

Authority: Item 6, Planning Committee
Report 23-012 (PED23163)
CM: August 18, 2023
Ward: 5
Written approval of this by-law was given
by Mayoral Decision MDE-2023-01 dated
August 18, 2023

Bill No. 151

CITY OF HAMILTON

BY-LAW NO. 23-

**To Amend Zoning By-law No. 05-200, Respecting Lands Located at 200
Centennial Parkway North, in the City of Hamilton**

WHEREAS Zoning By-law No. 05-200 was enacted on the 25th day of May, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 6 of Report 23-012 of the Planning Committee at its meeting held on the 18th day of August, 2023, which recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan;

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

1. That Map Nos. 1094 and 1143 of Schedule "A" – Zoning Maps, appended to and forming part of Zoning By-law No. 05-200 (Hamilton), is amended by adding the lands as Mixed Use High Density (C4, 853) Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That Schedule C – Special Exceptions is amended adding the following new Special Exception:
 - "853. Within the lands zoned Mixed Use High Density (C4) Zone, identified on Map Nos. 1094 and 1143 of Schedule "A" – Zoning Maps and described as 200 Centennial Parkway North, the following special provisions shall apply:
 - a) Notwithstanding Section 5.1 a) ii) a), off-site parking for a multiple dwelling is permitted within a zone in which a multiple dwelling is not permitted.
 - b) Notwithstanding Section 5.6 c), as it relates to a multiple dwelling a minimum of 0.9 parking spaces per dwelling unit shall be required, except where a dwelling unit is 50 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 parking spaces per dwelling unit. For all other uses parking will be required in accordance with Section 5.6 c).

c) Notwithstanding Sections 4.6 a), d) and e), 10.4.1.1 ii) 1., 10.4.3 a), b), c), d) ii) and iii), the following regulations shall apply:

- | | |
|--|---|
| a) Finished Floor Elevation | i) The finished floor elevation of any dwelling unit shall be a minimum of 0 metres above grade. |
| | ii) Notwithstanding a) i) above, a finished floor elevation of any dwelling unit facing Centennial Parkway North shall be a minimum of 0.9 metres above grade. |
| b) Maximum Building Setback from a Street Line | i) 4.5 metres from a streetline, except where a visibility triangle is required for a driveway access and shall not be required from Barlake Avenue. |
| | ii) In addition to, b) i) above, the following minimum setbacks shall be provided: |
| | A) 4.7 metres from a street line for any portion of the building greater than 18.0 metres in height, for the lands included in Block 1 of Figure No. 32 of Schedule “F” – Special Figures. |
| | B) 11.0 metres from a street line for any portion of the building greater than 18.0 metres in height, for the lands included in Block 2 of Figure No. 32 of Schedule “F” – Special Figures. |
| | C) 13.7 metres from a street line for any portion of the building greater than 39.2 metres in height, for the lands included in Block 2 of Figure No. 32 of Schedule |

“F” – Special Figures.

- iii) Parapets, terrace dividers, privacy screens, guard rails and elements associated with a green roof or outdoor amenity space shall be permitted to be located within the minimum required setback.
 - iv) Balconies, balcony dividers and other architectural elements may encroach a maximum of 2.5 metres into the required yard setback.
- c) Minimum Rear Yard Setback
- i) 10.5 metres.
 - ii) In addition to, c) i) above, the following additional setbacks shall be provided:
 - A) 22.5 metres for any portion of the building exceeding 18.0 metres in height, for the lands included in Block 4 of Figure No. 32 of Schedule “F” – Special Figures.
 - B) 25.0 metres for any portion of a building exceeding 39.2 metres in height, for the lands included in Block 4 of Figure No. 32 of Schedule “F” – Special Figures.
 - C) 13.5 metres for any portion of the building exceeding 18.0 metres in height, for the lands included in Block 5 of Figure No. 32 of Schedule “F” – Special Figures.

- iii) In addition to, Porches, steps, balconies, walls or screens dividing porches, terraces or balconies and other architectural elements may encroach a maximum of 2.5 metres into the required easterly rear yard setbacks.
 - iv) In addition to, Parapets, guard rails and elements associated with a green roof or outdoor amenity space shall be permitted to be located within the minimum required easterly rear yard setbacks.
- d) Minimum Interior Side Yard Setback
 - i) 7.5 metres.
 - ii) In addition to, the following additional setbacks shall be provided:
 - A) 21.0 metres setback from the southerly side lot line.
 - B) In addition to, d) ii) A) above, 34.0 metres for any portion of the building exceeding 18.0 metres in height, for the lands included in Block 3 of Figure No. 32 of Schedule "F" – Special Figures.
 - C) In addition to, d) ii) A) and B) above, 40.0 metres for any portion of a building exceeding 27.0 metres in height, for the lands included in Block 3 of Figure No. 32 of Schedule "F" – Special Figures.
 - D) In addition to, d) ii) A), B)

and C) above, 46.0 metres
for any portion of a building
exceeding 36.2 metres in
height, for the lands
included in Block 3 of
Figure No. 32 of Schedule
“F” – Special Figures.

- iii) In addition to, d) ii) A) above, porches, steps, balconies, walls or screens dividing porches, terraces or balconies and other architectural elements located within Block 2 of Figure No. 32 of Schedule “F” – Special Figures may encroach a maximum of 2.5 metres into the required southerly side yard setback.
 - iv) In addition to, d) ii) above, parapets, guard rails, rooftop terraces, terrace dividers, elements associated with a green roof or outdoor amenity space located within Block 3 of Figure No. 32 of Schedule “F” – Special Figures shall be permitted to be located within the minimum required southerly side yard setbacks.
 - iii) In addition to, d) ii) B, C, and D above, balconies, balcony dividers and other architectural elements located within Block 3 of Figure No. 32 of Schedule “F” – Special Figures may encroach a maximum of 2.5 metres into the required southerly side yard setback.
- e) Building Height
- i) Maximum 40.0 metres.
 - ii) In addition to, e) i) above, the following maximum heights shall apply:

A) Maximum 65.0 metre building height for lands included in Blocks 1, 2 and 3 of Figure No. 32 of Schedule "F" – Special Figures.

B) Maximum 55.0 metre building height for lands included in Block 4 of Figure No. 32 of Schedule "F" – Special Figures.

g) Ground Floor Commercial A minimum of 50 percent of the ground floor area facing Centennial Parkway North shall be comprised of commercial uses.

h) The lands zoned Mixed Use - High Density (C4, 853) Zone shall be deemed to be one lot for the purpose of applying the provisions of the By-law. Zoning provisions shall apply only to the external lot lines of the overall lands, and not the individual property boundaries of any lots created by registration of Condominium Plan, Part Lot Control or Consent.

3. That Schedule F: Special Figures of By-law 05-200 is hereby amended by adding Figure 32: 200 Centennial Parkway North.

4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 18th day of August, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

ZAC-22-013



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
Maps 1094 & 1143

Subject Property

200 Centennial Parkway North, Hamilton



Change in zoning from "G-1/S-635" (Designed
Shopping Centre) District, Modified to Mixed Use –
High Density (C4, 853) Zone

Scale:
N.T.S

File Name/Number:
ZAC-20-013

Date:
July 24, 2023

Planner/Technician:
DB/VS



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

