

**Authority:** Item 6, Planning Committee  
Report 21-019 (PED21216)  
CM: December 15, 2021  
Ward: 4

**Bill No. 243**

## **CITY OF HAMILTON**

### **BY-LAW NO. 21-243**

#### **To Amend Zoning By-law No. 05-200**

#### **Respecting Lands Located at 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang Street and 2-24 Hayes Avenue, Hamilton**

**WHEREAS** Council approved Item 6 of Report 21-019 of the Planning Committee at its meeting held on the 15<sup>th</sup> day of December, 2021;

**AND WHEREAS** this By-law conforms with the Urban Hamilton Official Plan.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That the Downtown Multiple Residential (D6, 696) Zone is further amended and that Map Nos. 1092 and 1141 of Schedule "A" – Zoning Maps of Zoning By-law No. 05-200 are amended by changing the zoning for portions of the subject lands from the Downtown Multiple Residential (D6, 696) Zone to the Downtown Multiple Residential (D6, 696, H74) Zone and the Conservation / Hazard Land (P5) Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" to the By-law.
2. That Special Exception No. 696 in Schedule "C" – Special Exceptions of Zoning By-law No. 05-200 is further amended as follows:
  - i) Adding new clauses h) iv) and v) and renumbering existing clauses h) iv), v) and vi) to h) vi), vii) and viii):
    - "iv) Notwithstanding the Definition of "Maisonette Dwelling" in Section a) ii) above, as it relates to the maximum number of back-to back Dwelling Units, a maximum of one Maisonette Dwelling may have a maximum of 20 back-to-back Dwelling Units, with all other Maisonette Dwellings having a maximum of 16 back-to-back Dwelling Units; and,
    - v) That Section 4.9 of this By-law shall not apply to Transformer Boxes."
  - ii) That existing clauses h) iv) B), C) and E) be deleted and replaced with the following exceptions:
    - "B) Minimum Flankage Yard 1.0 metres
    - C) Minimum Side Yard
      1. 1.2 metres
      2. Notwithstanding subsection C) 1.

above, no side yard setback is required to Area "1" as shown on Figure 20 of Schedule "F" – Special Figures.

E) Minimum Setback to a Condominium Road 1.5 metres"

- iii) That existing clause h) iv) H) be deleted and clause h) iv) I) be renumbered to h) iv) H);
- iv) That clause i) i) be amended by adding the words "and Multiple Dwelling" between the words "Block Townhouse Dwelling" and "Units;"
- v) That clause i) iv) be amended by adding the words "and Multiple Dwellings" after the words "Block Townhouse Dwellings; and,
- vi) That clause i) iv) E) 2. be deleted and replaced with the following regulation:
  - 2. Maximum 41.5 metres."

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

"74. Notwithstanding Section 6.6 and Special Exception No. 696 of this By-law, within the lands zoned Downtown Multiple Residential (D6, 696) Zone identified on Map Nos. 1092 and 1141 of Schedule "A" – Zoning Maps and described as 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang Street and 2-24 Hayes Avenue, development shall be restricted in accordance with the following:

- a) For such time as the Holding Provision is in place no development exceeding the maximum height of 12.0 metres shall be permitted;
- b) Conditions for Holding Provision Removal:
  - a. The Holding Provision shall, upon application by the landowner, be removed by way of an amending Zoning By-law, from the lands when the following conditions have been satisfied:
    - i) The Owner/Applicant submits and implements the following studies demonstrating that a 41.5 metre multiple dwelling complies and implements the Urban Design, Energy and Environmental Design and Health and Public Safety Policies of the Urban Hamilton Official Plan, amongst others, prior to the development to the satisfaction of the Director of Planning and Chief Planner:

- a. Urban Design Brief;
  - b. Visual Impact Assessment;
  - c. Shadow Impact Study; and,
  - d. Noise Study.
- ii) That the Owner demonstrate that the proposed development does not exceed the maximum density of 165 units per hectare in accordance with Site Specific Policy Area UHN-25 in Volume 3 of the Urban Hamilton Official Plan and does not exceed 840 units for the lands zoned Downtown Multiple Residential (D6, 696) Zone, to the satisfaction of the Director of Planning and Chief Planner.
4. That Schedule “F” – Special Figures be amended by replacing Special Figure 20 with the Figure 20 attached as Schedule “B” to this By-law; and,
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 15<sup>th</sup> day of December, 2021.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

ZAR-21-034



This is Schedule "A" to By-law No. 21-  Passed the ..... day of ....., 2021	----- Mayor  ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 5px 0;">Map forming Part of By-law No. 21-_____</p> <p style="margin: 5px 0;"><b>to Amend By-law No. 05-200 Map 1092 and 1141</b></p>		<p><b>Subject Property</b> 20 Reid Avenue North, 11-17 Reid Avenue South, 22-116 Lang Street, and 2-24 Hayes Avenue</p> <ul style="list-style-type: none"> <li style="margin-bottom: 10px;">  Block 1 - Change in zoning from the Downtown Multiple Residential (D6, 696) Zone to the Downtown Multiple Residential (D6, 696, H74) Zone                     </li> <li style="margin-bottom: 10px;">  Block 2 - Change in zoning from the Downtown Multiple Residential (D6, 696) Zone to the Conservation/Hazard Land (P5) Zone                     </li> <li>  Block 3 - Additional lands owned by owner                     </li> </ul>
Scale: N.T.S.	File Name/Number: ZAR-21-034	<p style="margin: 0;"><b>Hamilton</b></p>
Date: October 27, 2021	Planner/Technician: SM/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		



<b>Figure 20 to Schedule F - Special Figures</b>				Date: September 16, 2021	
<b>Legend</b>					
Block 1	Block 4	Block 6	Block 8		
Block 2	Block 4a	Block 7	Area "1"		
Block 3	Block 5	Block 7a			
			 Hamilton PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		