

Bill No. 093

CITY OF HAMILTON

BY-LAW NO. 18- 093

To Amend By-law 05-200 to Rezone Existing Industrial Zone Lands Located Along Hamilton Harbour, and Update Certain Lands Zoned Open Space Zone along Hamilton Harbour

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 this By-law amends By-law No. 05-200 to rezone certain industrial zoned lands located along Hamilton Harbour to Industrial and update lands zoned Open Space Zones along Hamilton located within Wards 3 and 4 of the City;

WHEREAS this By-law represents modifications to the proposed Industrial Zone for 440 Victoria Avenue North, as a result of a motion passed by Council on the 11th day of April, 2018.

WHEREAS the Council of the City of Hamilton, in adopting Item 6.6 of Report PED18064 of the Planning Committee, at its meeting held on the 3rd day of April 2018, 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 Schedule "A" – Zoning Maps of By-law 05-200 is hereby amended as follows:
 - a) by including Industrial Zones, Institutional Zones, and Open Space Zones boundaries, as shown on the Maps numbered 827, 828, 869, 870, 871, 876, 877, 918, 947 attached in Schedule "A1" to "A2" of this By-law.
2. That Schedule "C" – Special Exceptions of By-law 05-200 is hereby amended by adding additional Special Exceptions as follows:
 - "671. Within the lands zoned Open Space (P4) Zone, identified on Map 876 of Schedule "A" – Zoning Maps and described as part of 175 Pier 24 Gateway, the following special provisions shall apply:

a) In addition to Subsection 7.4.1, the following use shall also be permitted:

i) Private Access Road.

677. Within the lands zoned Light Industrial (M6) Zone, identified on Maps 870 and 871 of Schedule “A” – Zoning Maps and described as:

Property Address	Map Number
440 Victoria Avenue North	870
3 Studebaker Place	870
4 Studebaker Place	870
7 Studebaker Place	870
8 Studebaker Place	870
11 Studebaker Place	870
12 Studebaker Place	870
15 Studebaker Place	870
16 Studebaker Place	870
19 Studebaker Place	870
20 Studebaker Place	870
23 Studebaker Place	870
24 Studebaker Place	870
27 Studebaker Place	870 and 871
28 Studebaker Place	870
341 Ferrie Street East	870
345 Ferrie Street East	870
349 Ferrie Street East	870
Lands on the north side of Mars Avenue, in the area of Cheever Street	870 and 871

The following special provisions shall apply:

a) In addition to Subsection 9.6.1, the following uses shall also be permitted:

- i) Animal Shelter;
- ii) Biotechnical Establishment;
- iii) Commercial Motor Vehicle Washing Establishment;
- iv) Commercial School;
- v) Commercial Recreation;
- vi) Landscape Contracting Establishment;
- vii) Microbrewery;
- viii) Pharmaceutical and Medical Establishment; and,
- ix) Science and Technology Establishment.

- b) Notwithstanding Subsections 9.6.3 a), b), c), e)i), i), and o)i), the following special regulations shall also apply:

i)	Minimum Lot Area	3,130 square metres
ii)	Minimum Lot Width	28 metres
iii)	Minimum Yard Abutting a Street	1. 3.0 metres along Studebaker Place; and, 2. 0.0 metres abutting Victoria Avenue.
iv)	Gross Floor Area for Office Use	Maximum Gross Floor Area for Office use within an individual building, shall be limited to 4,000 square metres.
v)	Maximum combined Floor Area for Accessory Retail and Showroom area	25% of the gross floor area of the principle use.

- d) Notwithstanding Subsections 5.2b) and f), the following parking regulations shall apply:

- i) Parking Space Size Dimension A minimum parking space size dimension of 2.6 metres by 5.5 metres shall be provided and maintained.
- ii) Barrier Free Parking Space Size Dimension A minimum barrier parking space size dimension of 4.4 metres by 5.5 metres shall be provided and maintained.

- e) The following special regulations shall also apply for the property located at 440 Victoria Avenue North:

- i) notwithstanding Subsections 9.6.3 c) and k) , the minimum yard abutting Ferrie Street East shall be 0.0 metres.

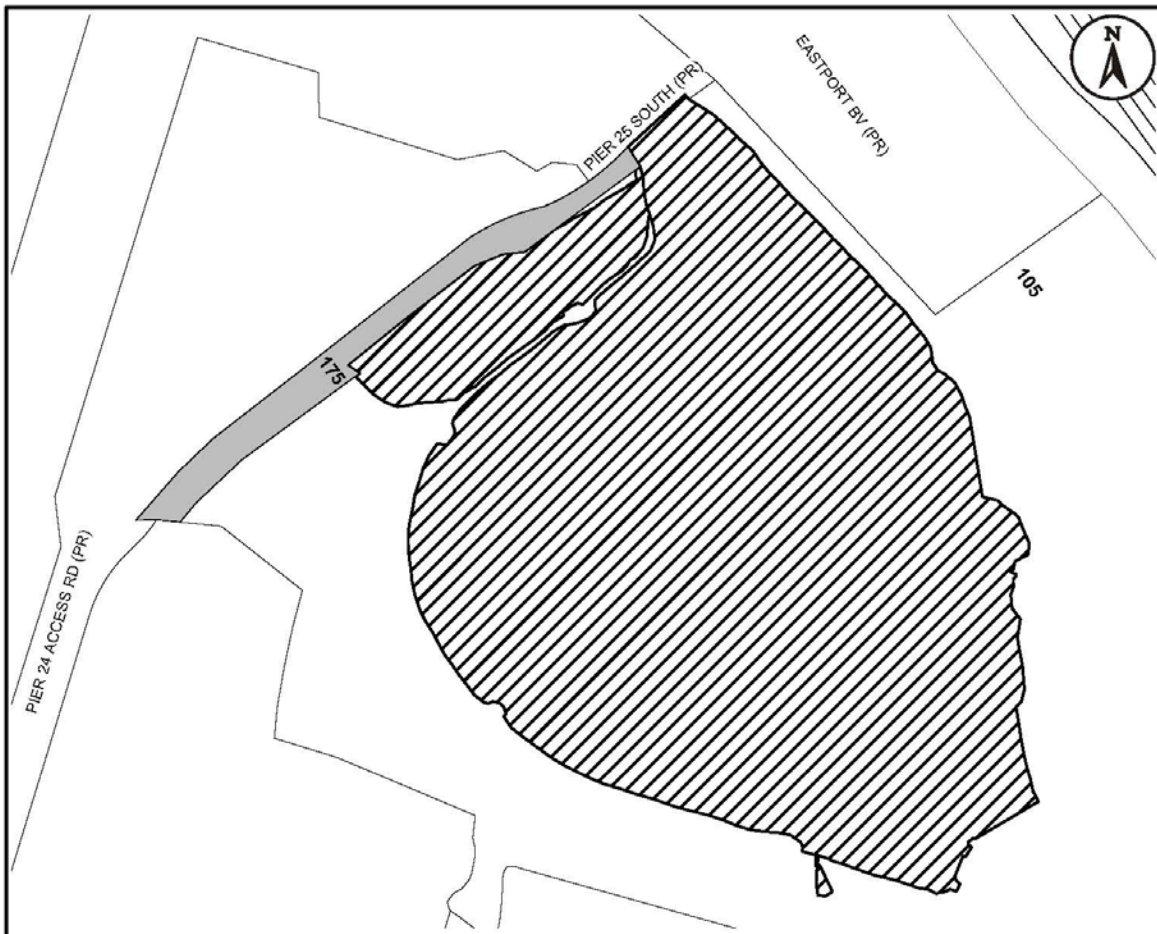
- f) The following special regulations shall also apply for the property located at 16, 20, 24 and 28 Studebaker Place;

- i) Notwithstanding Subsection 9.6.3 c) and k), the minimum yard abutting Mars Avenue shall be 0.0 metres.
- g) The following special regulations shall also apply for the property located at 3, 7, 11, 15,19, 23 and 27 Studebaker place;
 - i) Notwithstanding Subsection 9.6.3 g) shall not 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 for the purposes of the Building Code, this by-law or any part of it is not made until it has come into force as provided by section 34 of the *Planning Act*.
- 5. That this By-law comes into force in accordance with section 34 of the Planning Act.

PASSED this 11th day of April 2018.

F. Eisenberger
Mayor

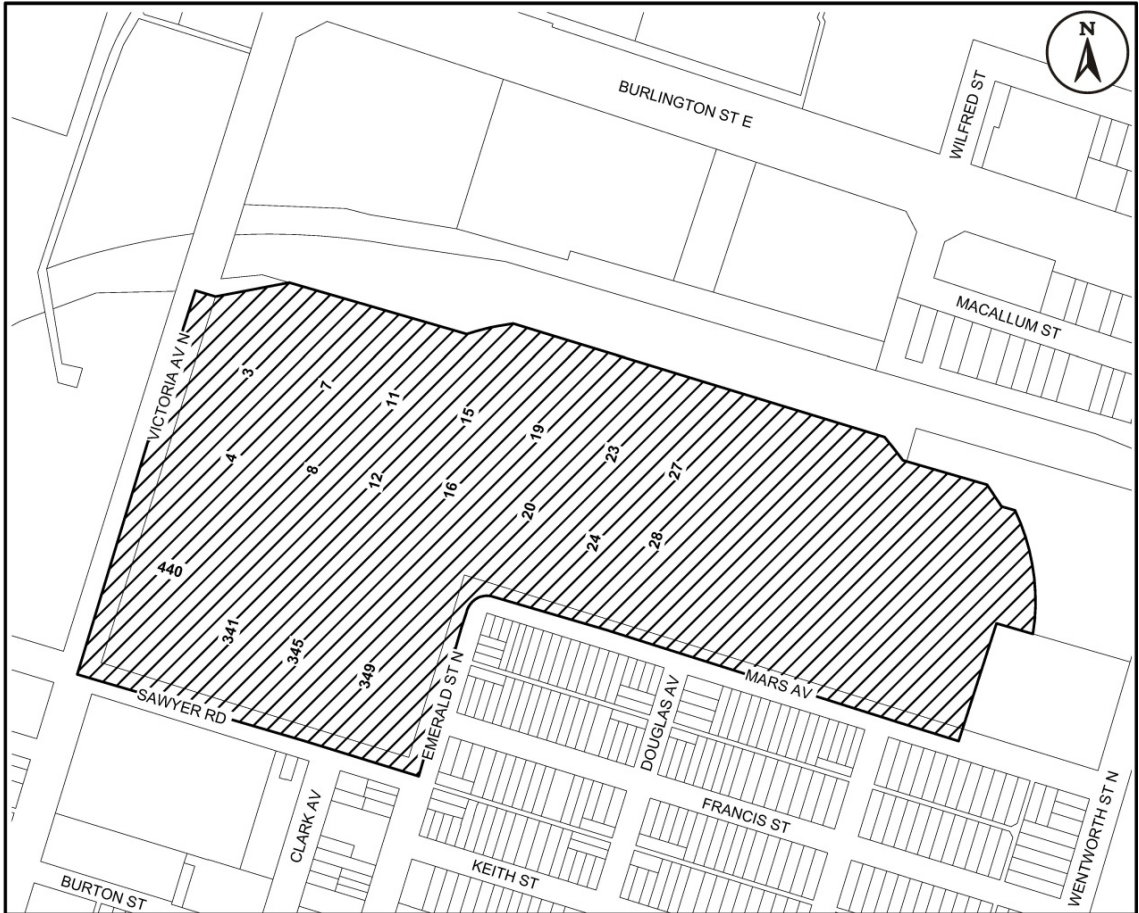
J. Pilon
Acting City Clerk



<p>This is Schedule "A" to By-law No. 18-</p> <p>Passed the day of, 2018</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<h2 style="margin: 0;">Schedule "A1"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 18-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Map 876, 877, 918</p>	<p>Subject Property</p> <ul style="list-style-type: none"> <li style="margin-bottom: 5px;"> Lands added to By-law No. 05-200 and zoned Conservation/Hazard Land (P5) Zone Lands added to By-law No. 05-200 and zoned Open Space (P4, 671) Zone
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<p>Scale: N.T.S.</p>	<p>File Name/Number: CI-18-B</p>	
<p>Date: February 14, 2018</p>	<p>Planner/Technician: TL/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		



This is Schedule "A" to By-law No. 18- Passed the day of, 2018	_____ Mayor _____ Clerk
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<h2 style="margin: 0;">Schedule "A2"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 18-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Map 870, 871</p>	<p>Subject Property</p> <p> Lands added to By-law No. 05-200 and zoned Light Industrial (M6, 677) Zone</p>
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Scale: N.T.S.	File Name/Number: CI-18-B	
Date: April 11, 2018	Planner/Technician: TL/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		