

**Authority:** Item 5, Planning Committee  
Report 16-014 (PED16157)  
CM: August 12, 2016

**Bill No. 228**

## **CITY OF HAMILTON**

### **BY-LAW NO. 16-228**

#### **To Amend Zoning By-law No. 05-200 Respecting Lands Located at the 99 Highland Road West & 665 Pritchard Road, Hamilton**

**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 5 of Report 16-014 of the Planning Committee, at its meeting held on the 12<sup>th</sup> day of August, 2016, which 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;

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

1. That Map Nos. 1501 and 1548, as shown on Schedule "A" – Zoning Maps, to this By-law No. 05-200 is amended by changing zoning from the Prestige Business Park (M3, H28) Zone - Holding to the Business Park Support (M4, 481) Zone, Modified (Blocks 1 and 5), from the Open Space (P4) Zone to the Business Park Support (M4, 481) Zone, Modified (Block 2), from the Open Space (P4) Zone to the Conservation / Hazard Land (P5) Zone (Block 3), from the Open Space (P4) Zone to the Business Park Support (M4, 481) Zone, Modified (Block 4), and from the Prestige Business Park (M3) Zone to the Business Park Support (M4, 481) Zone, Modified (Block 6) on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" of this By-law.
2. That Schedule "C" - Special Exceptions of Zoning By-law No. 05-200, is hereby amended by adding the following subsection:

- “(a). Notwithstanding Section 9.4.3, Regulations h), and o) i) of Zoning By-law 05-200, on those lands zoned Business Park Support (M4, 481) Zone, Modified as identified on Map Nos. 1501 and 1548, as shown on Schedule “A” - Zoning Maps, shown as Blocks 1, 2, 4, 5 and 6 on Schedule “A”, described as 99 Highland Road West and 665 Pritchard Road, be amended to provide for the following special requirements:
- h) The maximum gross floor area for Office use within an individual building, excluding accessory office, shall be limited to 9,999 square metres.
  - o) i) The Maximum Combined Gross Floor Area for Accessory Retail and Showroom Area shall be 50% of the gross floor area of the principal use.
- “(b). Notwithstanding Section 2.5, Interpretation of Zone Boundaries, of Zoning By-law No. 05-200, the southern limit of Blocks 5 and 6 on Schedule “A” annexed hereto described as 99 Highland Road West and 665 Pritchard Road, shall not apply as a zoning boundary to the abutting lands to the south described as 1603 Rymal Road East.
3. 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*.
4. That this By-law No. 16-228 shall come into force and be deemed to 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 otherwise provided by the said subsection.

**PASSED** this 12<sup>th</sup> day of August, 2016.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

ZAC-14-006



This is Schedule "A" to By-law No. 16-

Passed the ..... day of ....., 2016

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 Mayor

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 Clerk

## Schedule "A"

Map Forming Part of  
 By-law No. 16-

to Amend By-law No. 05-200  
 Maps 1501, 1548

### Subject Property

99 Highland Road West & 665 Pritchard Road



**Block 1** - Rezoned from the Prestige Business Park (M3, H28) Zone to the Business Park Support (M4) Zone, Modified



**Block 2** - Rezoned from the Open Space (P4) Zone to the Business Park Support (M4) Zone, Modified



**Block 3** - Rezoned from the Open Space (P4) Zone to the Conservation/Hazard Lands (P5) Zone



**Block 4** - Rezoned from the Open Space (P4) Zone to the Business Park Support (M4) Zone, Modified



**Block 5** - Rezoned from the Prestige Business Park (M3, H28) to the Business Park Support (M4) Zone, Modified



**Block 6** - Rezoned from the Prestige Business Park (M3) Zone to the Business Park Support (M4) Zone, Modified



Refer to By-law No. 6593

Scale:  
 N.T.S.

File Name/Number:  
 ZAC-14-006\_25T-201402

Date:  
 August 9, 2016

Planner/Technician:  
 TS/AL



Hamilton