

**Authority:** Item 3, Planning Committee  
Report 21-004 (PED21025)  
CM: March 31, 2021  
Ward: 1

**Bill No. 048**

**CITY OF HAMILTON**  
**BY-LAW NO. 21-048**

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

**WHEREAS**, Council approved Item 3 of Report 21-004 of the Planning Committee at its meeting held on the 31<sup>st</sup> day of March, 2021;

**AND WHEREAS**, this By-law conforms with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No. 146.

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

1. That Map No. 908 of Schedule “A” – Zoning Maps of Zoning By-law No. 05-200, is amended by changing the zoning from the Mixed Use – Medium Density (C5, 570) Zone to the Mixed Use – Medium Density (C5, 732) Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” to the By-law.
2. That Schedule “C” – Special Exceptions of Zoning By-law No. 05-200, is hereby amended by adding an additional special exception as follows:

“732. Within the lands zoned Mixed Use – Medium Density (C5, 732) Zone, identified on Map No. 908 of Schedule “A” – Zoning Maps and described as 804-816 King Street West, Hamilton, the following special provisions shall apply:

- a) Notwithstanding Section 3: Definitions as it relates to the definition of “Front Lot Line”, King Street West shall be deemed to be the front lot line.
- b) Notwithstanding Sections 5.6 c) and 5.7 g) as it relates to a multiple dwelling and any permitted commercial use with a gross floor area less than 450 square metres, the following shall apply:
  - i) Parking
    - 1) A minimum 0.6 parking spaces per dwelling unit shall be required.
    - 2) A total of 2 parking spaces shall be provided for any permitted commercial use

with a gross floor area less than 450 square metres.

- ii) Bicycle Parking A minimum 1.25 long term bicycle parking spaces per dwelling unit shall be required.
  
- c) Notwithstanding Sections 10.5.3 b), c), d) and i) the following shall apply:
  - i) Minimum Rear Yard 7.3 metres, except that a minimum 10.2 metre setback shall be provided above the fourth storey and a minimum 14.8 metre setback shall be provided above the fifth storey.
  
  - ii) Minimum Interior Side Yard 3.3 metres, except that a 4.2 metre setback shall be provided above the fourth storey.
  
  - iii) Building Height Maximum 19.5 metres.
  
  - iv) Planting Strip Requirements Where a property line abuts a property 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 this By-law, in accordance with the *Planning Act*.

**PASSED** this 14<sup>th</sup> day of April, 2021

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

ZAC-19-009



This is Schedule "A" to By-law No. 21-  Passed the ..... day of ....., 2021	----- Mayor  ----- Clerk
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<h2>Schedule "A"</h2> <p>Map forming Part of                  By-law No. 21-_____</p> <p>to Amend By-law No. 05-200                  Map 908</p>	<p><b>Subject Property</b>                  804 - 816 King Street West</p> <p> Change in zoning from the                  Mixed Use - Medium Density (C5, 570) Zone to                  the Mixed Use - Medium Density                  (C5, 732) Zone</p>
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Scale: N.T.S	File Name/Number: ZAC-19-009	
Date: February 1, 2021	Planner/Technician: MK/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		