

**Authority:** Item 5, Planning Committee  
Report: 15-016 (PED15158)  
CM: November 11, 2015

**Bill No. 257**

## **CITY OF HAMILTON**

### **BY-LAW NO. 15-257**

#### **To Amend Zoning By-law No. 05-200, Respecting Lands Located at 220 Cannon Street East (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*, Statutes of Ontario, 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 25<sup>th</sup> day of May, 2005;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 5 of Report 05-016 of the Planning Committee, at its meeting held on the 11<sup>th</sup> day of November, 2015, which recommended that Zoning By-law No. 05-200 be amended as hereinafter provided;

**AND WHEREAS** this By-law will be in conformity with the Urban Hamilton Official Plan approved August 16, 2013 upon approval of Urban Hamilton Official Plan Amendment No. 41.

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

1. That Map 953 of Schedule "A" - Zoning Maps, of Zoning By-law No. 05-200, be amended by changing the zoning from the Downtown Residential (D5) Zone to the Downtown Mixed Use (D3, 470) Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" to this By-law.
2. That Schedule "C" - Special Exceptions, of By-law No. 05-200, is hereby amended by adding the following Sub-section:

"470 In addition to Sections 5.6(a) and 6.3.3 of this By-law, within the lands zoned Downtown Mixed Use (D3, 470) Zone, as identified on Map No. 953 of Schedule "A" - Zoning Maps, and described as 220 Cannon Street East (Hamilton), the following special provisions shall apply:

## REGULATIONS

- |     |                 |     |  |
|-----|-----------------|-----|--|
| (a) | Building Height | i)  | A minimum 6.4 metres façade height, for any portion of a building along Cathcart Street that is 2-storeys in height shall be provided and maintained whereas a minimum 7.5 metres façade height, for the remaining portions of a building along Cathcart Street and for any portion of a building along Cannon Street East shall be provided and maintained.                   |
|     |                 | ii) | A maximum building height of 38 metres shall be permitted.   |
| (b) | Visual Barrier  | i)  | That a visual barrier shall not be required along any lot line abutting a Downtown Residential (D5) Zone.  |
| (c) | Parking         | i)  | Notwithstanding Subsection 5.6a)i, Parking Schedules, parking for a Multiple Dwelling within a Mixed Use Building shall be provided on the basis of a minimum of 0.64 parking spaces for each dwelling unit, except where a dwelling unit is 50 square metres in gross floor area or less, in which case parking shall be provided at a rate of 0.3 spaces for each such unit. |
|     |                 | ii) | Notwithstanding Subsection 5.6a)i, Parking Schedules, parking for a Retirement Home shall be provided on the basis of a minimum of 1 parking space for each 3.1 persons accommodated or designed for accommodation.  |

3. 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.
4. That this By-law No. 15-257 shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the Planning Act, either upon the date of passage of this By-law or as otherwise provided by the said Sub-section.

**PASSED** this 11<sup>th</sup> day of November, 2015.

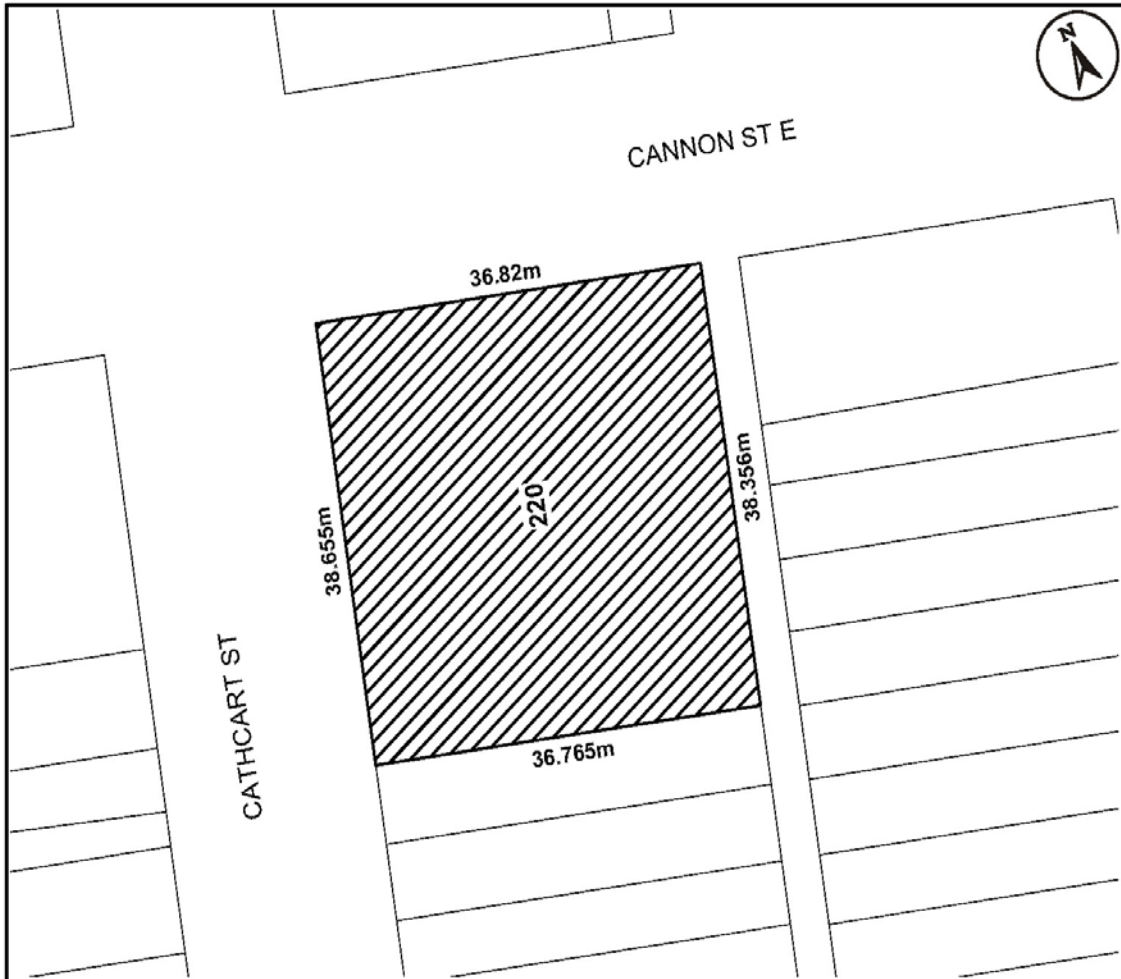
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Fred Eisenberger  
Mayor

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R. Caterini  
City Clerk

ZAC-15-014/UHOPA-15-006



This is Schedule "A" to By-law No. 15-  Passed the ..... day of ....., 2015	----- Mayor  ----- Clerk
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<h2>Schedule "A"</h2>  Map Forming Part of By-law No. 15-_____  to Amend By-law No. 05-200 Map 953	<b>Subject Property</b> 220 Cannon Street East, Hamilton  Change in Zoning from the Downtown Residential (D5) Zone to the Downtown Mixed Use (D3, 470) Zone
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Scale: N.T.S.	File Name/Number: ZAC-15-014/UHOPA-15-006
Date: July 30, 2015	Planner/Technician: GM/VS
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

