

**Authority:** Item,  
Report (PED23164)  
CM:  
Ward: 13

**Bill No.**

**CITY OF HAMILTON**

**BY-LAW NO. 24-XXX**

**To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 64 Hatt Street (Dundas)**

**WHEREAS** Council approved Item \_\_\_\_ of Report PED23164 of the Planning Committee, at its meeting held on \_\_\_\_\_, 2024.

**AND WHEREAS** this By-law conforms with the Urban Hamilton Official Plan;

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

1. That Map Nos. 860 and 902 of Schedule “A” – Zoning Maps are amended by adding the Mixed Use Medium Density (C5, 863, H156) Zone and Conservation/Hazard Land (P5, 863) Zone, for the lands known as 64 Hatt Street, the extent and boundaries of which are shown on Schedule “A” to this By-law.
2. That Schedule “C” – Special Exceptions be amended by adding the following new Special Exception:
  - “863. In addition to Section 7.5 and notwithstanding Section 10.5.3, on those lands zoned Conservation/Hazard (P5) Zone and Mixed Use Medium Density (C5) Zone identified on Map Nos. 860 and 902 of Schedule "A" - Zoning Maps, and described as 64 Hatt Street, Dundas, the following special provision shall apply:
    - a) The buildings existing on the date of passing of this By-law shall be permitted and no further additions or expansions to the existing buildings shall be permitted and the uses therein shall be permitted in accordance with Sections 10.5.1, 10.5.1.1 and 10.5.2.
3. That Schedule “D” – Holding Provisions be amended by adding the following new Holding Provision:
  - “156. Notwithstanding Section 10.5 of this By-law, within lands zoned Mixed Use Medium Density (C5, 863) Zone, identified on Map Nos. 860 and 902 of Schedule “A” – Zoning Maps and described as 64 Hatt Street, no development shall be permitted until such time as:

- i) That the Owner submits and receives approval of a Functional Servicing Report to demonstrate that the change in use can be serviced without adverse impacts to the existing infrastructure, to the satisfaction of the Director of Development Engineering;
  - ii) That the owner acknowledges and agrees that, as part of a future Site Plan Control application, the owner will enter into and register on title an External Works Agreement with the City for the design and construction of any required infrastructure upgrades at the owner’s expense, to the satisfaction of the Director of Development Engineering; and,
  - iii) That the Owner submits and receives approval of a Comprehensive Floodproofing Plan, including the phasing of required upgrades, to the satisfaction of the Hamilton Conservation Authority.”
4. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the provisions of the Mixed Use Medium Density (C5, 863, H156) Zone and Conservation/Hazard (P5, 863) Zone, subject to the special requirements referred to in Sections No. 2 and 3 of this By-law.
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*.

**PASSED** this \_\_\_\_\_, 2024

\_\_\_\_\_  
A. Horwath  
Mayor

\_\_\_\_\_  
J. Pilon  
Acting City Clerk

ZAC-22-044



This is Schedule "A" to By-law No. 24-

Passed the ..... day of ....., 2024

-----  
Mayor

-----  
Clerk


## Schedule "A"


Map forming Part of  
By-law No. 24-\_\_\_\_\_

to Amend By-law No. 05-200  
Map 860 & 902

### Subject Property

64 Hatt Street, Dundas (Ward 13)

 Lands to be added as Mixed Use Medium Density (C5, 863, H156) Zone

 Lands to be added as Conservation/Hazard Land (P5, 863) Zone

Scale:  
N.T.S

File Name/Number:  
ZAC-22-044

Date:  
February 9, 2024

Planner/Technician:  
AG/NB



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT