

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, 57) 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), 0.4 parking spaces per dwelling unit shall be provided and maintained.
- b. Notwithstanding Section 10.5.3 b), the following minimum rear yards shall be provided and maintained:
 - a. 3.0 metres for the 1st to 4th storey; and,
 - b. 4.0 metres for the 5th to 6th storey.
- c. Notwithstanding Section 10.5.3 c), the following minimum interior side yards shall be provided and maintained:
 - a. 7.2 metres for the 1st to 5th storeys;
 - b. 10.0 metres for the 5th storey; and,
 - c. 14.5 metres for the 6th 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 _____, 2019.

Mayor

Clerk

ZAC-18-____