

Authority: Item ,
Report PED22177
CM:
Ward: 2

Bill No.

**CITY OF HAMILTON
BY-LAW NO. 22-**

**To amend Zoning By-law No. 05-200 Respecting Lands Located at 383 and
383 1/2 Hughson Street North, 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 the Council of the City of Hamilton, in adopting Item ____ of Report 22-____ of the Planning Committee, at its meeting held on the 6 day of September 2022, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the City of Hamilton Official Plan, upon finalization of Official Plan Amendment No. XXX

NOW THEREFORE the Council amends Zoning By-law No. 05-200 as follows:

1. That Map 869 of Schedule "A" – Zoning Maps is hereby amended by changing the zoning from the Neighbourhood Institutional (I1) Zone to the Neighbourhood Institutional (I1, 815) Zone for the lands shown on Schedule "A" to this By-law.
2. That Schedule "C" - Special Exceptions is amended by adding the following new Special Exception:
 - "815. Within the lands zoned Neighbourhood Institutional (I1) Zone, identified on Map 869 of Schedule "A" – Zoning Maps and described as 383 and 383 ½ Hughson Street North, the following special provisions shall apply:
 - a) Notwithstanding Section 4.6 b) a fire escape or exterior staircase may encroach into a required side yard or rear yard with no maximum distance.
 - b) Notwithstanding Section 4.8.1.3 a) i) and 4.8.1.3 a) ii), the following regulations shall apply:

- ii) Building Setback from a Rear Lot Line Minimum 0.6 metres
- iii) Building Setback from a Side Lot Line Minimum 0.6 metres

c) Notwithstanding 5.6 c), the following regulations shall apply:

i) Parking Schedule for all Zone

Multiple Dwelling 0.6 per unit, except where a dwelling is 50 square metres in gross floor area or less, in which case, parking shall be provided at a rate of 0.3 per unit.

d) Notwithstanding Section 8.1.1, only the following use shall be permitted:

Multiple Dwelling in conjunction with the buildings and structures existing at the date of passing of this By-law.

e) For the purpose of this By-law, Section 8.1.3.1 shall apply to a multiple dwelling.

f) Notwithstanding Section 8.1.3.1 g) and h), the following regulations shall apply:

- iii) Minimum Rear Yard 2.2 metres
- iii) Maximum Building Height 13 metres

g) Notwithstanding Section 3, for the purpose of this By-law 'Existing' shall mean existing on the date of passing of this By-law for the portion constructed between 1850 and 1860, including the enlargement and extension thereof.

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 _____, _____, _____

F. Eisenberger
Mayor

Andrea Holland
City Clerk



