

**Authority:** Item ,  
Report (PED20142)  
CM:  
Ward: 1

**Bill No.**

## **CITY OF HAMILTON**

### **BY-LAW NO.**

#### **To Amend Zoning By-law No. 05-200 Respecting Lands 235 Main Street West, 74 Queen Street South, 244 and 246 Jackson Street West**

**WHEREAS** Council approved Item \_\_\_\_\_ of Report PED20 \_\_\_\_\_ of the Planning Committee at its meeting held on the \_\_\_\_\_ day of October, 2020;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. \_\_\_\_\_.

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

1. That Map No. 951 of Schedule "A" – Zoning Maps of Zoning By-law No. 05-200, is amended by changing the zoning from the Mixed Use – Medium Density (C5, 297) Zone to the Mixed Use – Medium Density (C5, 736) Zone, to the land comprised of 235 Main Street West and 74 Queen Street South, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" to the By-law.
2. That Map No. 951 of Schedule "A" – Zoning Maps of Zoning By-law No. 05-200, be amended by adding the Mixed Use – Medium Density (C5, 736) Zone, to the land comprised of 244 and 246 Jackson Street West, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" to this By-law.
3. That Schedule "C": Special Exceptions of Zoning By-law No. 05-200, is amended by deleting the words "235 Main Street West" and "74 Queen Street South" from the list of Property Addresses.
4. That Schedule "C": Special Exceptions of Zoning By-law No. 05-200, is amended by adding the following new special exception:
  - "736. Within the lands zoned Mixed Use – Medium Density (C5) Zone, identified on Map No. 951 of Schedule "A" to By-law No. 05-200 and described as 235 Main Street West, 74 Queen Street South and 244-246 Jackson Street West, the following special provisions shall also apply:
    - a) Notwithstanding Subsections 4.6 a) and d), the following special provisions shall apply:

- i) Architectural features, ductwork, venting and other similar appurtenances may be permitted to encroach into any required setback.
  - ii) A porch, deck or canopy may be permitted to encroach into any required setback.
- b) Notwithstanding Subsections 5.2 b) i) and iv), and 5.6 c), as it relates to a multiple dwelling, the following shall apply:
- i) The minimum parking space size for not more than 11% of the provided parking spaces shall have a width of 2.6 metres and a length of 5.5 metres.
  - ii) A minimum of 0.3 spaces per unit shall be required.
- c) Notwithstanding Subsections 10.5.1.1 i) 1, 10.5.3 a), b), c), d), g) vii), i) and j), the following special provisions shall apply:
- i) Restricted Uses                     There shall be no minimum required finished floor elevation for any dwelling unit.
  - ii) Building Setback from the Main Street West Street Line
    - 1) Maximum 4.5 metres
    - 2) Notwithstanding 1) above, a minimum 3.0 metres for any portion of a building with residential units on the ground floor facing Main Street West.
    - 3) Notwithstanding 2) above, a minimum 1.0 metres from the Daylight Triangle.
  - iii) Building Setback from the Queen Street South Street Line
    - 1) Maximum 4.5 metres
    - 2) Minimum 0.0 metres
    - 3) Notwithstanding 2) above, a minimum of 1.0 metres from a Daylight Triangle.
  - iv) Building Setback from the Jackson Street West Street Line
    - 1) Maximum 4.5 metres

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|-------|--------------------------------|---|
|       |                                | 2) Minimum of 1.5 metres  |
|       |                                | 3) Notwithstanding 2) above, a minimum 1.0 metres from a Daylight Triangle.   |
| v)    | Minimum Rear Yard              | 0.0 metres  |
| vi)   | Minimum Interior Side Yard     | 0.0 metres  |
| vii)  | Building Height                | 1) Minimum 7.5 metres;  |
|       |                                | 2) Maximum 80.85 metres;  |
|       |                                | 3) Notwithstanding 2) above, maximum building height shall be in accordance with Figure 22 of Schedule F - Special Figures of Zoning By-law 05-200. |
| viii) | Built form for New Development | A minimum of one principal entrance shall be provided in the façade along Main Street West.   |
| ix)   | Planting Strip                 | A planting strip shall not be required.   |
| x)    | Visual Barrier                 | A visual barrier shall not be required.   |
5. That Schedule F: Special Figures of By-law 05-200 is hereby amended by adding Figure 22: Maximum Building Heights for 235 Main Street West, 74 Queen Street South, 244 and 246 Jackson Street West.
6. That the Clerk is hereby authorized to proceed with the giving of notice of the passing of this by-law, in accordance with the *Planning Act*.

**PASSED** this \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

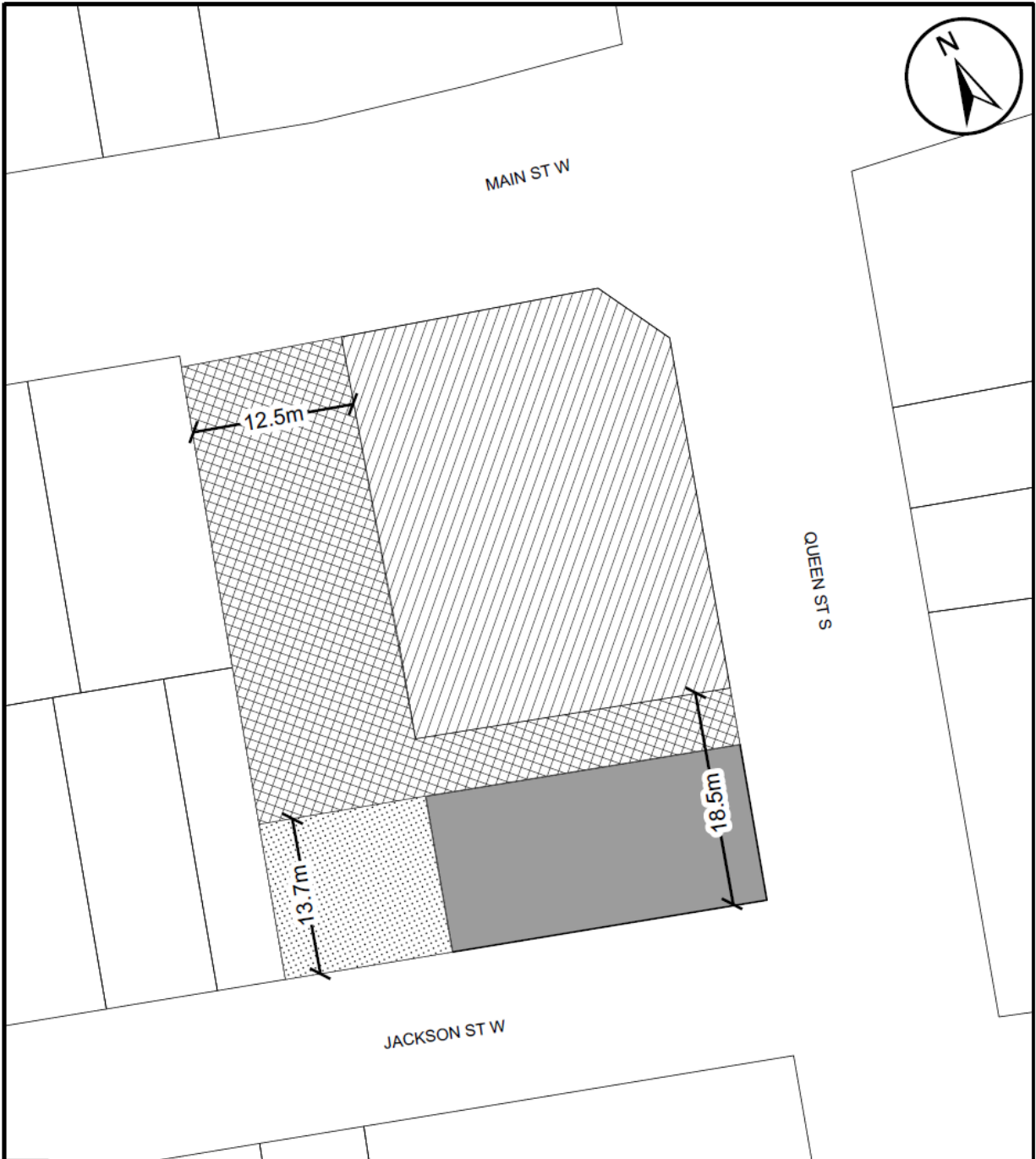
DRAFT



This is Schedule "A" to By-law No. 20-  Passed the ..... day of ....., 2020	----- Mayor  ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2>  <h3 style="margin: 0;">Map Forming Part of By-law No. 20-_____</h3>  <h3 style="margin: 0;">to Amend By-law No. 05-200 Map 951</h3>	<p><b>Subject Property</b>                  235 Main Street West, 74 Queen Street South,                  244 - 246 Jackson Street West</p> <p> <b>Block 1</b> - Change in zoning from the Mixed Use -Medium Density (C5, 297) Zone to the Mixed Use - Medium Density (C5, 736) Zone</p> <p> <b>Block 2</b> - To add lands as Mixed Use - Medium Density (C5, 736) Zone</p>
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Scale: N.T.S.	File Name/Number: ZAC-18-012	
Date: August 4, 2020	Planner/Technician: AD/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		





**Special Figure 22: Maximum Building Heights for 235 Main Street West, 74 Queen Street South, 244 and 246 Jackson Street West**

Date:  
 August 17, 2020

**Legend**

-  Maximum Building Heights 80.85m
-  Maximum Building Heights 22.0m

-  Maximum Building Heights 14.0m
-  Maximum Building Heights 14.87m

