shown as Block 1 on a plan hereto annexed as Schedule "A";
  - (b) by incorporating additional Community Institutional (I2, 475) Zone, with Special Exception, boundaries on the lands the extent and boundaries of which are shown as Block 2 on a plan hereto annexed as Schedule "A"; and,
  - (c) by changing the zoning from the Neighbourhood Institutional (I1) Zone, to the Neighbourhood Institutional (I1, 476) Zone, with a Special

Exception, on the lands the extent and boundaries of which are shown as Block 3 on a plan hereto annexed as Schedule "A".

2. That Schedule "C": Special Exceptions of By-law 05-200 is amended by adding additional Special Exceptions as follows:

"475. Within the lands zoned Community Institutional (I2) Zone, Modified, identified on Map 998 of Schedule "A" – Zoning Maps and described as the South Stadium Precinct block bound by King Street East, Melrose Avenue North, Cannon Street East and Balsam Avenue North, the following special provisions shall apply:

- a) Notwithstanding Section 4.16 a) of this By-law, the South Stadium Precinct block shall be considered to be one consolidated lot for the purpose of a joint development by the City of Hamilton and the Hamilton-Wentworth District School Board and the internal lot lines of the original lots shall not be construed to be lot lines for the purposes of any zoning regulations provided that all applicable regulations of this By-law as amended relative to the consolidated lot development and its external lot lines are complied with.
- b) Parking facilities for a Secondary School and Recreation uses located within the South Stadium Precinct block bound shall be permitted at 60 Balsam Avenue North, notwithstanding Section 5.1 a) i) of this By-law, and notwithstanding the requirement within Section 5.1 a) ii) that the lot to accommodate the parking facilities (i.e. 60 Balsam Avenue North) is not situated in a Commercial, Industrial, Downtown Zone or within the same zone as the use requiring such parking. Section 5.1 a) iii) of this By-law shall continue to apply.
- c) Notwithstanding Sections 5.2.1 a) and 5.2.1 b) of this By-law, loading doors and associated loading facilities shall be permitted in a yard abutting a street and subject to Site Plan Approval.
- d) The Permitted Uses listed in Section 8.2.1 of this By-law shall be Permitted Uses, excluding Duplex Dwelling, Semi-Detached Dwelling, Single Detached Dwelling and Street Townhouse Dwelling.

476. Within the lands zoned Neighbourhood Institutional (I1) Zone, Modified, identified on Map 998 of Schedule "A" – Zoning Maps and described as 60 Balsam Avenue North, the following special provision shall apply:

Parking facilities for a Secondary School and Recreation uses located within the South Stadium Precinct block bound by King Street East, Melrose Avenue North, Cannon Street East and Balsam Avenue North

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shall be permitted at 60 Balsam Avenue North, notwithstanding Section 5.1 a) i) of this By-law, and notwithstanding the requirement within Section 5.1 a) ii) that the lot to accommodate the parking facilities (i.e. 60 Balsam Avenue North) is not situated in a Commercial, Industrial, Downtown Zone or within the same zone as the use requiring such parking. Section 5.1 a) iii) of this By-law shall continue to apply.”

3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law in accordance with the *Planning Act*.
4. That this By-law No. 16-120 shall come into force and be deemed to have come into force in accordance with Subsection 34(21) of the *Planning Act*, either upon the date of passage of this By-law or as provided by the said Subsection.

**PASSED** this 27th day of April, 2016.

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F. Eisenberger  
Mayor

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

R. Caterini  
City Clerk

CI-15-G

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This is Schedule "A" to By-law No. 16-  Passed the ..... day of ....., 2016		_____ Mayor  _____ Clerk	
<h2>Schedule "A"</h2>  Map Forming Part of By-law No. 16-_____  to Amend By-law No. 05-200 Map 998		<b>Subject Property</b>  <b>Block 1</b> - 1099 King Street East and 876 Cannon Street East Lands to be rezoned from Community Park (P2) Zone to Community Institutional (I2,475) Zone, Modified   <b>Block 2</b> - 1055 King Street East Lands to be added to the Community Institutional (I2,475) Zone, Modified   <b>Block 3</b> - 60 Balsam Avenue North Lands to be redesignated from Neighbourhood Institutional (I1) Zone to Neighbourhood Institutional (I1,476) Zone, Modified	
Scale: N.T.S.	File Name/Number: CI-15-G		
Date: February 22, 2016	Planner/Technician: AW/VS		
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT			