

Authority: Item 3, Planning Committee
Report: 17-010 (PED17075)
CM: June 14, 2017
Ward: 6

Bill No. 115

CITY OF HAMILTON

BY-LAW NO. 17-115

To Amend Zoning By-law No. 05-200, Respecting Lands Located at 1439 and 1447 Upper Ottawa Street, Hamilton

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;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

AND WHEREAS Zoning By-law No. 05-200 was enacted on the 25th day of May, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 3 of Report 17-010 of the Planning Committee at its meeting held on the 14th day of June 2017, which 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 Maps 1450 of Schedule "A" to Zoning By-law No. 05-200 be amended by changing the zoning from the Business Park Support (M4, 369) Zone, to the Business Park Support (M4, 608) Zone, for the lands, the extent and boundaries of which are shown as Block "2" on Schedule "A" annexed hereto and forming part of this By-law.
2. That Schedule "C" of By-law No. 05-200 is amended by deleting Exception 369 and replacing it with the following:
 - "608. In addition to Subsection 9.4.1 of this By-law, within the lands zoned Business Park Support (M4, 608) Zone, identified on Map 1450 of Schedule "A" to By-law 05-200 and described as 1439 Upper Ottawa Street, the following use shall also be permitted:
 - i) Computer, Electronic and Data Processing Establishment; and,

- ii) Outdoor Commercial Patios (accessory to a Restaurant).”
3. That Maps 1450 of Schedule "A" to Zoning By-law No. 05-200 be amended by changing the zoning from the Business Park Support (M4) Zone, to the Business Park Support (M4, 609) Zone, for the lands, the extent and boundaries of which are shown as Block “3” on Schedule "A" annexed hereto and forming part of this By-law.
4. That Schedule "C" of By-law No. 05-200 is amended by adding an additional exception as follows:
 - "609. In addition to Subsection 9.4.1 of this By-law, within the lands zoned Business Park Support (M4, 609) Zone, identified on Map 1450 of Schedule "A" to By-law 05-200 and described as 1447 Upper Ottawa Street, the following use shall also be permitted:
 - i) Outdoor Commercial Patios (accessory to a Restaurant); and,
 - ii) Computer, Electronic and Data Processing Establishment.”
5. 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*.
6. That this By-law No. 17-115 shall come into force and be deemed to come into force in accordance with Subsection 34(21) of the *Planning Act*, either upon the date of passage of this By-law or as otherwise provided by the said subsection.

PASSED this 14th day of June, 2017.

F. Eisenberger
Mayor

R. Caterini
City Clerk

ZAC-16-047



This is Schedule "A" to By-law No. 17- Passed the day of, 2017	_____ Mayor _____ Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 17- _____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 6593</p>	<p>Subject Property 1405, 1439 & 1447 Upper Ottawa Street</p> <ul style="list-style-type: none"> <li style="margin-bottom: 10px;"> Block 1 - Refer to By-law No. 6593 <li style="margin-bottom: 10px;"> Block 2 - Rezoned from the Business Park Support (M4, 369) Zone to the Business Park Support (M4, 608) Zone Block 3 - Rezoned from the Business Park Support (M4) Zone to the Business Park Support (M4, 609) Zone
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Scale: N.T.S.	File Name/Number: ZAC-16-047 & CDM-CONV-16-02	
Date: February 8, 2017	Planner/Technician: RC/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		