

Authority: Item 3, Planning Committee
Report 23-008 (PED23088)
CM: May 24, 2023
Ward: 6

Bill No. 093

CITY OF HAMILTON

BY-LAW NO. 23- 093

**To amend Zoning By-law No. 05-200 with respect to lands located at 4 and 10
Trinity Church Road, Hamilton**

WHEREAS Council approved Item 3 of Report 23-008 of the Planning Committee, at its meeting held on May 16, 2023;

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

NOW THEREFORE Council of the City of Hamilton amends Zoning By-law No. 05-200 as follows:

1. That Map No. 1548 of Schedule “A” – Zoning Maps is amended by:
 - a) Changing the zoning from the Arterial Commercial (C7) Zone to the Arterial Commercial (C7, H142) Zone for the lands shown as “Block 1” on Schedule “A” to this By-law; and,
 - b) Adding the Business Park Support (M4, 842, H142) Zone for the lands shown as “Block 2” on Schedule “A” to this By-law;
2. That Schedule “C” – Special Exceptions is amended by adding the following new Special Exception:

“842. Within the lands zoned Business Park Support (M4, 842) Zone, identified on Map 1548 of Schedule “A” – Zoning Maps and described as 10 Trinity Church Road, the following special provisions shall apply:

- a) Notwithstanding Section 9.4.3 a), 9.4.3 b) i), 9.4.3 j) i), 9.4.3 k) the following shall apply:

i)	Minimum Lot Area	335.0 square metres
ii)	Minimum Yard Abutting a Street	0.0 metres
iii)	Size and Location Restriction for Supportive Commercial Uses	Shall not apply for a Restaurant.
iv)	Landscaped Area and Planting Strip Requirements	Shall not apply.

3. That Schedule “D” – Holding Provisions be amended by adding the following new Holding Provision:

“142. Notwithstanding Section 9.4 and Section 10.7 of this By-law, within lands zoned Arterial Commercial (C7) Zone and Business Park Support (M4, 842) Zone, identified on Map 1548 of Schedule “A” – Zoning Maps and described as 4 and 10 Trinity Church Road, development shall be restricted in accordance with the following:

- a) For such time as the Holding Provision is in place, these lands shall only be used for permitted uses listed in the (C7) and (M4) Zone within the buildings and structures existing at the time of the passing of this By-law.
- b) Conditions for Holding Provision Removal

The Holding Provision shall, upon application by the landowner, be removed by way of an amending Zoning By-law, from all or part of the subject lands when the following conditions have been satisfied:

- i) That the owner submits and receive approval of a Cultural Heritage Impact Assessment Addendum that includes detailed architectural and structural drawings for the proposed changes, to the satisfaction of the Manager of Heritage and Urban Design;
- ii) That the owner submits and receive approval of a Conservation Brief that includes structural drawings and masonry specifications for changes to the north elevation associated with the elevator addition, to the satisfaction of the Manager of Heritage and Urban Design; and,
- iii) That the owner submit and receive approval of a Documentation and Salvage Brief scoped to the re-purposing of the Gothic window that will be removed from the north elevation, to the satisfaction of the Manager of Heritage and Urban Design.”

4. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the provisions of the Arterial Commercial (C7, H142) Zone and Business Park Support (M4, 842, H142), subject to the special requirements referred to in Section Nos. 2, and 3 of this By-law.

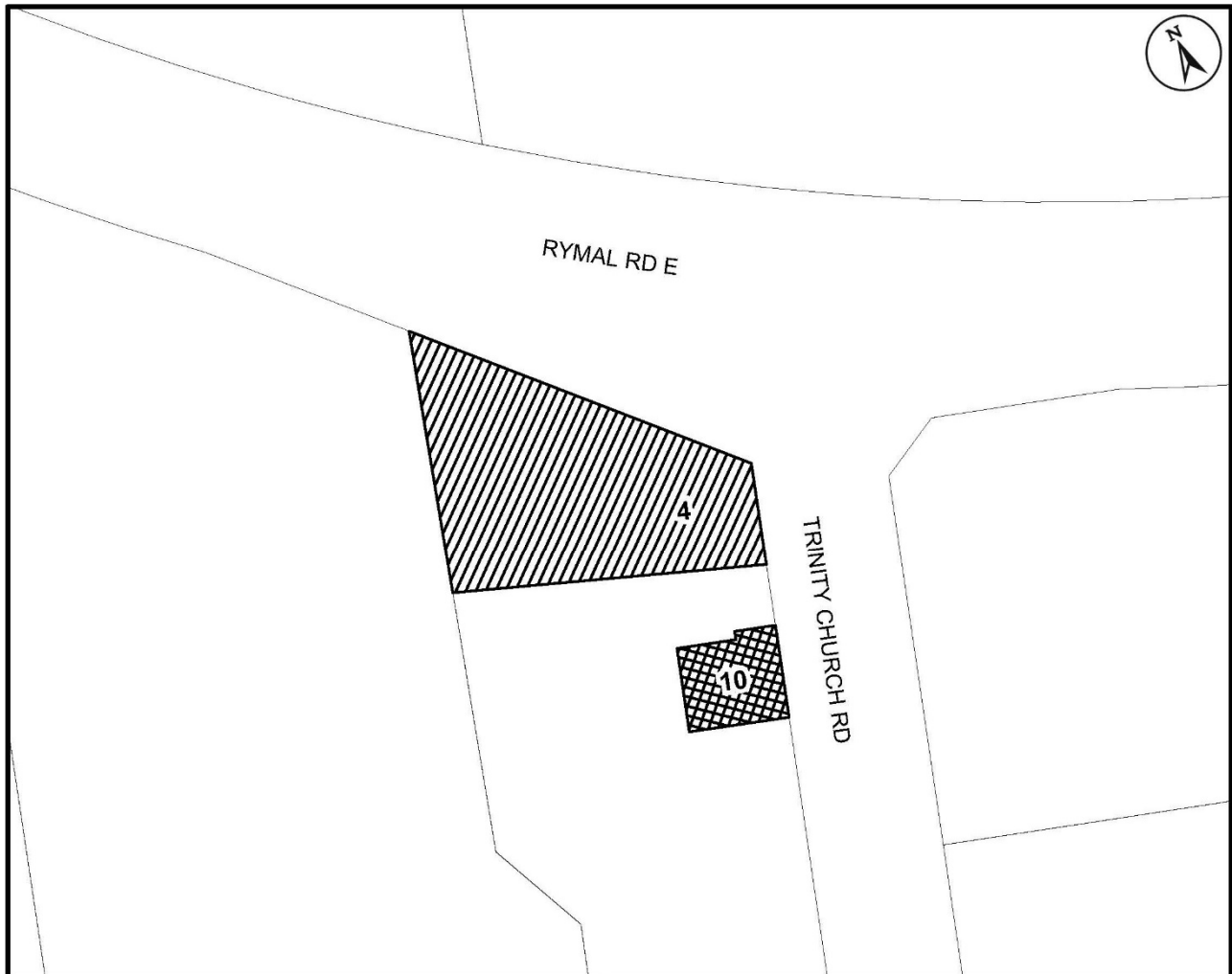
5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this 24th day of May, 2023

A. Horwath
Mayor

A. Holland
City Clerk

ZAC-22-038





This is Schedule "A" to By-law No. 23-
Passed the day of, 2023

Mayor

Clerk

Schedule "A"
Map forming Part of
By-law No. 23-_____
to Amend By-law No. 05-200
Map 1548

Subject Property
4 and 10 Trinity Church Road, Hamilton (Ward 6)
 Block 1 - Change in zoning from the Arterial Commercial (C7) Zone to the Arterial Commercial (C7, H142) Zone
 Block 2 - Lands to be added as Business Park Support (M4, 842, H142) Zone

Scale:
N.T.S

File Name/Number:
ZAC-22-038

Date:
February 28, 2023

Planner/Technician:
MM/NB



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT