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:
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

Page 2 of 6

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:

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

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:

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

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
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

This is Schedule "A" to By-law No. 18-
Passed the ........... day of ..................., 2018

Schedule "A1"
Map Forming Part of By-law No. 18-
to Amend By-law No. 05-200
Map 876, 877, 918

Subject Property
- 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
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

This is Schedule "A" to By-law No. 18-

Passed the .......... day of ...................., 2018

Schedule "A2"

Map Forming Part of By-law No. 18-

to Amend By-law No. 05-200

Map 870, 871

Subject Property

Lands added to By-law No. 05-200 and zoned Light Industrial (M6, 677) Zone

Page 6 of 6