

Authority: Item 11, Planning Committee
Report 17-010
CM: June 14, 2017
Ward: 5

Bill No. 149

CITY OF HAMILTON

BY-LAW NO. 17-149

To Amend By-law No. 05-200 Respecting Lands Located at 398, 400, 402 Nash Road North and 30, 50, 54 Bancroft Street

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;

WHEREAS, the City of Hamilton's new comprehensive Zoning By-law, being By-law No. 05-200, came into force on May 25, 2005;

WHEREAS, it is desirable to enact a new Zoning By-law to comprehensively deal with zoning throughout the City; and,

WHEREAS, this By-law represents a series of modifications to existing Industrial Zones, as a result of a motion passed by Council on the 14th day of June, 2017.

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

1. That Schedule "A" – Zoning Maps of By-law No. 05-200 is hereby amended by modifying the General Industrial (M5) Zone as shown on the Maps numbered 1047 and 1048 on the lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A" of this By-law.
2. That Schedule "C" – Special Exceptions of By-law No. 05-200 is hereby amended by adding the following sub-section:
 - "641. Within the lands zoned General Industrial (M5) Zone, identified on Maps 1047, 1048 of Schedule "A" – Zoning Maps and described as 398, 400, 402 Nash Road North and 30, 50, 54 Bancroft Street, the following special provisions shall apply:
 - a) In addition to Section 9.5.1, the following uses shall only be permitted within the building existing on the date of the passing of this By-law, being the 14th of July, 2017 for lands located at 398, 400, 402 Nash Road North and 30, 50, 54 Bancroft Street:

- i) Commercial Recreation in conjunction with another permitted use;
 - ii) Retail; and,
 - iii) Studio.”
5. 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.
6. THAT For the purposes of the Building Code, this by-law or any part of it is not made until it has actually come into force as provided by section 34 of the *Planning Act*.
7. That this By-law comes into force in accordance with section 34 of the Planning Act.

PASSED this 14th day of July, 2017.

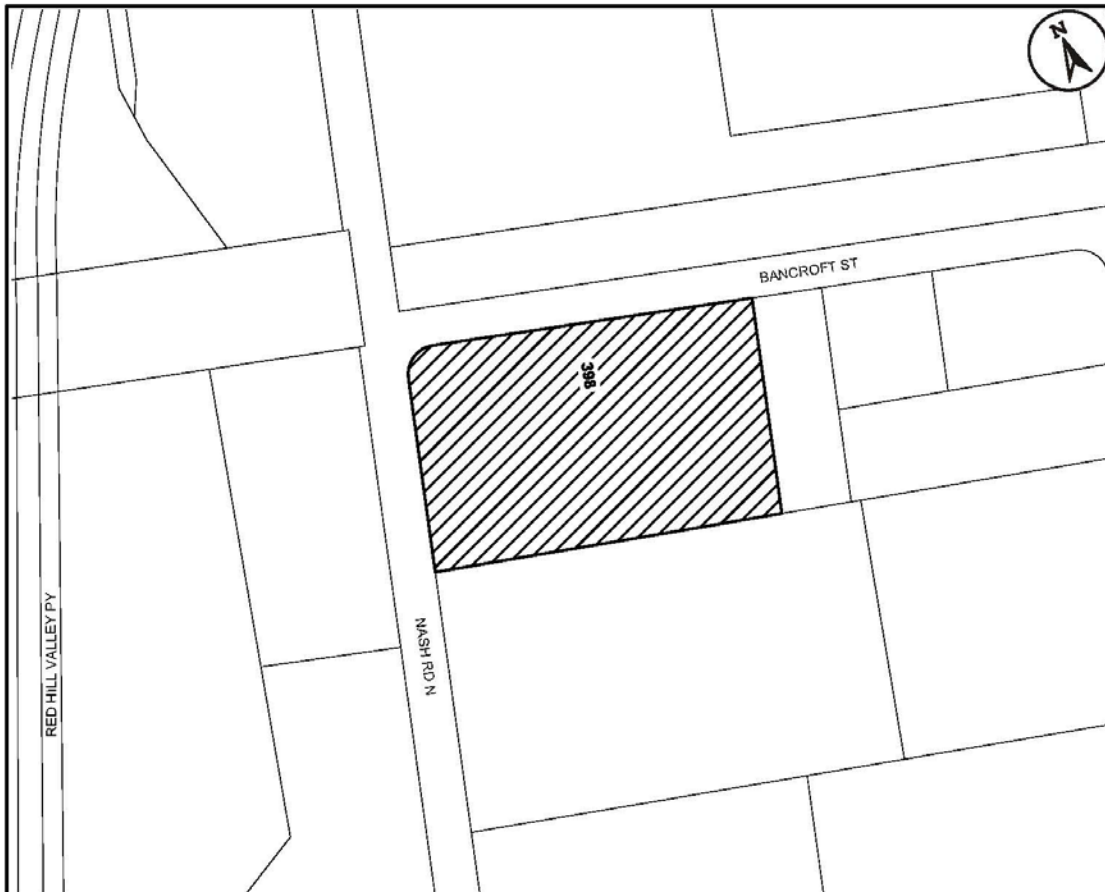
F. Eisenberger
Mayor

R. Caterini
City Clerk

CI-16-D

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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> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 17-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Map 1048</p>	<p>Subject Property 398 Nash Road North</p> <p> Change in Zoning from the General Industrial (M5) Zone to the General Industrial (M5, 641) Zone, with a Special Exception</p>
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Scale: N.T.S.	File Name/Number: CI-16-D		Date: July 11, 2017
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT			Planner/Technician: TL/AL