

Authority: Item XX, Planning Committee
Report 18-XXX
CM: XXXX
Ward: 2
Bill No. XXX

CITY OF HAMILTON

BY-LAW NO. 18-XXX

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 71 Rebecca Street (Hamilton)

WHEREAS Council approved Item ____ of Report ____ of the Planning Committee, at the meeting held on Month Day, 2018;

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. XX;

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

1. That Map 953 of Schedule "A", appended to and forming part of By-law No. 05-200, as amended, is hereby further amended by changing the zoning from the Downtown Mixed Use (D3) Zone to the Downtown Central Business District (D1, 701, H105) Zone with a Special Exception on the lands the extent and boundaries of which are more particularly shown on Schedule "A" annexed hereto and forming part of this By-law.
2. That Schedule "C" – Special Exceptions for Specific Lands of Zoning By-law No. 05-200, as amended, is hereby further amended by adding the following new section:
 701. Within the lands zoned Downtown Central Business District (D1, 701, H105) Zone identified on Map 953 of Schedule "A" – Zoning Maps and described as 71 Rebecca Street the following special regulations apply:
 - a) Notwithstanding Sections 3, 5.1 a) v) b), 5.6 a) i), 6.1.3 a) i), and 6.1.3 b) ii), the following special provisions shall also apply:
 - b) REGULATIONS
 - a) Definition of Front Lot Line
 - i) Rebecca Street shall be deemed the Front Lot Line.

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| b) | Maximum Building Setback from a Street Line | i) | 3.6 metres for the first storey and second storey. |
| c) | Maximum Building Height | ii) | 97 metres. |
| d) | Parking | | A 3.0 m wide planting strip between the street and car share parking spaces shall not be required. |

Parking for a Multiple Dwelling within a mixed use building shall be provided on the basis of:

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| i) | 0.65 spaces per dwelling unit, except where a dwelling 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. |
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4. That the following additional Holding Provision be added to Schedule D – Holding Provisions to this By-law for the land described as 71 Rebecca Street:

For the lands zoned Downtown Central Business District (D1, 701, H105) Zone, on Map 953 of Schedule "A" – Zoning Maps and described as 71 Rebecca Street, the H Symbol applicable to the lands referred to in Section 1 of this By-law shall prohibit development of the lands and shall be removed conditional upon:

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| i) | That the Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton's current RSC administration fee. |
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6. 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*.

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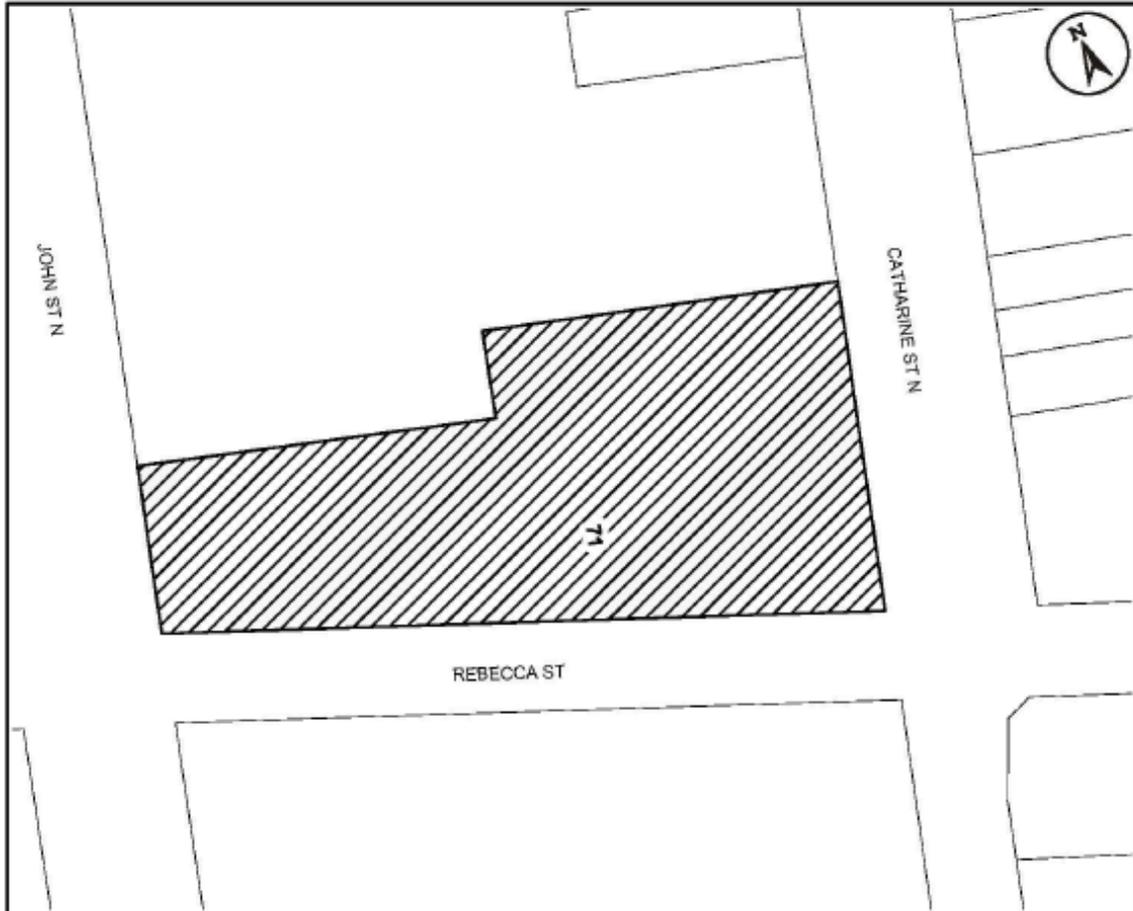
PASSED and ENACTED this day of , 2018.

F. Eisenberger
Mayor

Janet Pilon
Acting City Clerk

ZAC-17-053
UHOPA-17-023

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This is Schedule "A" to By-law No. 18- Passed the day of, 2018		_____ Mayor _____ Clerk	
<p style="text-align: center;">Schedule "A"</p> <p style="text-align: center;">Map Forming Part of By-law No. 18-_____</p> <p style="text-align: center;">to Amend By-law No. 05-200 Map 953</p>		<p>Subject Property 71 Rebecca Street</p> <p> Change in Zoning from the Downtown Mixed Use (D3) Zone to Downtown Central Business District (D1, 701, H105) Zone</p>	
Scale: N.T.S.	File Name/Number: ZAC-17-053 & UHOPA-17-023		
Date: July 12, 2018	Planner/Technician: GZ/NB		
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT			

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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.: PED18195 Date: 08/14/2018

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

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