

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

Bill No. 150

CITY OF HAMILTON

BY-LAW NO. 17-150

**To Amend By-law No. 05-200 Respecting Lands Located
on the north side of Barton Street East between Nash Road North and Kenora
Avenue, and on the west side of Nash Road North between
Barton Street East and 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;

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

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.

WHEREAS this By-law is approved as a result of a motion passed by the Planning Committee, at its meeting held on the 6th day of June, 2017.

WHEREAS, this By-law conforms to the Urban Hamilton Official Plan.

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:
 - a) Modifying the General Industrial (M5) Zone and Light Industrial (M6) Zone as shown on the Maps numbered 1047, 1093, and 1094 on the lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A" and "A-1" 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 as shown as Schedule "C" of this By-law:
 - "640. Within the lands zoned General Industrial (M5) Zone and Light Industrial (M6) Zone, identified on Maps 1047, 1093, and 1094 of Schedule "A" – Zoning Maps and described as:

To Amend By-law No. 05-200 Respecting Lands Located on the north side of Barton Street East between Nash Road North and Kenora Avenue, and on the west side of Nash Road North between Barton Street East and Bancroft Street

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Property Address	Map Number
2289 Barton Street East	1093, 1094
2311, 2333 Barton Street East	1093,1094
2371 Barton Street East and 306, 308, 310 Kenora Avenue	1094
285, 291, 295, 297, 301, 307, 309, 311, 315, 317, 319, 323, 329 Nash Road North	1047
351 Nash Road North	1047

The following special provisions shall apply:

- a) In addition to Section 9.6.1, 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 2289 Barton Street East:
- i) Commercial Recreation in conjunction with a permitted use;
 - ii) Motor Vehicle Dealership;
 - iii) Place of Assembly; and,
 - iv) Retail.
- b) In addition to Section 9.6.1, 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 2311, 2333 Barton Street East:
- i) Motor Vehicle Dealership.
- c) In addition to Section 9.6.1, 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 2371 Barton Street East and 306, 308, 310 Kenora Avenue:
- i) Food Store.

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d) In addition to Section 9.6.1, 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 285, 291, 295, 297, 301, 307, 309, 311, 315, 317, 319, 323, 329 Nash Road North, and 351 Nash Road North:

i) Retail.

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

To Amend By-law No. 05-200 Respecting Lands Located on the north side of Barton Street East between Nash Road North and Kenora Avenue, and on the west side of Nash Road North between Barton Street East and Bancroft Street

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<p>This is Schedule "A" to By-law No. 17-</p> <p>Passed the day of, 2017</p>	<p>-----</p> <p>Mayor</p> <p>-----</p> <p>Clerk</p>				
<p>Schedule "A"</p> <p>Map Forming Part of By-law No. 17-_____</p> <p>to Amend By-law No. 05-200 Map 1047</p>	<p>Subject Property 285 - 329, 361 - 349 Nash Road North</p> <p> Change in Zoning from the Light Industrial (M6) Zone to the Light Industrial (M6, 640) Zone, with a Special Exception</p>				
<table border="1"> <tr> <td>Scale: N.T.S.</td> <td>File Name/Number: CI-16-D</td> </tr> <tr> <td>Date: July 11, 2017</td> <td>Planner/Technician: TL/AL</td> </tr> </table>	Scale: N.T.S.	File Name/Number: CI-16-D	Date: July 11, 2017	Planner/Technician: TL/AL	
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<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>					

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Passed the day of, 2017

Mayor


Clerk


Schedule "A-1"

Map Forming Part of
By-law No. 17-_____

to Amend By-law No. 05-200
Map 1093 & 1094

Subject Property
2289, 2331, 2333 & 2345 Barton Street East

 Change in zoning from Light Industrial (M6) Zone to the Light Industrial (M6), 640) Zone with a Special Exception

Scale: N.T.S.	File Name/Number: CI-16-D	 Hamilton
Date: June 5, 2017	Planner/Technician: TL/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		