

**CITY OF HAMILTON**

**BY-LAW NO - \_\_\_\_**

**To Amend Zoning By-law No. 05-200, Respecting Lands Located at  
804 and 816 King Street West, in the City of Hamilton**

**WHEREAS** the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the *City of Hamilton Act*, 1999, S.O. 1999 Chap. 14;

**AND WHEREAS** the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

**AND 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 \_\_\_\_ of Report 19- \_\_\_\_ of the Planning Committee at its meeting held on the \_\_\_\_ day of \_\_\_\_\_ 2019, 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 upon final approval of Official Plan Amendment No. \_\_\_\_, approved by the Minister under the *Planning Act* on March 16, 2011;

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

1. That Map No. \_\_\_\_ of Schedule "A" – Zoning Maps, to Zoning By-law No. 05-200 is amended by changing from the Mixed Use – Medium Density (C5, 570) Zone, to the Mixed Use – Medium Density (C5,\_\_\_\_) Zone, on the lands described in Schedule "A";
2. That Schedule "C" – Special Exceptions of Zoning By-law No. 05-200, as amended, is hereby further amended by adding the following:

\_\_\_\_ Within the lands zoned Mixed Use Medium Density (C5, \_\_\_\_ ) Zone, identified on Map No. \_\_\_\_ of Schedule "A" and described as 804 and 816 King Street West, the following additional special provisions shall apply:

- a. Notwithstanding Section 5.6 c) i), 0.6 parking spaces per dwelling unit shall be provided and maintained.
- b. Notwithstanding Section 10.5.3 b), a minimum rear yard of 3.0 metres shall be provided and maintained for the first 4 storeys and a minimum rear yard of 4.0 metres shall be provided and maintained for all storeys above the 4<sup>th</sup> storey.
- c. Notwithstanding Section 10.5.3 c), a minimum interior side yard of 7.0 metres shall be provided and maintained for the first 4 storeys, a minimum interior side yard of 10.0 metres shall be provided and maintained for the 5<sup>th</sup> storey, and a minimum interior side yard of 14.5 metres shall be provided and maintained for the 6<sup>th</sup> storey.
- d. Notwithstanding Section 10.5.3 h), a minimum amenity area of 5.0 square metres per dwelling unit shall be provided and maintained.

- e. Notwithstanding Section 10.5.3 i), where a property line abuts a property lot line within a Residential Zone, a minimum 1.25 metre wide Planting Strip shall be provided and maintained.
3. 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 \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

ZAC-18-\_\_\_\_