

Authority: Item ,
Report (PED19XXX)
CM:
Ward: 12

Bill No.

CITY OF HAMILTON

BY-LAW NO.

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 280 Wilson Street East, Ancaster

WHEREAS Council approved Item ___ of Report _____ of the Planning Committee, at its meeting held on November 19, 2019; and.

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan, upon the adoption of the Urban Hamilton Official Plan Amendment No. XXX;

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Maps 1175 and 1229 of Schedule "A" – Zoning Maps of Zoning By-law No. 05-200 is amended by changing the zoning from the Mixed Use Medium Density - Pedestrian Focus (C5a, 570) Zone to the Mixed Use Medium Density - Pedestrian Focus (C5a, 643, H114) Zone for the lands identified in the Location Map attached as Schedule "A" to this By-law.
2. That Schedule "C" – Special Exceptions is amended by adding the following new Special Exception:
 - "643. Within the lands zoned Mixed Use Medium Density - Pedestrian Focus (C5a, 643) Zone, identified on Maps 1175 and 1229 of Schedule "A" – Zoning Maps and described as 280 Wilson Street East, the following special provisions shall apply:
 - a) Notwithstanding Subsection 5.2 i), a One-Way and Two-Way Aisle Width of 3.5 m shall be provided.
 - b) Notwithstanding Subsection 5.2.1 c) a loading space shall be permitted in a required southerly side yard abutting an Institutional Zone and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.
 - c) Notwithstanding Subsection 5.6 c) Parking Schedule for all Zones, except Downtown Zones for Dwelling Units and Dwelling Units in

Conjunction with a Commercial Use (Commercial and Mixed Use (C5) and (C5a) Zones and all Transit Oriented Corridor Zones):

- ii) Dwelling units greater than 50.0 square metres in gross floor area 2 per unit
- d) In addition to Subsections 10.5.a.1 and 10.5a.1.1, a multiple dwelling shall be permitted and restricted in accordance with the following provisions:
 - i) A Multiple Dwelling shall have a minimum 12.0 metre setback from the front lot line.
 - ii) Notwithstanding Subsection 10.5a.1.1 ii) 2., residential uses shall be permitted on the ground floor.
- e) Notwithstanding Subsections 10.5a.3 b), c), d)i), d)ii), and d)iii) the following regulations shall apply to a multiple dwelling having a minimum setback of 12 metres from the front lot line:
 - i) Minimum Rear Yard 3.0 metres.
 - ii) Minimum Side Yard 3.0 metres, abutting a Residential or Institutional Zone or lot containing a residential use except as detailed in Figure 1 of Schedule "B" – Property Details.
 - iii) Maximum Building Height 14.3 metres.
- f) Notwithstanding any other provisions of this By-law, the building existing on the effective date of this By-law, shall be deemed to comply with the regulations for any required setbacks, front yard, façade length, and building height.
- g) Notwithstanding any other provisions of this By-law, Subsections 10.5a.3 h) ii), iv), v), vi), viii), and ix) shall not apply to New Development on lands where the building existing as of the date of passing of this by-law remains on site.

3. That Schedule "D" – Holding Provisions be amended by adding the Holding Provision as follows:

"114 Notwithstanding Section 10.5a of this By-law, within the lands zoned Mixed Use Medium Density - Pedestrian Focus (C5a, 643) Zone, identified on Maps 1175 and 1229 of Schedule A – Zoning Maps and described as 280 Wilson Street East, no development shall be permitted until such time as:

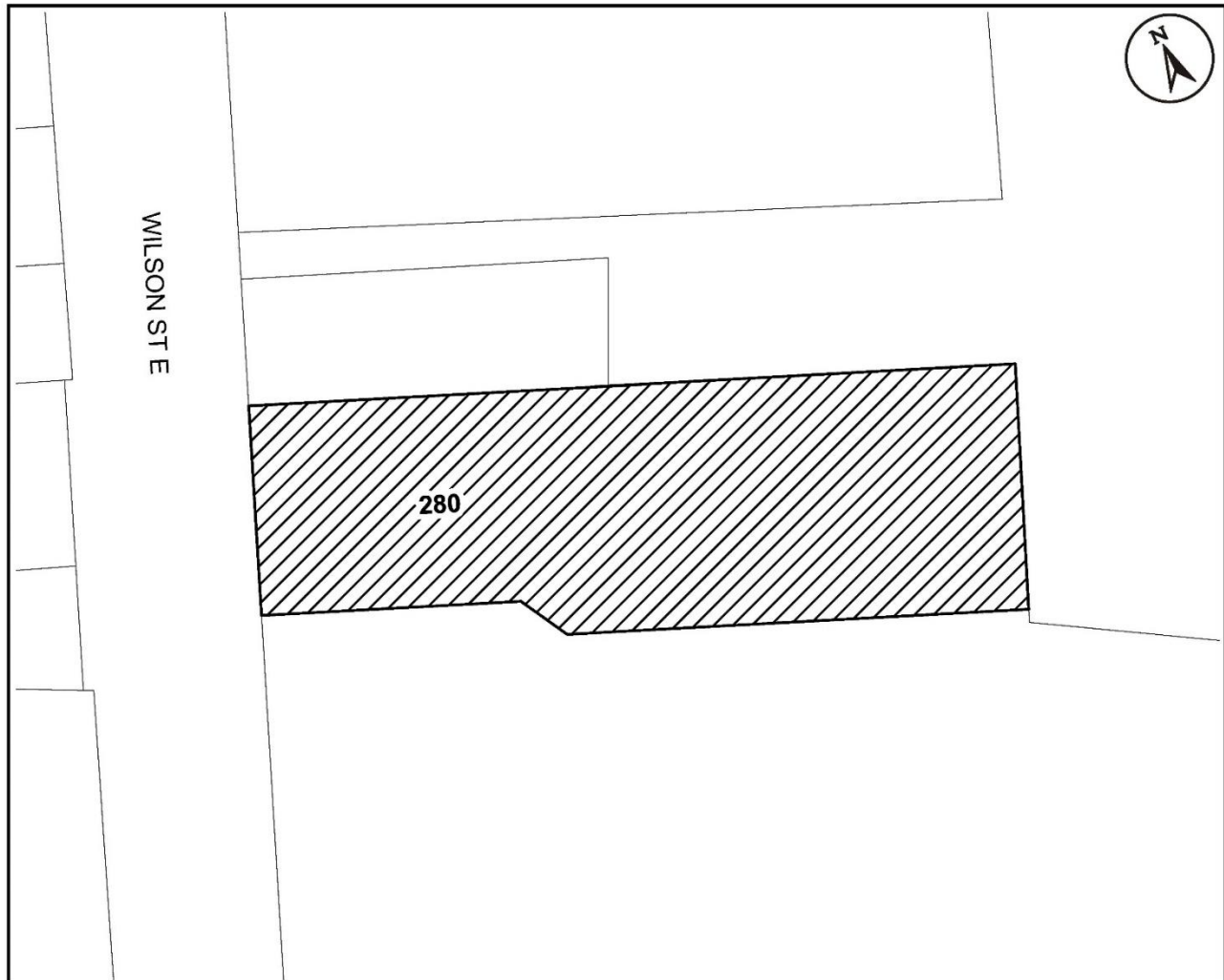
- i) The applicant receive confirmation that the letter from the *Ministry of Tourism, Culture and Sport*, indicating that report P007-028-2019/P007-1029-2019 has been entered into entered into the *Ontario Public Register of Archaeological Reports* has been received by the City of Hamilton, to the satisfaction of the Manager of Development Planning, Heritage and Design.
 - ii) The applicant completes an Archaeological Monitoring Plan to be implemented at the construction stage to ensure no burials or deeply buried archaeological materials are present within the remainder of a 10m buffer around the known limits of the adjacent cemetery, to the satisfaction of the Manager of Development Planning, Heritage and Design."
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*.


PASSED this _____ , _____

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-17-051
UHOPA-17-22



<p>This is Schedule "A" to By-law No. 19-</p> <p>Passed the day of, 2019</p>		<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
<p style="text-align: center;">Schedule "A"</p> <p style="text-align: center;">Map Forming Part of By-law No. 19-_____</p> <p style="text-align: center;">to Amend By-law No. 05-200 Maps 1175 & 1229</p>		<p>Subject Property 280 Wilson Street East</p> <div style="display: flex; align-items: flex-start;"> <div style="width: 30px; height: 20px; border: 1px solid black; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); margin-right: 10px;"></div> <p>Change in zoning from Mixed Use Medium Density, Pedestrian Focus (C5a, 570) Zone to Mixed Use Medium Density, Pedestrian Focus (C5a, 643, H114) Zone</p> </div>
<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAC-17-051</p>	 <u>Hamilton</u>
<p>Date: Sept. 9, 2019</p>	<p>Planner/Technician: MS/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		