

Authority: Item 8, Planning Committee
Report 22-004 (PED22001)
CM: March 30, 2022
Ward: Ward 15

Bill No. 071

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend By-law No. 05-200, Respecting Mixed Use Medium Density and Institutional Lands Located within the Waterdown Community Node Secondary Plan, Hamilton

WHEREAS Council approved Item 8 of Report 22-004 of the Planning Committee, at the meeting held on the 30th day of March, 2022;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. 165;

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

1. That Maps 445, 446, 481, 482, 516 and 517 of Schedule “A” – Zoning Maps appended to and forming part of Zoning By-law No. 05-200 be amended, the boundaries of which are shown on plans hereto annexed as Schedules “A1,” “A2,” “A3,” “A4,” “A5,” “A6,” “A7,” “A8,” “A9,” and “A10,” to this By-law, as follows:
 - 1.1 Lands to be added to Zoning By-law No. 05-200 and zoned Mixed Use Medium Density (C5, 752, 754) Zone (256 Parkside Drive, Flamborough, Schedule “A1”);
 - 1.2 Change in Zoning from the Mixed Use Medium Density (C5, 700) Zone to the Mixed use Medium Density – Pedestrian Focus (C5a, 700, 752) Zone (5-7 Hamilton Street North, Flamborough, Schedule “A2”);
 - 1.3 Change in zoning from the Mixed Use Medium Density (C5, 582) Zone to the Mixed use Medium Density – Pedestrian Focus (C5a, 752, 754) Zone (9 and 71 Hamilton Street North, 267 and 271 Dundas Street East, Flamborough, Schedule “A2”);
 - 1.4 Change in Zoning from the Mixed Use Medium Density (C5) Zone to the Mixed Use Medium Density - Pedestrian Focus (C5a, 752, 754) Zone (20, 22, 24, 26, 28, 32, 36, 38, 40, 42, 44, 48, 54, 56, 58, 62, 64, 70, 74 and 80 Hamilton Street North, Flamborough, Schedule “A2”);

- 1.5 Change in Zoning from the Mixed Use Medium Density (C5, 573, 582) Zone to the Mixed Use Medium Density - Pedestrian Focus (C5a, 573, 752, 754) Zone (61 Hamilton Street North, Flamborough, Schedule "A2");
- 1.6 Change Special Exception Number from the Mixed Use Medium Density – Pedestrian Focus (C5a, 304) Zone to the Mixed Use Medium Density – Pedestrian Focus (C5a, 752, 753) Zone (Part of 18 Hamilton Street North, Flamborough, Schedule "A3");
- 1.7 Add Special Exception Number from Mixed Use Medium Density (C5) Zone to Mixed Use Medium Density (C5, 752, 754) Zone (232, 238, 244, 246, 250, 252 and 254 Dundas Street East, Schedule "A4");
- 1.8 Change Special Exception Number from Mixed Use Medium Density (C5, 582) Zone to Mixed Use Medium Density (C5, 752, 754) Zone (79, 81, 83, 87, 89 and 95 Hamilton Street North, 170 Rockhaven Lane, and 221, 229, 233, 241 and 245 Dundas Street East, Block 14 of Plan 62M-582 and Block 29 of Plan 62M-627, Schedule "A4");
- 1.9 Change in Zoning from the Mixed Use Medium Density (C5, 582) Zone to the Mixed Use Medium Density – Pedestrian Focus (C5a, 752, 754, 755) Zone (25 Hamilton Street North and Parts of 255 Dundas Street East, Flamborough, Schedule "A4");
- 1.10 Change Special Exception Number from Mixed Use Medium Density (C5, 582) Zone to Mixed Use Medium Density (C5, 752, 754, 755) Zone (145 Hamilton Street North and Part of 255 Dundas Street East, Flamborough, Schedule "A4");
- 1.11 Add Special Exception Number from Mixed Use Medium Density – Pedestrian Focus (C5a) Zone to Mixed Use Medium Density – Pedestrian Focus (C5a, 752, 753) Zone (4, 50, 54, and 56 Barton Street, 279, 283, 285, 289-301, 288-304, 307-323, 312, 316, 324, 327, 331 and 335 Dundas Street East, 10, 18, 19, 20 and 26 Flamboro Street, 10 and 25 Franklin Street, 7-11, 23 and 27 Griffin Street, Part of 18 Hamilton Street North, 6, 16, 24, 25, 30, 34 and 40 Mill Street North, 5, 11, 15, 19, 22, 26 and 27 Mill Street South, , 1, 9, 17, 20, 30, 34, 35 and 40 Main Street North, 9, 10, 11, 17, 19, 23, 25, 31, 37 Main Street South, Flamborough, Schedule "A5");
- 1.12 Add Special Exception Number from Mixed Use Medium Density – Pedestrian Focus (C5a, 695) Zone to Mixed Use Medium Density – Pedestrian Focus (C5a, 695, 752, 753) Zone (21 Mill Street North, Flamborough, Schedule "A5");
- 1.13 Add Special Exception Number from Mixed Use Medium Density – Pedestrian Focus (C5a, 304) Zone to Mixed Use Medium Density –

Pedestrian Focus (C5a, 304, 752, 753) Zone (19 Flamboro Street, Flamborough, Schedule “A5”);

- 1.14 Add Special Exception Number from Mixed Use Medium Density (C5) Zone to Mixed Use Medium Density (C5, 752, 753) Zone (50, 54 and 56 Barton Street, Flamborough, Schedule “A5”);
 - 1.15 Change in Special Exception Number from Mixed Use Medium Density (C5, 582) Zone to Mixed Use Medium Density (C5, 582, 752, 754, 755) Zone (115 Hamilton Street North, Flamborough, Schedule “A6”);
 - 1.16 Change in Special Exception Number from Neighbourhood Institutional (I1) Zone to Neighbourhood Institutional (I1, 756) Zone (200 Main Street North and 80 Mill Street North, Flamborough, Schedule “A7”);
 - 1.17 Change in Special Exception Number from Neighbourhood Institutional (I2) Zone to Neighbourhood Institutional (I2, 757) Zone (182 Main Street North and 306 Parkside Drive, Flamborough, Schedule “A8”);
 - 1.18 Lands to be removed from Zoning By-law No.05-200 (29 Mill Street North, Flamborough, Schedule “A9”); and,
 - 1.19 Lands to be added to Zoning By-law No. 05-200 and Zoned Mixed Use Medium Density (C5, 752, 754, H122) Zone (3 and 4 Howard Boulevard, Flamborough, Schedule “A10”);
2. That Schedule “C” – Special Exceptions of Zoning By-law No. 05-200 be amended as follows:
- 2.1 That the following Special Exceptions be amended:
 - a) Special Exception No. 304 shall be amended by removing Part of 18-64 Hamilton Street North so that the chart reads as follows:

Property Address	Map Number
925 Barton Street East	956
19 Flamboro Street	482
473-489 Upper Wellington Street North	1039 and 1085
139 and 141 Oak Avenue	912
902 Main Street East	1042
386 Upper Gage Avenue and 63 East 39 th Street	1136
283 and 289 Highway No. 8	1251
889 Upper Paradise Road	1234 and 1287
200 King Street West	860

121 King Street West	860
134, 138 King Street West	860
10 Foundry Street	860
1 Osler Drive	903
1655 Main Street West	947
407, 413 Wilson Street East	1175
82 King Street East	1302 and 1249
605 Garner Road East	1389
136-146 Upper Mount Albion Road	1502
3194 Regional Road 56	1956

- b) Special Exception No. 573 shall be amended by changing all references from “Mixed Use Medium Density” to “Mixed Use Medium Density – Pedestrian Focus” so that it reads as follows:

“Within the lands zoned Mixed Use Medium Density – Pedestrian Focus (C5a) Zone, identified on Maps 481 and 482 of Schedule “A” – Zoning Maps and described as 61 Hamilton Street North, the following special provision shall apply:

- a) In addition to Subsection 10.5a.1, the existing Building and Lumber Supply Establishment shall also be permitted.”
- c) Special Exception No. 582 shall be amended by deleting 221, 229, 233, 241, 245, 255, 267 and 271 Dundas Street East, Block 14 of Plan 62M-582, 9, 61, 71, 79, 81, 83, 87, 89, 95, 145 Hamilton Street North, Part of 50 Culotta Drive and 170 Rockhaven Lane, by deleting clause a), and by renumbering clause b) to clause a) so that the Exception reads as follows:

“Within the lands zoned Mixed Use Medium Density (C5) Zone, identified on Maps 445 and 481 of Schedule “A” – Zoning Maps and described as:

Property Address	Map Number
115 Hamilton Street North	445 and 481

- a) Notwithstanding Section 4.12 (f)(ii), for the lands located at 115 Hamilton Street North, expansions to buildings legally existing at the date of the passing of the by-law may be permitted provided the total expansion of the gross floor area of all the buildings on the site does not exceed 1,475 square metres.
- d) Special Exception No. 593 shall be amended by adding the following clause:

“b) Notwithstanding Subsection 10.2.1 and in addition to Subsection 10.2.2, the following uses are prohibited, even as an accessory use:

Motor Vehicle Service Station
Motor Vehicle Gas Bar”

- e) Special Exception No. 700 shall be amended by changing all references from “Mixed Use Medium Density” to “Mixed Use Medium Density – Pedestrian Focus,” as well as deleting clause a) and replacing clauses b) and e) so that the Exception reads as follows:

“Within the lands zoned Mixed Use Medium Density (C5a, 700) Zone identified on Map No. 482 of Schedule “A” and described as 5 Hamilton Street North, the following additional special provisions shall apply:

- a) Notwithstanding Section 5.6 (c)(i), the maximum parking for dwelling units greater than 50 square metres shall be 1.61 spaces per unit;
- b) The finished floor elevation of any dwelling unit shall be a minimum of 0.10 metres above grade;
- c) Notwithstanding Section 10.5a.3 (h)(vi)(1), the principal commercial entrance within the ground floor façade shall be located on the north side of the building; and,
- d) Notwithstanding 10.5a.1.1 ii) 2), dwelling units, mixed use, may be permitted on the ground floor, provided that no ground floor residential uses front onto Hamilton Street North.

- 2.2 That Schedule “C” – Special Exceptions of By-law No. 05-200 is amended by adding the following new Special Exceptions:

“752. Within the lands zoned Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Maps 445, 446, 481, 482, 516 and 517 of Schedule “A1”, “A2”, “A3”, “A4”, “A5” and “A6” – Zoning Maps and described as:

Property Address	Map Number
4 Barton Street	482
50 Barton Street	482
54 Barton Street	482
56 Barton Street	482
Block 14 of Plan 62M-582	482, 516 and 517

Block 29 of Plan 62M-627	516
221 Dundas Street East	516
Property Address	Map Number
229 Dundas Street East	516
232 Dundas Street East	517
233 Dundas Street East	516 and 517
238 Dundas Street East	517
241 Dundas Street East	516 and 517
244 Dundas Street East	517
245 Dundas Street East	482 and 517
246 Dundas Street East	517
250 Dundas Street East	517
252 Dundas Street East	482 and 517
254 Dundas Street East	482 and 517
267 Dundas Street East	482
271 Dundas Street East	482
279 Dundas Street East	482
283-285 Dundas Street East	482
288 Dundas Street East	482
289 Dundas Street East	482
290 Dundas Street East	482
291 Dundas Street East	482
292 Dundas Street East	482
293 Dundas Street East	482
294 Dundas Street East	482
295 Dundas Street East	482
296 Dundas Street East	482
297 Dundas Street East	482
298 Dundas Street East	482
299 Dundas Street East	482
300 Dundas Street East	482
301 Dundas Street East	482
302 Dundas Street East	482
304 Dundas Street East	482
307-309 Dundas Street East	482
311 Dundas Street East	482
312 Dundas Street East	482
313 Dundas Street East	482
315 Dundas Street East	482
316-318 Dundas Street East	482
317 Dundas Street East	482
319 Dundas Street East	482
321 Dundas Street East	482
323 Dundas Street East	482

324 Dundas Street East	482
327 Dundas Street East	482
331 Dundas Street East	482
Property Address	Map Number
335 Dundas Street East	446 and 482
10 Flamboro Street	482
18 Flamboro Street	482
19 Flamboro Street	482
20 Flamboro Street	482
26 Flamboro Street	482
10 Franklin Street	482
25 Franklin Street	482
7-11 Griffin Street	482
23 Griffin Street	482
27 Griffin Street	482
5-7 Hamilton Street North	482
9 Hamilton Street North	482
18 and 20-64 Hamilton Street North	482
25 Hamilton Street North and 255 Dundas Street East	481 and 482
61 Hamilton Street North	481 and 482
70 Hamilton Street North	482
71 Hamilton Street North	481 and 482
74 Hamilton Street North	482
79 Hamilton Street North	481
80 Hamilton Street North	482
81 Hamilton Street North	481
83 Hamilton Street North	481
87 Hamilton Street North	481
89 Hamilton Street North	481
95 Hamilton Street North	481
115 Hamilton Street North	445 and 481
145 Hamilton Street North	445
3 Howard Boulevard	517
4 Howard Boulevard	517
1 Main Street North	482
9 Main Street North	482
17 Main Street North	482
20 Main Street North	482
30 Main Street North	482
34 Main Street North	482
35 Main Street North	482
40 Main Street North	482
9, 11 and 17 Main Street South	482

10 Main Street South	482
19 Main Street South	482
23, 25, 31 and 37 Main Street South	482
6 Mill Street North	446 and 482
Property Address	Map Number
16 Mill Street North	446 and 482
21 Mill Street North	482
24 Mill Street North	446 and 482
25 Mill Street North	482
30 Mill Street North	446 and 482
34 and 40 Mill Street North	446 and 482
5 Mill Street South	482
11 Mill Street South	482
15 Mill Street South	482
19 Mill Street South	482
22 Mill Street South	482
26 Mill Street South	482
27 Mill Street South	482
256 Parkside Drive	445 and 481
170 Rockhaven Lane	481

the following special provisions shall apply:

- a) On a lot containing greater than 20 dwelling units, the required Amenity Area shall include a minimum of 40 square metres for a single common outdoor Amenity Area at the ground level;
- b) The common Amenity Area required by Subsection a) of Special Exception 752 shall not include any required Planting Strips and shall have a minimum width of 4 metres; and,
- c) Notwithstanding Section 10.5.3 i) and 10.5a.3 i), where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 3.0 metre wide Planting Strip shall be provided and maintained.

753. Within the lands zoned Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Maps 446 and 482 of Schedule “A5” – Zoning Maps and described as:

Property Address	Map Number
4 Barton Street	482
50 Barton Street	482
54 Barton Street	482

56 Barton Street	482
279 Dundas Street East	482
283-285 Dundas Street East	482
288 Dundas Street East	482
Property Address	Map Number
289 Dundas Street East	482
290 Dundas Street East	482
291 Dundas Street East	482
292 Dundas Street East	482
293 Dundas Street East	482
294 Dundas Street East	482
295 Dundas Street East	482
296 Dundas Street East	482
297 Dundas Street East	482
298 Dundas Street East	482
299 Dundas Street East	482
300 Dundas Street East	482
301 Dundas Street East	482
302 Dundas Street East	482
304 Dundas Street East	482
307-309 Dundas Street East	482
311 Dundas Street East	482
312 Dundas Street East	482
313 Dundas Street East	482
315 Dundas Street East	482
316-318 Dundas Street East	482
317 Dundas Street East	482
319 Dundas Street East	482
321 Dundas Street East	482
323 Dundas Street East	482
324 Dundas Street East	482
327 Dundas Street East	482
331 Dundas Street East	482
335 Dundas Street East	446 and 482
10 Flamboro Street	482
18 Flamboro Street	482
19 Flamboro Street	482
20 Flamboro Street	482
26 Flamboro Street	482
10 Franklin Street	482
25 Franklin Street	482
7-11 Griffin Street	482
23 Griffin Street	482
27 Griffin Street	482

18 Hamilton Street North	482
1 Main Street North	482
9 Main Street North	482
17 Main Street North	482
20 Main Street North	482
Property Address	Map Number
30 Main Street North	482
34 Main Street North	482
35 Main Street North	482
40 Main Street North	482
9, 11 and 17 Main Street South	482
10 Main Street South	482
19 Main Street South	482
23, 25, 31 and 37 Main Street South	482
6 Mill Street North	446 and 482
16 Mill Street North	446 and 482
21 Mill Street North	482
24 Mill Street North	446 and 482
25 Mill Street North	482
30 Mill Street North	446 and 482
34 and 40 Mill Street North	446 and 482
5 Mill Street South	482
11 Mill Street South	482
15 Mill Street South	482
19 Mill Street South	482
22 Mill Street South	482
26 Mill Street South	482
27 Mill Street South	482

the following special provisions shall apply:

- a) Notwithstanding Section 10.5a.1.1 iii) 1., Commercial Parking Facilities may be permitted on the ground floor and not wholly contained within a Building. A Commercial Parking Facility not wholly contained within a Building shall not be permitted on a lot with frontage on Dundas Street unless a Building is located between parking spaces and the street;
- b) Where a Commercial Parking Facility is contained within a Building, with the exception of an access driveway to the parking facility, that portion of the ground floor of the facility which faces any street shall only be used for permitted uses other than parking;
- c) Notwithstanding Section 10.5.3 d) ii) and iii) and Section 10.5a.3 d)

- ii) and iii), the maximum Building Height shall be 11.0 metres;
- d) Notwithstanding Section 10.5a.3 h) ix), a minimum of 80 percent of the area of the ground floor façade facing the street shall be composed of doors and windows;
- e) Subsection d) of Special Exception 753 shall not apply to Existing façades;
- f) In addition to Subsection d) of Special Exception 753, window and doorframes, clear glazed transoms and sidelights, and a sill up to 0.6m in height are permitted to be included in the calculation of the door and window area. Signage and opaque/spandrel glazing shall not be included in the calculation of the door and window area;
- g) A minimum of 25% and a maximum of 40% of the façade of second and third storeys shall be composed of windows. Window frames, clear glazed transoms and sidelights, and a sill up to 0.6m in height are permitted to be included in the calculation of the window area. Signage and opaque/spandrel glazing shall not be included in the calculation of the window area;
- h) Exterior building cladding, except decorative architectural features (such as window and door frames, sills, lintels, surrounds, and cornices), shall be of either one or a combination of no more than two of the following materials:
1. Brick;
 2. Concrete panels;
 3. Stone block, excluding manufactured stone veneer;
 4. Wood;
 5. Composite siding;
 6. Stucco; and,
 7. Metal and metal panels, excluding aluminium siding or any metal variant thereof.
- i) Notwithstanding Subsections d) to h) of Special Exception 753, for properties designated under the *Ontario Heritage Act*, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply.
754. Within the lands zoned Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Maps 445, 481, 482, 516 and 517 of Schedules “A1”, “A2”, “A4”, and “A6” – Zoning Maps and described as:

Property Address	Map Number
Block 14, Plan 62M-582	482, 516 and 517
Block 29, Plan 62M-627	516
221 Dundas Street East	516
229 Dundas Street East	516
232 Dundas Street East	517
Property Address	Map Number
233 Dundas Street East	516 and 517
238 Dundas Street East	517
241 Dundas Street East	516 and 517
244 Dundas Street East	517
245 Dundas Street East	482 and 517
246 Dundas Street East	517
250 Dundas Street East	517
252 Dundas Street East	482 and 517
254 Dundas Street East	482 and 517
267 Dundas Street East	482
271 Dundas Street East	482
9 Hamilton Street North	482
20-64 Hamilton Street North	482
25 Hamilton Street North and 255 Dundas Street East	481 and 482
61 Hamilton Street North	481 and 482
70 Hamilton Street North	482
71 Hamilton Street North	481 and 482
74 Hamilton Street North	482
79 Hamilton Street North	481
80 Hamilton Street North	482
81 Hamilton Street North	481
83 Hamilton Street North	481
87 Hamilton Street North	481
89 Hamilton Street North	481
95 Hamilton Street North	481
115 Hamilton Street North	445 and 481
145 Hamilton Street North	445
3 Howard Boulevard	517
4 Howard Boulevard	517
256 Parkside Drive	445 and 481
170 Rockhaven Lane	481

the following special provisions shall apply:

- a) For Buildings greater than 11.0 metres in Building Height, a minimum Building setback of 2.0 metres shall be required

above the second storey along any Building face adjacent to a street;

- b) For Buildings greater than 11.0 metres in Building Height, a minimum Building setback of 2.5 metres shall be required above the second storey along a Building face adjacent to a Side Yard;
- c) The minimum Building Setback from a street line shall be 2.0 metres;
- d) Where a Commercial Parking Facility is contained within a Building in a Mixed Use Medium Density (C5) Zone, with the exception of an access driveway to the parking facility, that portion of the ground floor of the facility which faces any street shall only be used for permitted uses other than parking;
- e) A minimum 3.0 metre wide Planting Strip shall be provided along every Side Lot Line and Rear Lot Line;
- f) A minimum of 60 percent of the area of the ground floor façade facing the street shall be composed of doors and windows; and,
- g) Subsection f) of Special Exception 754 shall not apply to Existing façades.

755. Within the lands zoned Mixed Use Medium Density (C5) Zone and Mixed Use Medium Density – Pedestrian Focus (C5a) Zone identified on Maps 445, 481 and 482 of Schedules “A2”, “A4”, and “A6” – Zoning Maps and described as 25, 115 and 145 Hamilton Street North and 255 Dundas Street East, the following special provisions shall apply:

- a) For the lands located at 115 and 145 Hamilton Street North, the minimum combined gross floor area for all non-residential uses shall be 8,306 square metres; and,
- b) For the lands located at 25 Hamilton Street North and 255 Dundas Street East, the minimum combined gross floor area for all non-residential uses shall be 8,160 square metres.

756. Within the lands zoned Neighbourhood Institutional (I1) Zone, identified on Maps 445 and 446 of Schedule “A7” – Zoning Maps and described as 200 Main Street North and 80 Mill Street North, the following special provisions shall apply:

- a) In addition to the permitted uses in Subsection 8.1.1, a Multiple Dwelling shall be permitted within an Existing Building designated under the *Ontario Heritage Act*, provided that no additions to the Building are made except for minor additions to accommodate the requirements of the *Accessibility for Ontarians with Disabilities Act*.
 - b) A Multiple Dwelling as permitted by Subsection a) of Special Exception 756 shall comply with regulations 8.1.3.1 a), c), d), e), f), g), h), k) and l);
 - c) Notwithstanding Subsections 8.1.3.3 g) and 8.1.3.4 g), the maximum Building Height for Single Detached, Duplex and Semi-Detached Dwellings shall be 9.0 metres;
 - d) Flat roofs shall not be permitted for Single Detached, Duplex and Semi-Detached Dwellings;
 - e) For the purposes of Subsection d) of Special Exception 756, a flat roof shall be defined as a roof with no slope or a slope less than or equal to 1.0 vertical units for every 4.0 horizontal units, occupying an area greater than or equal to 50% of the total horizontal roof area;
 - f) Rooftop Amenity Areas shall not be permitted; and,
 - g) Balconies and terraces above the first floor shall only be permitted in a Front Yard or Flankage Yard.
757. Within the lands zoned Community Institutional (I2) Zone, identified on Maps 445 and 446 of Schedule “A8” – Zoning Maps and described as 182 Main Street North and 306 Parkside Drive, the following special provisions shall apply:
- a) In addition to the permitted uses in Subsection 8.2.1, a Multiple Dwelling shall be permitted within an Existing Building designated under the *Ontario Heritage Act*, provided that no additions to the Building are made except for minor additions to accommodate the requirements of the *Accessibility for Ontarians with Disabilities Act*;
 - b) A Multiple Dwelling as permitted by Subsection a) of Special Exception 757 shall comply with regulations 8.2.3.1 a), b), c), d), e), f), i) and j);
 - c) Notwithstanding Subsection 8.2.3.3 g) and 8.2.3.4 g), the maximum Building Height for Single Detached, Duplex, Semi-Detached and Street Townhouse Dwellings shall be 9.0 metres;

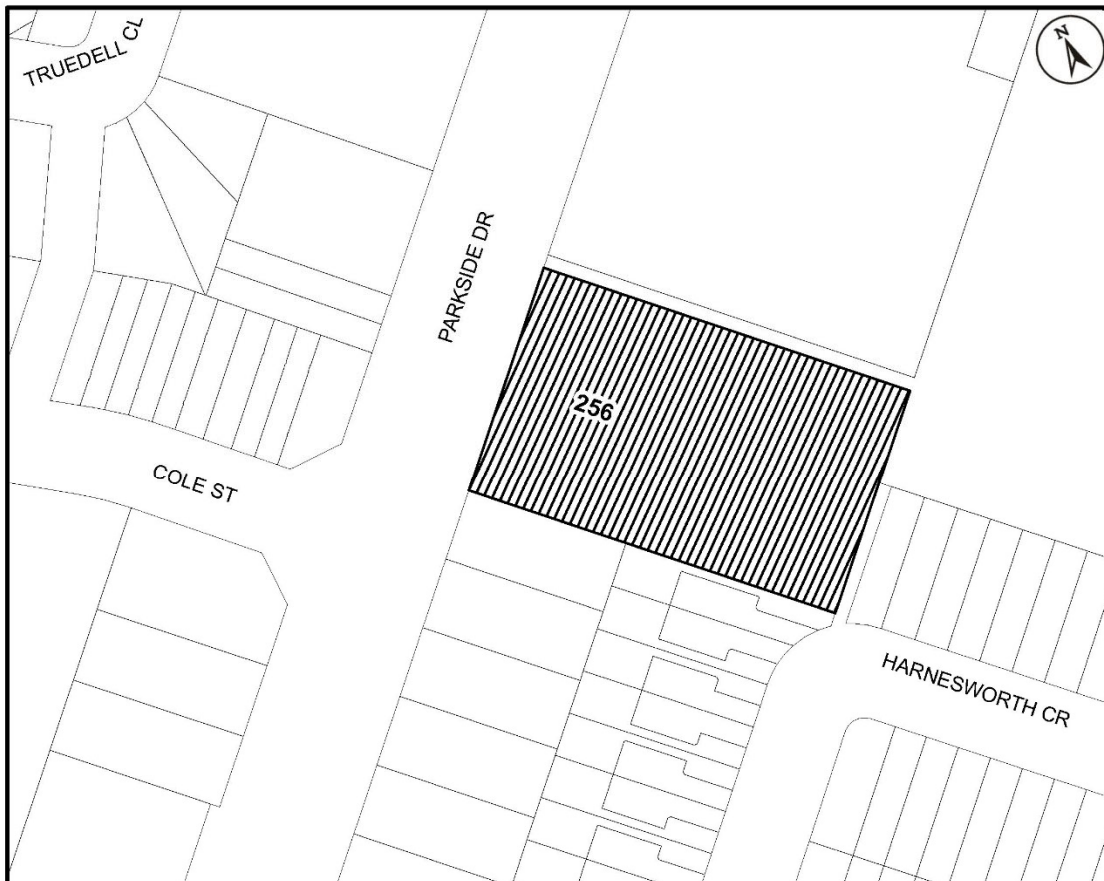
- d) Flat roofs shall not be permitted for Single Detached, Duplex, Semi-Detached and Street Townhouse Dwellings;
 - e) For the purposes of Subsection d) of Special Exception 757, a flat roof shall be defined as a roof with no slope or a slope less than or equal to 1.0 vertical units for every 4.0 horizontal units, occupying an area greater than or equal to 50% of the total horizontal roof area;
 - f) Rooftop Amenity Areas shall not be permitted; and,
 - g) Balconies and terraces above the first floor shall only be permitted in a Front Yard or Flankage Yard.
3. That Schedule “D” – Holding Provisions for Specific Lands of Zoning By-law No. 05-200 be amended as follows:
- 3.1 That Schedule “D” – Holding Provisions for Specific Lands of Zoning By-law No. 05-200 is amended by adding the following new Holding Provision:
122. Notwithstanding Subsection 10.5 and Special Exception Nos. 752 and 754 of this By-law, on those lands zoned Mixed Use Medium Density (C5, 752, 754, H122) Zone, identified on Map 517 of Schedule “A” – Zoning Maps and described as 3 and 4 Howard Boulevard, no development shall be permitted until such time as:
- i) The subject lands are developed in conjunction with adjacent lands abutting Dundas Street East, being 244 or 246 Dundas Street East adjacent to 3 Howard Boulevard and 250 Dundas Street East adjacent to 4 Howard Boulevard, to the satisfaction of the Director of Planning and Chief Planner, Planning and Economic Development Department.
4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law in accordance with the *Planning Act*.
5. That for the purposes of the Building Code, this by-law or any part of it is not made until it has come into force as provided by sections 34 and 36 of the *Planning Act*.
6. That this By-law comes into force in accordance with sections 34 and 36 of the *Planning Act*.

PASSED this 13th day of April, 2022.

F. Eisenberger
Mayor

CI-21-F

A. Holland
City Clerk



This is Schedule "A1" to By-law No. 22-

Passed the day of, 2022

Mayor

Clerk


Schedule "A1"

Map forming Part of
By-law No. 22-_____

to Amend By-law No. 05-200
Map 445, 481

Subject Property

256 Parkside Drive

 Lands to be added to Zoning By-law No. 05-200
and zoned Mixed Use Medium Density
(C5, 752, 754) Zone

Scale:
N.T.S

File Name/Number:
Waterdown Community Node
Secondary Plan

Date:

October 25, 2021

Planner/Technician:






JR/NB











Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



<p>This is Schedule "A2" to By-law No. 22-</p> <p>Passed the day of, 2022</p>		<p>-----</p> <p>Mayor</p> <p>-----</p> <p>Clerk</p>
<p>Schedule "A2"</p> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 481, 482</p>		<p>Subject Property</p> <p> 5 and 7 Hamilton Street North: Change in Zoning from Mixed Use Medium Density (C5, 700) Zone to Mixed Use Medium Density - Pedestrian Focus (C5a, 700, 752) Zone</p> <p> 9 and 71 Hamilton Street North and 267 and 271 Dundas Street East: Change in Zoning from Mixed Use Medium Density (C5, 582) Zone to Mixed Use Medium Density - Pedestrian Focus (C5a, 752, 754) Zone</p> <p> 20-64, 70, 74 and 80 Hamilton Street North: Change in Zoning from Mixed Use Medium Density (C5) Zone to Mixed Use Medium Density - Pedestrian Focus (C5a, 752, 754) Zone</p> <p> 61 Hamilton Street North: Change in Zoning from Mixed Use Medium Density (C5, 573, 582) Zone to Mixed Use Medium Density Pedestrian Focus (C5a, 573, 752, 754) Zone</p>
<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>	 <p>Hamilton</p>
<p>Date: October 25, 2021</p>	<p>Planner/Technician: EB/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

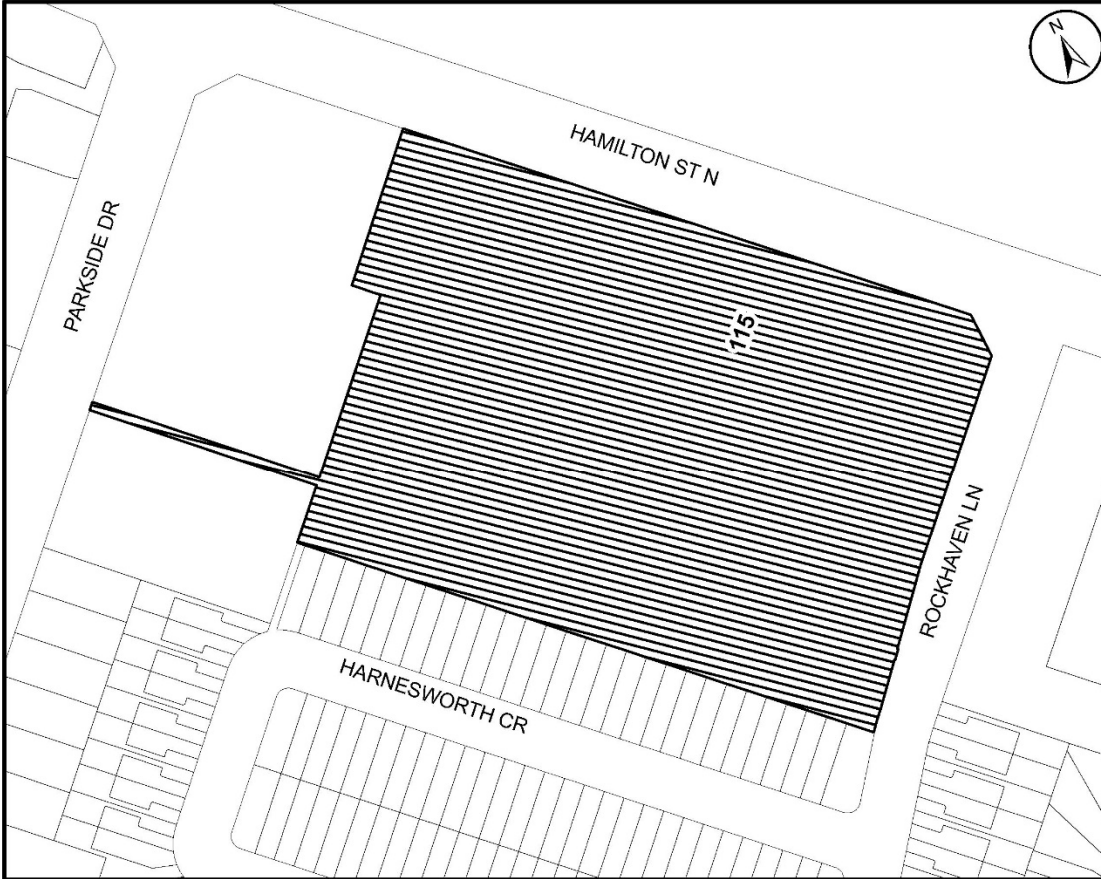


		
<p>This is Schedule "A3" to By-law No. 22-</p> <p>Passed the day of, 2022</p>		<p>-----</p> <p>Mayor</p> <p>-----</p> <p>Clerk</p>
<p>Schedule "A3"</p> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 482</p>		<p>Subject Property</p> <p>Part of 18 Hamilton Street North</p> <p> Change in Special Exception Number from Mixed Use Medium Density – Pedestrian Focus (C5a, 304) Zone to Mixed Use Medium Density – Pedestrian Focus (C5a, 752, 753) Zone</p>
<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>	
<p>Date: October 25, 2021</p>	<p>Planner/Technician: EB/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

	
<p>This is Schedule "A4" to By-law No. 22-</p> <p>Passed the day of, 2022</p>	
<p>-----</p> <p>Mayor</p> <p>-----</p> <p>Clerk</p>	
<p>Schedule "A4"</p> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Maps 445, 481, 482, 516 & 517</p>	
<p>Scale: N.T.S.</p> <p>Date: November 18, 2021</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p> <p>Planner/Technician: EB/NB</p>
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>	
<p>Subject Property</p> <p> Add Special Exception Number from Mixed Use Medium Density (C5) Zone to Mixed Use Medium Density (C5, 752, 754) Zone</p> <p> Change Special Exception Number from Mixed Use Medium Density (C5, 582) Zone to Mixed Use Medium Density (C5, 752, 754) Zone</p> <p> 145 Hamilton Street North and Part of 255 Dundas Street East: Change Special Exception Number from Mixed Use Medium Density (C5, 582) Zone to Mixed Use Medium Density (C5, 752, 754, 755) Zone</p> <p> 25 Hamilton Street North and Part of 255 Dundas Street East: Change in Zoning from Mixed Use Medium Density (C5, 582) Zone to Mixed Use Medium Density – Pedestrian Focus (C5a, 752, 754, 755) Zone</p>	





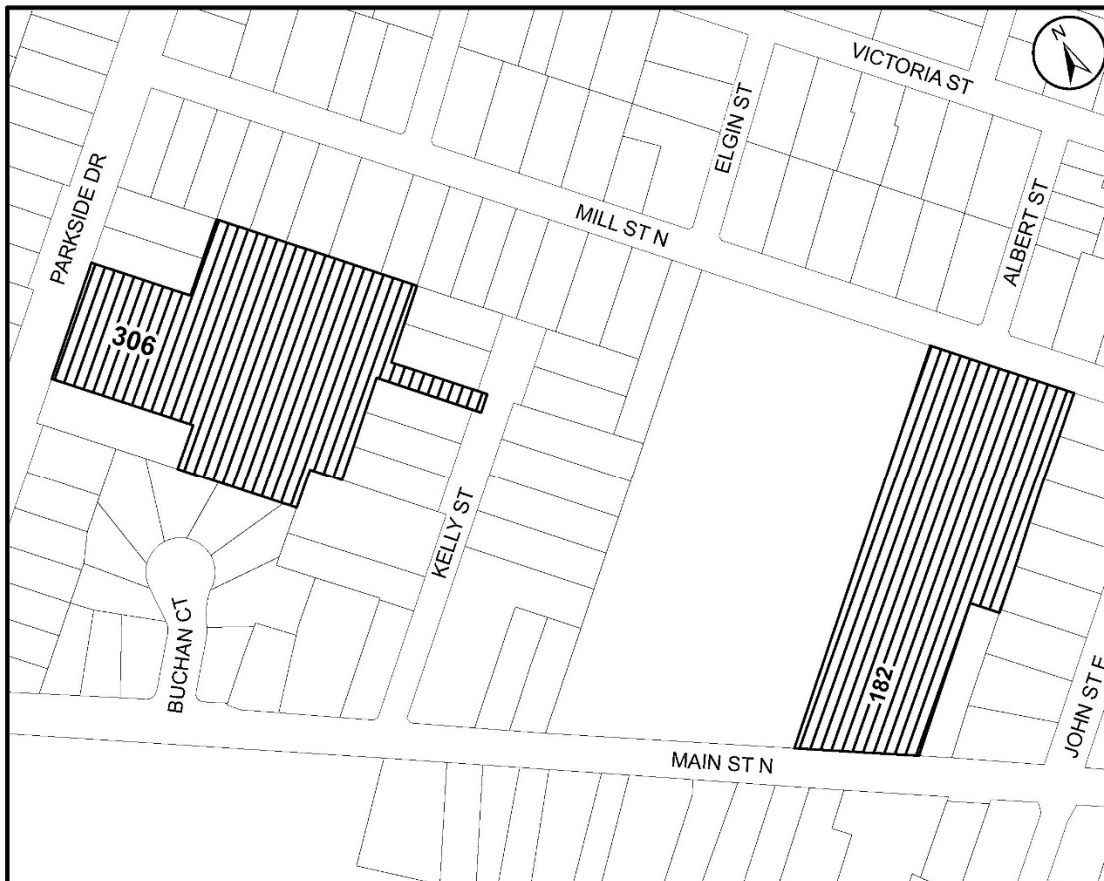




<p>This is Schedule "A5" to By-law No. 22-</p> <p>Passed the day of, 2022</p>		<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>	
<h2 style="margin: 0;">Schedule "A5"</h2> <p style="margin: 10px 0 0 0;">Map forming Part of By-law No. 22-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Map 446, 482</p>		<p>Subject Property</p> <div style="margin-bottom: 10px;"> Add Special Exception Number from Mixed Use Medium Density - Pedestrian Focus (C5a) Zone to Mixed Use Medium Density - Pedestrian Focus (C5a, 752, 753) Zone </div> <div style="margin-bottom: 10px;"> 50, 54 and 56 Barton Street: Add Special Exception Number from Mixed Use Medium Density (C5) Zone to Mixed Use Medium Density (C5, 752, 753) Zone </div> <div style="margin-bottom: 10px;"> 19 Flamboro Street: Add Special Exception Numbers from Mixed Use Medium Density – Pedestrian Focus (C5a, 304) Zone to Mixed Use Medium Density – Pedestrian Focus (C5a, 304, 752, 753) Zone </div> <div> 21 Mill St North: Add Special Exception Numbers from Mixed Use Medium Density – Pedestrian Focus (C5a, 695) Zone to Mixed Use Medium Density – Pedestrian Focus (C5a, 695, 752, 753) Zone </div>	
<p>Scale: N.T.S.</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>		
<p>Date: October 29, 2021</p>	<p>Planner/Technician: EB/NB</p>		
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>			








	
<p>This is Schedule "A6" to By-law No. 22-</p> <p>Passed the day of, 2022</p>	<p>----- Mayor</p> <p>----- Clerk</p>
<p>Schedule "A6"</p> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 445, 481</p>	
<p>Scale: N.T.S</p> <p>Date: October 26, 2021</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p> <p>Planner/Technician: EB/NB</p>
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>	
<p>Subject Property</p> <p>115 Hamilton Street North</p> <p> Change Special Exception Number from Mixed Use Medium Density (C5, 582) Zone to Mixed Use Medium Density (C5, 582, 752, 754, 755) Zone</p>	
<p> Hamilton</p>	





<p>This is Schedule "A7" to By-law No. 22-</p> <p>Passed the day of, 2022</p>		<p>-----</p> <p>Mayor</p> <p>-----</p> <p>Clerk</p>
<p>Schedule "A7"</p> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 445, 446</p>		<p>Subject Property</p> <p>200 Main Street North and 80 Mill Street North</p> <p> Add Special Exception Number from Neighbourhood Institutional (I1) Zone to Neighbourhood Institutional (I1, 756) Zone</p>
<p>Scale: N.T.S</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>	 <p>Hamilton</p>
<p>Date: October 25, 2021</p>	<p>Planner/Technician: EB/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		



<p>This is Schedule "A8" to By-law No. 22-</p> <p>Passed the day of, 2022</p>		<p>-----</p> <p>Mayor</p> <p>-----</p> <p>Clerk</p>
<p>Schedule "A8"</p> <p>Map forming Part of</p> <p>By-law No. 22-_____</p> <p>to Amend By-law No. 05-200</p> <p>Map 445, 446</p>		<p>Subject Property</p> <p>306 Parkside Drive and 182 Main Street North</p> <p> Add Special Exception Number from Neighbourhood Institutional (I2) Zone to Neighbourhood Institutional (I2, 757) Zone</p>
<p>Scale:</p> <p>N.T.S.</p>	<p>File Name/Number:</p> <p>Waterdown Community Node</p> <p>Secondary Plan</p>	 <p>Hamilton</p>
<p>Date:</p> <p>October 25, 2021</p>	<p>Planner/Technician:</p> <p>EB/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

												
<p>This is Schedule "A9" to By-law No. 22-</p> <p>Passed the day of, 2022</p>	<p>-----</p> <p>Mayor</p> <p>-----</p> <p>Clerk</p>											
<table border="1"> <tr> <td colspan="2" data-bbox="256 1323 795 1617"> <p>Schedule "A9"</p> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 482</p> </td> <td data-bbox="795 1323 1347 1753"> <p>Subject Property</p> <p>29 Mill Street North</p> <p> Lands to be removed from Zoning By-law No. 05-200</p> </td> </tr> <tr> <td data-bbox="256 1617 422 1722"> <p>Scale: N.T.S.</p> </td> <td data-bbox="422 1617 657 1722"> <p>File Name/Number: Waterdown Community Node Secondary Plan</p> </td> <td data-bbox="657 1617 795 1722" rowspan="2">  </td> </tr> <tr> <td data-bbox="256 1722 422 1753"> <p>Date: November 29, 2021</p> </td> <td data-bbox="422 1722 657 1753"> <p>Planner/Technician: JR/NB</p> </td> </tr> <tr> <td colspan="3" data-bbox="256 1722 795 1753"> <p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p> </td> </tr> </table>		<p>Schedule "A9"</p> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 482</p>		<p>Subject Property</p> <p>29 Mill Street North</p> <p> Lands to be removed from Zoning By-law No. 05-200</p>	<p>Scale: N.T.S.</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>		<p>Date: November 29, 2021</p>	<p>Planner/Technician: JR/NB</p>	<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		
<p>Schedule "A9"</p> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 482</p>		<p>Subject Property</p> <p>29 Mill Street North</p> <p> Lands to be removed from Zoning By-law No. 05-200</p>										
<p>Scale: N.T.S.</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>											
<p>Date: November 29, 2021</p>	<p>Planner/Technician: JR/NB</p>											
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>												

	
<p>This is Schedule "A10" to By-law No. 22-</p> <p>Passed the day of, 2022</p>	
<p>----- Mayor</p> <p>----- Clerk</p>	
<p>Schedule "A10"</p> <p>Map forming Part of By-law No. 22-_____</p> <p>to Amend By-law No. 05-200 Map 517</p>	
<p>Subject Property</p> <p>3 and 4 Howard Boulevard</p> <p> Lands to be added to Zoning By-law No. 05-200 and zoned Mixed Use Medium Density (C5, 752, 754, H122) Zone</p>	
<p>Scale: N.T.S.</p>	<p>File Name/Number: Waterdown Community Node Secondary Plan</p>
<p>Date: January 14, 2022</p>	<p>Planner/Technician: MP/NB</p>
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>	
