

Authority:

Ward: 2

Bill No.

## CITY OF HAMILTON

### BY-LAW NO.

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 15 Queen Street South (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 the first stage of the new Zoning By-law, being Zoning By-law No. 05-200, came into force on the 25th day of May, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Item \_\_\_\_\_ of Report 17-\_\_\_\_\_ of the Planning Committee at its meeting held on the 17<sup>th</sup> day of October 2017, 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 909, 910, 951 and 952 of Schedule "A" - Zoning Maps of By-law No. 05-200 be amended by changing the zoning from the Downtown Prime Retail Streets (D2) Zone to the Downtown Prime Retail Streets (D2, 625) Zone, for the lands, the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this By-law.
2. That Schedule "C" Special Exceptions of By-law No.05-200 be amended by adding an additional special exception as follows:
  - "625. Within the lands zoned Downtown Prime Retail Streets (D2, 625) Zone, identified on Maps 909, 910, 951 and 952 of Schedule "A" Zoning Maps and described as 15 Queen Street South, the following special provisions shall apply:

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a) Notwithstanding Sections 5.5 a), 5.6 a) i., 6.2.3 b) ii) and 6.2.3c) iii) 1., 2., and 4., the following special provisions shall also apply:

b) REGULATIONS

a) Building Height ii) Maximum building height shall be 78.0 metres.

c) Built Form for New Development iii) For the lots delineated as a Heritage Character Zone on Figure “2” of Schedule “F” – Special Figures, where construction and/or alteration to the façade of a building are proposed, the following regulations shall also apply:

1. A minimum of 50% of the area of the ground floor façade shall be comprised of clear glazed windows and doors. Window and door frames, clear glazed transoms and sidelights, doors with at least 50% clear glazing, and a sill up to 0.6m in height are permitted to be included in the calculation of the clear glazed area. Signage and opaque/spandrel glazing shall not be included in the calculation of the clear glazed area;
2. A minimum of 25% and a maximum of 70% of the façade of the second and third storeys shall be composed of windows;
4. Exterior building cladding for the first three storeys, except decorative architectural features (such as window and door frames, sills, lintels, surrounds, and cornices), shall be of either one or a combination of no more than four of the following materials:
  - brick;
  - concrete or concrete panels;
  - stone block, stone veneer or artificial stone;
  - stucco;
  - metal, metal panel, or metal grilles (excluding aluminium siding or any

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- metal variant thereof); and,
- glass.

d) Parking

- i) A minimum of 4 barrier free parking spaces shall be required.
- ii) Parking for a Multiple Dwelling within a mixed use building shall be provided on the basis of:  
  
0.75 spaces per 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 per dwelling unit.
- iii) No parking space shall be less than 2.6 metres in width by 5.5 metres in length.

3. That Schedule F" – Figure 1 of By-law 05-200 be amended by identifying the subject lands with a maximum height of 80.0 metres.
4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of the By-law, in accordance with the *Planning Act*.
5. That this By-law No. 17\_\_\_\_\_ 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 \_\_\_ day of October, 2017.

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Fred Eisenberger  
Mayor

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Rose Caterini  
City Clerk

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South (Hamilton)

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*For Office Use Only, this doesn't appear in the by-law - Clerk's will use this information in the Authority Section of the by-law*

Is this by-law derived from the approval of a Committee Report? No

Committee: Chair and Members      Report No.: PED17166      Date: 10/17/2017

Ward(s) or City Wide: Ward: 2      (MM/DD/YYYY)

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<p>This is Schedule "A" to By-law No. 17-</p> <p>Passed the ..... day of ....., 2017</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<p><b>Schedule "A"</b></p> <p>Map Forming Part of By-law No. 17-_____</p> <p>to Amend By-law No. 05-200 Maps 909, 910, 951 &amp; 952</p>	<p><b>Subject Property</b> 15 Queen Street South</p> <p> Change in zoning from Downtown Prime Retail Streets (D2) Zone to Downtown Prime Retail Streets (D2, 625) Zone</p>
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<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAC-17-004</p>		<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>
<p>Date: Sept. 13, 2017</p>	<p>Planner/Technician: TS/AL</p>		