

Authority: Item 6, Planning Committee
Report 14-012 (PED14137)
CM: August 15, 2014

Bill No. 210

CITY OF HAMILTON

BY- LAW NO. 14-210

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 1187 and 1201 Upper James Street (Hamilton)**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 6 of Report 14-016 of the Planning Committee, at its meeting held on the 12th day of August 2014, recommended that Zoning By-law No. 6593 (Hamilton); be amended as hereinafter provided;


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

1. That Sheet No. E9b of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended as follows:
 - (a) By changing the zoning from the "HH" (Restricted Community Shopping & Commercial) District, and the "AA" (Agricultural) District, to the "HH/S-1711" (Restricted Community Shopping & Commercial) District, Modified.

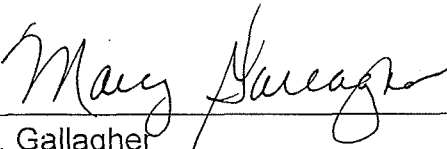
on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule 'A'.

2. That the "HH" (Restricted Community Shopping & Commercial) District provisions, as contained in Section 14A and 18A of Zoning By-law No. 6593, be modified to include the following special requirements:
 - (a) That notwithstanding Section 14A (3) the following shall apply:
 - i) A minimum front yard of 0.0m shall be provided and maintained;
 - ii) A minimum side yard of 1.5m shall be provided and maintained;
 - iii) A minimum rear yard of 15m shall be provided and maintained;
 - (b) That notwithstanding Section 18A (7) every required parking space shall have dimensions not less than 2.6 metres wide and 5.5 metres long.
 - (c) That notwithstanding Table 1, Table 2, Table 3, Table 4 & Table 5 of Section 18A there shall be 2 loading spaces (Small: 3.7x9.0x4.3) provided and maintained.
 - (d) An outdoor patio shall be permitted in the rear yard provided it does not exceed 30sq.m in area and is set back a minimum of 12m from the rear lot line.
 - (e) That notwithstanding Section 4(3) of Hamilton Zoning By-law 6593, The Hotel may be located on the same lot as other principal building(s).
3. That By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1711.
4. That Sheet No. E9b of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1711.
5. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" (Restricted Community Shopping & Commercial) District provisions, subject to the special requirements referred to in Section 2 of this By-law.
6. 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 15th day of August, 2014.

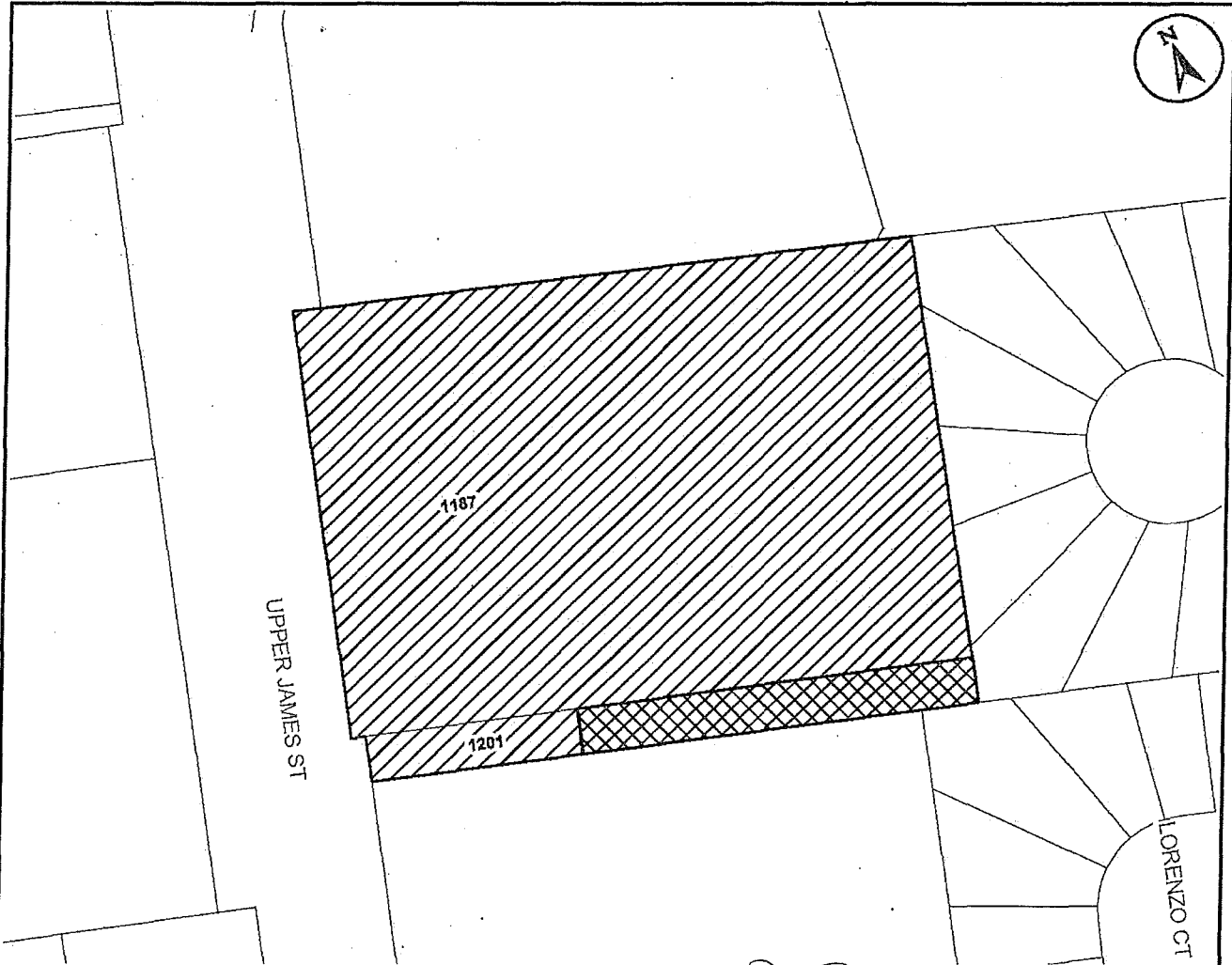


R. Bratina
Mayor



M. Gallagher
Acting City Clerk

To Amend Zoning By-law No. 6593
 Respecting Lands Located at 1187 and 1201 Upper James Street (Hamilton)



This is Schedule "A" to By-law No. 14-210

Passed the 15 day of August, 2014

R. Bratina
 Mayor
Mary Gucaga
 Clerk


Schedule "A"


Map Forming Part of
 By-law No. 14-210

to Amend By-law No. 6593

Subject Property

1187 & 1201 Upper James Street

 **Block 1** - Change in Zoning from the "HH" (Restricted Community Shopping & Commercial) District to the "HH" (Restricted Community Shopping & Commercial) District, Modified

 **Block 2** - Change in Zoning from the "AA" (Agricultural) District to the "HH" (Restricted Community Shopping & Commercial) District, Modified

Scale:
 N.T.S.

File Name/Number:
 ZAC-07-084

Date:
 May 28, 2014

Planner/Technician:
 EJ/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT