

Appendix “G-6” – Modifications and Updates Summary to Section 10.5a: Mixed Use Medium Density – Pedestrian Focus (C5a) Zone			
Section	Proposed Change	Proposed Revised Zone Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
10.5a.3a) ii)	Notwithstanding Section 10.5a.3a)i), 6.0 metres for that portion of a building providing an access driveway to a parking garage; and,	Notwithstanding Section 10.5a.3a)i), 6.0 metres for that portion of a building providing an access driveway to a parking garage; and,	An amendment to add the letter “a” as the reference to the Subsection was left out. This does not change the intent of the regulation.
10.5a.3a) iii)	Section 10.5a.3a)ii) shall not apply for any portion of a building that exceeds the requirement of Section 10.5a.3 h)ii) and iii).	Section 10.5a.3a)ii) shall not apply for any portion of a building that exceeds the requirement of Section 10.5a.3 h)ii) and iii).	An amendment to add the letter “a” as the reference to the Subsection was left out. This does not change the intent of the regulation.
10.5a.3c)	<p>i) 0.0 metres for building(s) less than or equal to 11.0 metres in building height.</p> <p>ii) Notwithstanding Section 10.5a.d. iii) and Section 10.5a.3c) i), a minimum 3.0 metres for building(s) with a building height greater than 11.0 metres to a maximum building height of 14.0 metres.</p> <p>iii) Notwithstanding Section 10.5a.d. iii) and Sections 10.5a.3c) i and ii), a minimum 6.0 metres for building(s) with a building height greater than 14.0 metres.</p> <p>iv) Notwithstanding Subsections i), ii) and iii), a minimum 7.5 metres for lots abutting a Residential Zone or Institutional Zone or lot containing a Residential Use. Single Detached Dwelling, Semi-Detached Dwelling, and Street</p>	<p>i) 0.0 metres for building(s) less than or equal to 11.0 metres in building height.</p> <p>ii) Notwithstanding Section 10.5a.d. iii) and Section 10.5a.3c) i), a minimum 3.0 metres for building(s) with a building height greater than 11.0 metres to a maximum building height of 14.0 metres.</p> <p>iii) Notwithstanding Section 10.5a.d. iii) and Sections 10.5a.3c) i and ii), a minimum 6.0 metres for building(s) with a building height greater than 14.0 metres.</p> <p>iv) Notwithstanding Subsections i), ii) and iii), a minimum 7.5 metres for lots abutting a Residential Zone or Institutional Zone or lot containing a Residential Use. Single Detached Dwelling, Semi-Detached Dwelling, and Street Townhouse.</p>	<p>The existing regulation required a minimum 7.5 metres interior side yard setback when abutting any residential use regardless of lot size and lot width. This resulted in skinny lots becoming sterilized if this requirement broadly applied.</p> <p>An amendment includes:</p> <ul style="list-style-type: none"> • Specifying when the minimum 7.5 metres interior side yard setback applies to only single-detached, semi-detached, and townhouse dwellings. • A new regulation requiring a minimum 3.0 metres for buildings between 11.0 metres and 14.0 metres, and 6.0 metres for buildings over 14.0 metres. This allows for transition and buffering due to height. • A new regulation where for buildings of up to 11.0 metres no interior side yard setback shall apply. This applies to commercial streets such as Barton Street, where buildings are built close together and would like to maintain the overall street scape.

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	<p>ii) An area of 6.0 square metres for each dwelling unit greater than 50 square metres or more of gross floor area.</p> <p>iii) In addition to the definition of Amenity Area in Section 3: Definitions, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air.</p>	<p>ii) An area of 6.0 square metres for each dwelling unit greater than 50 square metres or more of gross floor area.</p> <p>iii) In addition to the definition of Amenity Area in Section 3: Definitions, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air.</p>	<p>requirement for smaller units as generally there are fewer members of households living in small multiple dwelling units compared to larger units.</p>
10.5a.3j)	<p>A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, or Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.</p>	<p>A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone or Downtown (D5) Zone in accordance with the requirements of Section 4.19 of this By-law.</p>	<p>An amendment to the regulation to delete reference to Downtown (D6) Zone. Recent amendments to the Downtown Secondary Plan and implementing Downtown Zones in Hamilton Zoning By-law No. 05-200 resulted in the deletion of the zone.</p> <p>In addition, removed the words "line" to have consistent wording with other zones</p>

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10.5a.3l)	Notwithstanding Section 10.5a.3l) i), the display of goods or materials for retail purposes accessory to a Retail use shall only be permitted in a front or flankage yard.	Notwithstanding Section 10.5a.3l) i), the display of goods or materials for retail purposes accessory to a Retail use shall only be permitted in a front or flankage yard.	An amendment to add the letter “l” as the reference to the Subsection was left out. This does not change the intent of the regulation.
Re-numbering	10.5a.4 10.5a.5 10.5a.5 10.5a.6 10.5a.6 10.5a.7 10.5a.7 10.5a.8 10.5a.8 10.5a.9 10.5a.9 10.5a.10	10.5a.4 SINGLE DETACHED AND DUPLEX DWELLINGS LEGALLY EXISTING AT THE TIME OF THE PASSING OF THE BY- LAW 10.5a.5 ACCESSORY BUILDINGS 10.5a.6 PARKING 10.5a.7 URBAN FARM 10.5a.8 COMMUNITY GARDENS 10.5a.9 URBAN FARMERS MARKET	Re-numbering of the zone regulations. This does not change the intent of the regulations.