

Authority: Item 3
Planning Committee
Report: 13-008 (PED13081)
CM: May 14, 2013

Bill No. 147

CITY OF HAMILTON

BY-LAW NO. 13-147

**To Amend Zoning By-law No. 6593 (Hamilton)
Respecting Lands Located at 158 and 162 Locke Street
South, Hamilton**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former Regional Municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which By-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item 3 of Report 13-008 of the Planning Committee, at its meeting held on the 22nd day of May, 2013, recommended that Zoning By-law No. 6593 (Hamilton) be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton;

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

1. That Sheet Nos. W13 and W14 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), are amended by changing the zoning as follows:

- (a) That Block 1 be rezoned from the "D" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District to the "G-3-'H'/S-1666" (Public Parking Lots - Holding) District, Modified; and,
- (b) That Block 2 be rezoned from the "H" (Community Shopping and Commercial) District to the "H/S-1666" (Community Shopping and Commercial) District, Modified;

on the lands the extent and boundaries of which are shown on the plan hereto annexed as Schedule "A".

2. That the following special regulations shall apply to lands identified as Blocks "1" and "2":

- (a) That notwithstanding Sub-section 18A.(1)(a) & (b) and 18(A).(9) of Zoning By-law No. 6593, the required parking spaces and manoeuvring space for those uses permitted within Block 2 may be provided on the portion of the lot within Block 1.
- (b) That notwithstanding Sub-section 18A.(1)(d) of Zoning By-law No. 6593, no loading spaces shall be required for uses permitted within Block 2.
- (c) That notwithstanding Sub-section 18A.(1)(f) of Zoning By-law No. 6593, a manoeuvring space, with a minimum width of 5.0m, shall be provided and maintained;
- (d) That notwithstanding Sub-section 18A.(7) of Zoning By-law No. 6593, every parking space, other than a parallel parking space, shall have dimensions not less than 2.6m wide and 5.5m long, except that parking spaces within an attached garage shall have dimensions not less than 2.7m wide and 6.0m long.
- (e) That notwithstanding Sub-section 18A.(11)(a) and (b) and Sub-section 18A.(12) of Zoning By-law No. 6593, the boundary of every parking area on a lot containing five or more parking spaces located on the surface adjoining a residential district shall not be less than 1.0m from the westerly boundary, and 0.0m on the northerly and southerly boundary.
- (f) That notwithstanding Sub-section 18A.(24)(b)(i) of Zoning By-law No. 6593, a driveway area shall have a minimum width of 4.0 metres for one-way traffic;
- (g) That notwithstanding Sub-section 18A.(26) of Zoning By-law No. 6593, points of ingress and egress for a parking area shall be 0.0m from a residential district.

- (h) That Sub-section 18(A)(36) shall not apply to a restaurant located on the subject lands within a multi-tenant building.
3. That the following special regulations shall apply exclusively to lands identified as Block 1:
 - (a) That notwithstanding Sub-section 13C.(4) of Zoning By-law No. 6593, no distance separation shall be provided between the parking area and the adjoining residential districts on the northerly and southerly lot lines.
 - (b) That notwithstanding Sub-section 13C.(4)(ii) of Zoning By-law No. 6593, a landscaped area having a minimum width of 1.0m shall be provided and maintained along the lot line abutting the residential use to the west.
 4. That the following special regulation shall apply exclusively to lands identified as Block 2:
 - (a) That in addition to the uses permitted under Sub-section 14(1) of Zoning By-law No. 6593, for lands within Block 2, the uses, as detailed under Sub-section 13C.(1), shall also be permitted.
 5. 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 "G-3" (Public Parking Lots) District and the "H" (Community Shopping and Commercial) District provisions, subject to the special requirements referred to in Sections 2, 3, and 4 of this By-law.
 6. That By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1666.
 7. That the 'H' symbol, applicable to the lands zoned "G-3-'H'/S-1666" (Public Parking Lots - Holding) District, Modified, will prohibit the use of the subject lands for a public parking lot until such a time as:
 - (a) Access improvements have been undertaken to ensure adequate vehicular ingress and egress to the proposed commercial parking lot, to the satisfaction of the Director of Engineering Services, Public Works Department.

City Council may remove the 'H' symbol by enactment of an amending By-law once the above condition has been fulfilled.

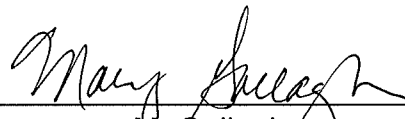
8. That Sheet Nos. W-13 and W-14 of the District Maps are amended by marking the lands referred as Blocks 1 and 2 in Section 1 of this By-law as S-1666.

9. 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 22nd day of May, 2013.

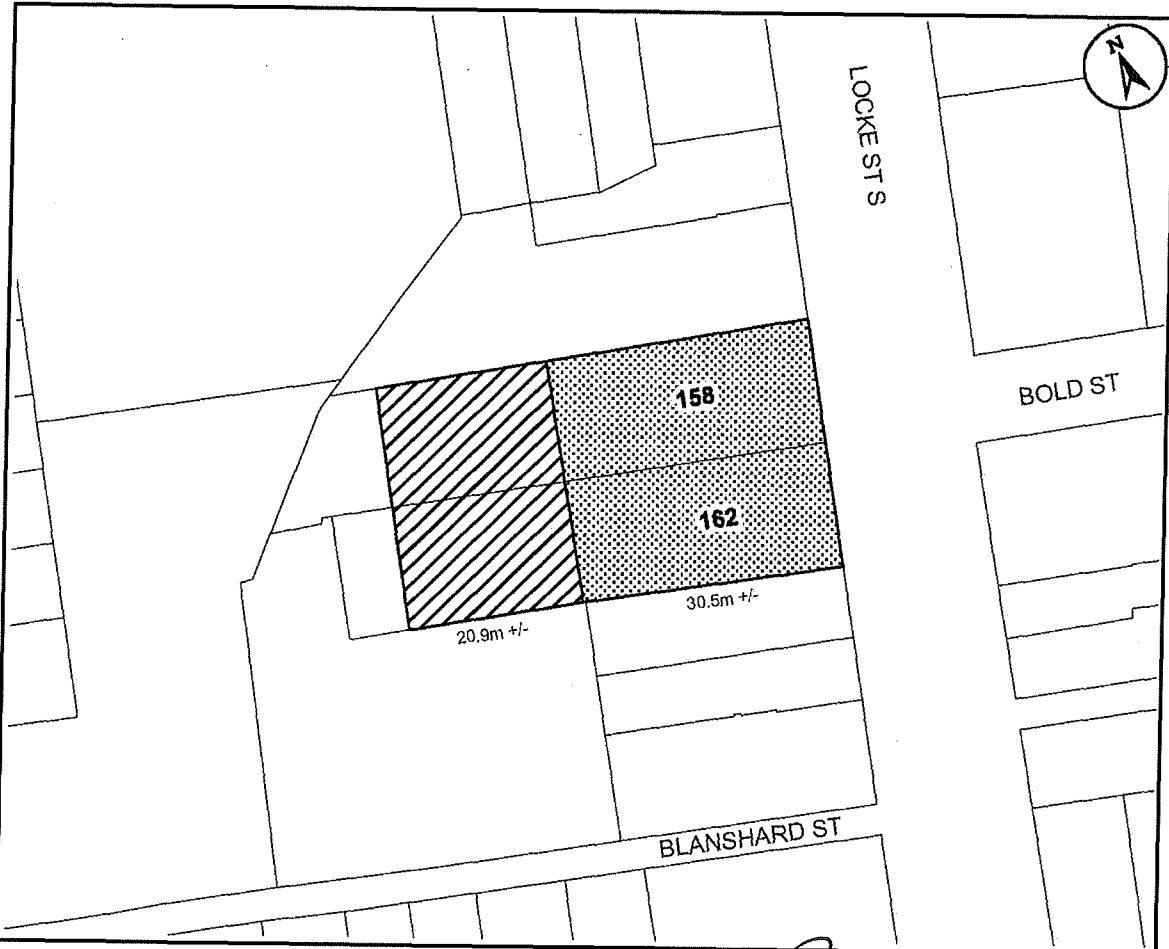


R. Bratina
Mayor



M. Gallagher
Acting City Clerk

ZAR-12-061



This is Schedule "A" to By-Law No. 13-147
 Passed the 22 day of May, 2013

R. Bratina
 Mayor
May Kaulaf
 Clerk

Schedule "A"

Map Forming Part of
 By-Law No. 13-147
 to Amend By-law No. 653

Subject Property

158 & 162 Locke Street South



Block 1 - Change in Zoning from the "D" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District to the "G-3-'H'/S-1666" (Public Parking Lots-Holding) District, modified.



Block 2 - Change in Zoning from the "H" (Community Shopping and Commercial) District to the "H/S-1666" (Community Shopping and Commercial) District, modified

Scale: N.T.S.	File Name/Number: ZAR-12-061
Date: April 16, 2013	Planner/Technician: CB/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

