

Authority: Item 7, Planning Committee
Report 21-015 (PED21187)
CM: October 13, 2021
Ward: 7

Bill No. 175

CITY OF HAMILTON

BY-LAW NO. 21-175

To Amend Zoning By-law No. 05-200 with respect to lands located at 1411 and 1415 Upper Wellington Street, Hamilton

WHEREAS Council approved Item 7 of Report 21-015 of the Planning Committee, at its meeting held on October 13, 2021;

AND 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 Map Nos. 1375 and 1376 of Schedule “A” – Zoning Maps of Zoning By-law No. 05-200 are amended as follows:
 - (a) Changing the zoning from Neighbourhood Institutional (I1) Zone to Major Institutional (I3, 745, H39) Zone; and,
 - (b) Lands to be added to Zoning By-law No. 05-200 as Major Institutional (I3, 745, H39) Zone.
2. That Schedule “C” – Special Exceptions is amended by adding the following new Special Exception:

“745. Within the lands zoned Major Institutional (I3, 745) Zone, identified on Maps 1375 and 1376 of Schedule “A” – Zoning Maps and described as 1411 and 1415 Upper Wellington Street, the following special provisions:

 - a) Notwithstanding Section 5.2a), a visual barrier shall not apply along the southerly lot line abutting a Residential Zone.
 - b) Notwithstanding uses permitted in Section 8.3.1, the following use is prohibited:
 - i) Street Townhouse Dwelling
 - c) In addition to uses permitted in Section 8.3.1, the following are permitted only as accessory uses to a Long Term Care Facility:
 - i) Retail
 - ii) Restaurant

- d) Notwithstanding Sections 8.3.2.1 b) and c) the following regulations shall apply to a Long Term Care Facility and Retirement Home:
- i) Minimum Side Yard 7.0 metres except as shown in Figure 2 of Schedule “B” – Property Details.
 - ii) Minimum Rear Yard 7.0 metres
 - iii) Maximum Building Height 30.0 metres
3. That Schedule “D” – Holding Provisions be amended by adding the additional Holding Provision as follows:
- “39. Notwithstanding Section 8.3 of this By-law, within lands zoned Major Institutional (I3, 745) Zone, identified on Maps 1375 and 1376 of Schedule “A” – Zoning Maps and described as 1411 and 1415 Upper Wellington Street, no development or demolition shall be permitted until such time as:
- i) The Owner / Applicant provides a signed agreement with the property owner to the north and east to allow for drainage to outlet to private lands, to the satisfaction of the Manager of Development Engineering Approvals.
 - ii) The Owner / Applicant provides a signed agreement with the property owner to the south allowing for reception of stormwater flows through their site via connection to a private storm sewer system and outlet of emergency overland flow route, to the satisfaction of the Manager of Development Engineering Approvals.
 - iii) That the Owner / Applicant implement the Documentation and Salvage Report by submitting confirmation that materials have been appropriately salvaged from the building on-site, to the satisfaction of the Director of Planning and Chief Planner.”
4. 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 13th day of October, 2021.

B. Johnson
Acting Mayor

A. Holland
City Clerk



| | |
|--|---|
| <p>This is Schedule "A" to By-law No. 21-</p> <p>Passed the day of, 2021</p> | <p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p> |
|--|---|

| | |
|--|--|
| <h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map forming Part of By-law No. 21-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Maps 1375 & 1376</p> | <p>Subject Property 1411 & 1415 Upper Wellington Street</p> <p> Block 1 - Change in zoning from the Neighbourhood Institutional (I1) Zone to the Major Institutional (I3, 745, H39) Zone.</p> <p> Block 2 - Lands to be added to Zoning By-law No. 05-200 as Major Institutional (I3, 745, H39) Zone.</p> |
|--|--|

| | | |
|---|--|--|
| <p>Scale: N.T.S</p> | <p>File Name/Number: ZAC-20-033</p> | |
| <p>Date: July 19, 2021</p> | <p>Planner/Technician: MS/AL</p> | |
| <p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p> | | |



Figure 2, Schedule "B":1411 & 1415 Upper Wellington Street, Hamilton

Date:
August 4, 2021

Legend



Minimum side yard setback in the Major Institutional (I3, 745) Zone



Hamilton
PLANNING AND ECONOMIC
DEVELOPMENT DEPARTMENT