

Authority: Item ,
Report (PED23022)
CM:
Ward: 2

Bill No.

CITY OF HAMILTON

BY-LAW NO.

**To Amend Zoning By-law No. 05-200
Respecting Lands Located at
220 and 222 Main Street West and 107, 109, 115, and 117 George Street, Hamilton**

WHEREAS Council approved Item __ of Report _____ of the Planning Committee, at its meeting held on January 10, 2023;

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

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

1. That Map 951 of Schedule “A” – Zoning Maps is amended by changing the zoning from the Downtown Central Business District (D1, H21) Zone and the Downtown Mixed Use – Pedestrian Focus (D2) Zone to the Downtown Central Business District (D1, 820, H132, 141) Zone for the lands known as 220 and 222 Main Street West and 107, 109, 115, and 117 George Street as shown on Schedule “A” attached to this By-law.
2. That Schedule “B” – Property Details is amended by adding Figure 3 – 220 & 222 Main Street West and south portions of 107, 109, 115 and 117 George Street as shown on Schedule “B” to this By-law.
3. That Schedule “C” – Special Exceptions is amended by adding the following new Special Exception:
 - “820. Within the lands zoned Downtown Central Business District (D1) Zone, identified on Map 951 of Schedule “A” – Zoning Maps and described as 220 and 222 Main Street West and 107, 109, 115 and 117 George Street, the following special provisions shall apply:
 - a) Section 6.0 c) i) shall not apply where the required step back is measured to the hypotenuse of a daylight triangle.
 - b) Notwithstanding Sections 6.1.1.1 i) 1. A., 6.1.3 a) i) and ii), and 6.1.3 c) iv), the following special provisions shall apply:
 - i) Restricted Uses In the case of a Parking Facility developed after the effective date of

this By-law, a maximum of five parking spaces shall be permitted to be located outside of a building. All other parking spaces shall be contained within a building.

- ii) Building Setback from a Street Line
 - 1. For any portion of a building below 11.0 metres in height, except where a visibility triangle shall be provided for a driveway access, the following shall apply:
 - A. Maximum 6.0 metres from the George Street Line; and,
 - B. Maximum 4.7 metres from all other Street Lines.
 - 2. Notwithstanding Section ii) 1. above, a maximum setback of 8.5 metres for that portion of a building providing an access driveway to a garage.
- iii) Built Form for New Development
 - A driveway with a maximum width of 7.7 metres shall be permitted for ingress and egress.

4. That Schedule “D” – Holding Provisions be amended by removing Holding Provision 21 for lands municipally known as 220 and 220 Main Street West, Hamilton.

5. That Schedule “D” – Holding Provisions be amended by adding the following Holding Provision:

“132. Notwithstanding Section 6.1 of this By-law, on those lands zoned Downtown Central Business District (D1, 820) Zone, identified on Map 951 of Schedule “A” – Zoning Maps and described as 220 and 222 Main Street West and 107 and 109 George Street, no development shall be permitted until such time as:

- i) That the owner submits, receives approval and implements the following Cultural Heritage studies, to the satisfaction of the Director of Heritage and Urban Design:
 - A. A Documentation and Salvage Report for 220 and 222 Main Street West be submitted in accordance with the City’s Guidelines for Documentation and Salvage Reports prior to any demolition

and the Owner shall demonstrate that a copy of this Report is submitted to the Hamilton Public Library; and,

B. Commemoration Brief for 220 and 222 Main Street West.

- ii) The Owner establish an easement to allow vehicle access to the rear of the existing building located at 107 and 109 George Street, to the satisfaction of the Manager of Transportation Planning.
- iii) The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MECP, and the submission of the City of Hamilton’s current RSC administration fee.
- iv) That the Owner demonstrate that the proposed development does not exceed the height of the Niagara Escarpment to the satisfaction of the Director of Planning and Chief Planner.

6. That Schedule “D” – Holding Provisions be amended by adding the following Holding Provision:

“141. Notwithstanding Section 6.1 of this By-law, on those lands zoned Downtown Central Business District (D1, 820) Zone, identified on Map 951 of Schedule “A” – Zoning Maps and described 115, and 117 George Street, no development shall be permitted until such time as the Owner submits and receives approval of a Conservation Plan, to the satisfaction of the Director of Planning and Chief Planner.

- 7. That Schedule “F” – Special Figures, Figure 1 – Maximum Building Height be amended by changing the Maximum Building Height for a portion of the subject lands from 44 metres and 22 metres to 78 metres as shown on Schedule “C” to this By-law.
- 8. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Downtown Central Business District (D1, 820, H132) Zone, subject to the special provisions referred to in Section 2 of this By-law.
- 9. 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 _____ , _____

A. Horwath
Mayor

A. Holland
City Clerk

ZAC-20-038



This is Schedule "A" to By-law No. 23-

Passed the day of, 2023

Mayor

Clerk

Schedule "A"

Map forming Part of
By-law No. 23-_____

to Amend By-law No. 05-200
Map 951

Subject Property

220 and 222 Main Street West, 115 and 117 George Street
and the south portion of 107 and 109 George Street



Downtown Central Business District (D1, H21) Zone
to the Downtown Central Business District
(D1, 820, H132, H141) Zone



Downtown Mixed Use – Pedestrian Focus (D2) Zone
to the Downtown Central Business
District (D1, 820, H132, H141) Zone

Scale:
N.T.S

File Name/Number:
ZAC-20-038 & UHOPA-20-025

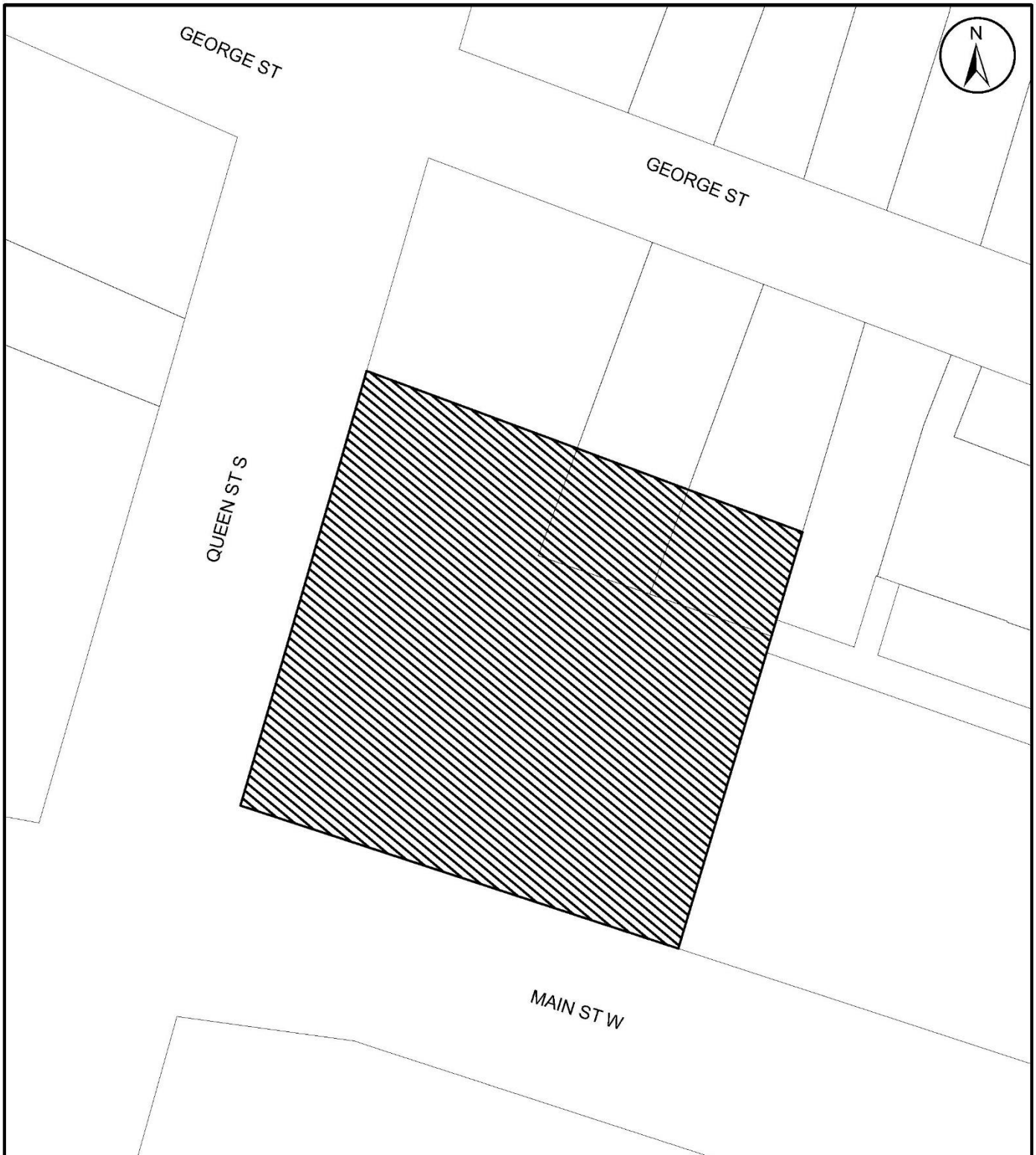
Date:
December 9, 2022

Planner/Technician:
AB/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



**Figure 3 Schedule B: 220 and 222 Main Street West, 115 and 117 George Street
and the south portion of 107 and 109 George Street**

Date:
December 5, 2022

Legend



Change Maximum Building Height to 79m (as per Schedule F - Figure 1 Maximum Building Height)



Hamilton
Planning & Economic
Development Department

