

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
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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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	Townhouse.		.										
10.5a.3d)iii)	In addition to Section 10.5a.3d)i), and notwithstanding Section 10.5a.3d)ii), any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 10.5a.3b) and c) when abutting a Residential or Institutional Zone to a maximum of 22.0 metres.		In addition to Section 10.5a.3d)i), and notwithstanding Section 10.5a.3d)ii), any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 10.5a.3b) and c) when abutting a Residential or Institutional Zone to a maximum of 22.0 metres.		An amendment to add the letter “d” as the reference to the Subsection was left out. This does not change the intent of the regulation.								
10.5a.3h)i v)	In addition to Section 10.5a.3h) i) ii) and iii), the minimum width of the ground floor façade facing the front lot line shall exclude access driveways and required yard along a lot line abutting a street.		In addition to Section 10.5a.3h) i) ii) and iii), the minimum width of the ground floor façade facing the front lot line shall exclude access driveways and required yard along a lot line abutting a street.		An amendment to add the letter “h” as the reference to the Subsection was left out. This does not change the intent of the regulation.								
10.5a.3i) (new regulation)	<table border="1"> <tr> <td>Minimum Amenity Area for Dwelling Units and Multiple Dwellings</td> <td>On a lot containing 10 or more dwelling units, the following Minimum Amenity Area requirements be provided:</td> </tr> <tr> <td></td> <td>i) An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres; and,</td> </tr> </table>		Minimum Amenity Area for Dwelling Units and Multiple Dwellings	On a lot containing 10 or more dwelling units, the following Minimum Amenity Area requirements be provided:		i) An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres; and,	<table border="1"> <tr> <td>Minimum Amenity Area for Dwelling Units and Multiple Dwellings</td> <td>On a lot containing 10 or more dwelling units, the following Minimum Amenity Area requirements be provided:</td> </tr> <tr> <td></td> <td>i) An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres; and,</td> </tr> </table>		Minimum Amenity Area for Dwelling Units and Multiple Dwellings	On a lot containing 10 or more dwelling units, the following Minimum Amenity Area requirements be provided:		i) An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres; and,	<p>Adding Amenity Space requirements for the Mixed Use Medium – Pedestrian Focus (C5a) Zone. The intent is to require a minimum amount of amenity space for each lot containing more than 10 dwelling units.</p> <p>Smaller mixed use development containing less than 10 dwelling units would not be subject to this requirement.</p> <p>This regulation is also found in the Mixed Use High Density (C4) Zone and the Mixed Use Medium Density (C5) Zone where the regulation ensures there is a minimum amount of amenity space for residents. There is a different</p>
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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	<p>10.5a.4 10.5a.5</p> <p>10.5a.5 10.5a.6</p> <p>10.5a.6 10.5a.7</p> <p>10.5a.7 10.5a.8</p> <p>10.5a.8 10.5a.9</p> <p>10.5a.9 10.5a.10</p>	<p>10.5a.4 SINGLE DETACHED AND DUPLEX DWELLINGS LEGALLY EXISTING AT THE TIME OF THE PASSING OF THE BY- LAW</p> <p>10.5a.5 ACCESSORY BUILDINGS</p> <p>10.5a.6 PARKING</p> <p>10.5a.7 URBAN FARM</p> <p>10.5a.8 COMMUNITY GARDENS</p> <p>10.5a.9 URBAN FARMERS MARKET</p>	Re-numbering of the zone regulations. This does not change the intent of the regulations.