

Authority: Item 11, Planning Committee
Report 22-016 (PED22199)
CM: December 7, 2022
Ward: 8

Bill No. 273

CITY OF HAMILTON

BY-LAW NO. 22-273

To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 1020 Upper James Street, Hamilton

WHEREAS Council approved Item 11 of Report 22-016 of the Planning Committee, at its meeting held on December 7, 2022;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Map 1237 of Schedule “A” – Zoning Maps is amended by changing the zoning from the Mixed Use Medium Density (C5) Zone to the Mixed Use Medium Density (C5, 822, H131) Zone for the lands attached as Schedule “A” to this By-law.
2. That Schedule “C” - Special Exceptions is amended by adding the following new Special Exception:

“822. Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Map No. 1237 of Schedule “A” – Zoning Maps and described as 1020 Upper James Street, the following special provision shall apply:

- a) Notwithstanding Sections 10.5.3 d) ii), iii), the following special provision shall apply:

Building Height

Maximum 28.5 metres.

3. That Schedule “D” – Holding Provisions, of By-law No. 05-200, be amended by adding the additional Holding Provision as follows:

H131. Notwithstanding Section 10.5 of this By-law, within lands zoned Mixed Use Medium Density (C5, 822) Zone on Map No. 1237 on Schedule “A” – Zoning Maps, and described as 1020 Upper James Street, Hamilton, no development shall be permitted until such time as:

1. That the Owner submit a Functional Servicing Report to demonstrate the storm water management, sanitary flow and water supply demand (Water Hydraulic Analysis) resulting from this development has adequate capacity in the existing municipal infrastructure system in accordance with City standards to accommodate the proposed

development, to the satisfaction of the Director of Growth Management.

2. That the Owner enter into an external works agreement with the City for the design and construction of any improvements to the municipal infrastructure at owner's cost, should it be determined that upgrades are required to the infrastructure to support this development, according to the Functional Servicing Report, Traffic Impact Study (TIS) and Water Hydraulic Analysis Report, to the satisfaction of the Director of Growth Management.

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 7th day of December, 2022.

A. Horwath
Mayor

A. Holland
City Clerk

ZAC-19-017



This is Schedule "A" to By-law No. 22- Passed the day of, 2022	----- <p style="text-align: center;">Mayor</p> ----- <p style="text-align: center;">Clerk</p>
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<h2>Schedule "A"</h2> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 1237</p>	<p>Subject Property 1020 Upper James Street, Hamilton (Ward 8)</p> <p> Change in zoning from the Mixed Use Medium Density (C5) Zone to the Mixed Use Medium Density (C5, 822, H131) Zone</p>
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Scale: N.T.S.	File Name/Number: ZAC-19-017		
Date: September 28, 2022	Planner/Technician: JVR/NB		
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT			