

**Authority:** Item 4, Planning Committee  
Report: 21-007 (PED21076)  
CM: May 12, 2021  
Ward: 1  
**Bill No. 081**

**CITY OF HAMILTON**

**BY-LAW NO. 21-081**

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 354 King Street West**

**WHEREAS** the Council of the City of Hamilton, in adopting Item 4 of Report 21-007 of the Planning Committee, at its meeting held on the 12<sup>th</sup> day of May, 2021, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. 149.

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

1. That Map Nos. 909 and 951 of Schedule "A" – Zoning Maps of Zoning By-law No. 05-200, is amended by changing the zoning from the Transit Orientated Corridor - Mixed Use - Medium Density (TOC1, 295) Zone to the Transit Orientated Corridor - Mixed Use - Medium Density (TOC1, 295, 741, H120) Zone, for the lands municipally known as 354 King Street West, Hamilton, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" to this By-law.
2. That Schedule "C" – Special Exceptions of Zoning By-law No. 05-200, is amended by adding the following new special exception:
  - "741 Within the lands zoned Transit Orientated Corridor Mixed Use Medium Density (TOC1, 295, 741) Zone, identified on Map No. 909 and 951 of Schedule "A" to Zoning By-law No. 05-200 and described as 354 King Street West, the following special provisions shall apply:
    - a) The lands zoned Transit Orientated Corridor Mixed Use Medium Density (TOC1, 295, 741) Zone shall be deemed to be one lot for the purposes of applying the provisions of the By-law. Zoning provisions shall apply only to the external lot lines of the overall lands, not to internal lot lines resulting from any future severance.
    - b) Notwithstanding Section 5: Parking of Zoning By-law No. 05-200, as it relates to a Hotel, the following shall apply:

i) 0.75 for each guest suite.

c) Notwithstanding Section 11.1.3. d) ii) and iii), the following special provisions shall apply:

i) Building Height

b) In addition to a) above, maximum building height shall be in accordance with Figure 24 of Schedule F – Special Figures of Zoning By-law No. 05-200.

3. That Schedule D: Holding Provisions of Zoning By-law No. 05-200 is hereby amended by adding the following new Holding Provision:

“120. Notwithstanding Subsection 11.1 of this By-law, on those lands zoned Transit Oriented Corridor – Mixed Use – Medium Density (TOC1, 295, 741) Zone, identified on Map Nos. 909 and 951 of Schedule “A” – Zoning Maps and described as 354 King Street West, Hamilton, development shall be restricted in accordance with the following:

a. For such time as the Holding Provision is in place, these lands shall only be used for permitted uses, buildings and structures listed in the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone.

b. Regulations

For such time as the Holding Provision is in place these lands shall be subject to the regulations of the Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone except where in conflict with the following:

i) No development exceeding the maximum height of 36.5 metres.

c. Conditions for Holding Provision Removal

The Holding Provision shall, upon application by the landowner, be removed by way of an amending Zoning By-law, from all or part of the lands subject to this provision when the following condition have been satisfied:

i) The Owner submitting a Functional Servicing Report (FSR) that addresses such matters as, but not limited to, water servicing,

required fire flow (RFF), wastewater servicing and stormwater management to the satisfaction of the Senior Director of Growth Management.”

4. That Schedule F: Special Figures of Zoning By-law No. 05-200 is hereby amended by adding Figure 24: Maximum Building Heights for 354 King Street West.
5. 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*.
6. That this By-law No. 21-081 shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the *Planning Act*, either upon the date of passage of this by-law or as otherwise provided by the said Sub-section.

**PASSED** this 12th day of May, 2021.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

ZAC-20-008/UHOPA-20-003



This is Schedule "A" to By-law No. 21-

Passed the ..... day of ....., 2021

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 Mayor


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 Clerk


**Schedule "A"**


Map forming Part of  
 By-law No. 21-\_\_\_\_\_

to Amend By-law No. 05-200  
 Maps 909 & 951



**Subject Property**  
 354 King Street West, Hamilton

 Change in zoning from the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone to the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295, 741, H120) Zone

 Additional lands not subject to rezoning

Scale: N.T.S.	File Name/Number: ZAC-20-008/UHOPA-20-003	 Hamilton
Date: March 25, 2021	Planner/Technician: AD/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		



<b>Special Figure 24: Maximum Building Height for 354 King Street West</b>	Date: February 23, 2021
<b>Legend</b>  Maximum Building Height 42.0m  Schedule F By-law 05-200	 Hamilton PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT