

Authority: Item 7, Planning Committee
Report 14-010 (PED14122)
CM: June 25, 2014

Bill No. 154

CITY OF HAMILTON

BY- LAW NO. 14-154

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 99-103 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Corporation 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 7 of Report 14-010 of the Planning Committee, at its meeting held on the 25th day of June 2014, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

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

1. That Sheet No. W13 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended as follows:

- (a) By changing the zoning from the "H" (Community Shopping and Commercial) District, Modified and the "G-3" (Public Parking Lots) District, Modified to the "E/S-1707-H" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified, Holding.

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

- 2. That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593, be modified to include the following special requirements:

- (a) In addition to Section 11 (1) the following shall apply:
 - i) A mixed-use building with ground floor commercial uses as permitted in the 'H' (Community Shopping and Commercial) District and 84 dwelling units located above shall be permitted.
- (b) That notwithstanding Section 11 (2), the height of the building shall not exceed 6 storeys or 22 metres in height.
- (c) That notwithstanding Section 11 (3) the following shall apply:
 - i) A minimum of 0.0m shall be provided and maintained for the side yard abutting Jackson Street West;
 - ii) A minimum of 2.5m shall be provided and maintained for the side yard abutting Canada Street;
 - iii) A minimum of 0.0m shall be provided and maintained for the front yard abutting Locke Street South;
 - iv) A minimum of 0.0m shall be provided and maintained for the rear yard (including northerly 0.77m and easterly 31m lot lines) for the first two storeys and a minimum 7.5m to the main elevation of the building (excluding balconies) shall be provided and maintained for all remaining storeys.
- (d) That notwithstanding Section 11 (5) of By-law 6593, The gross floor area of the primary building shall be 8,500 square metres with a floor area ratio of 4.25.
- (e) That notwithstanding Section 11 (6) and 18A no landscaped/planting area shall be provided and maintained along any side lot line and rear lot line adjoining a residential district or use.
- (f) That notwithstanding Section 18A (7) every required parking space shall have dimensions not less than 2.6 metres wide and 5.5 metres long.

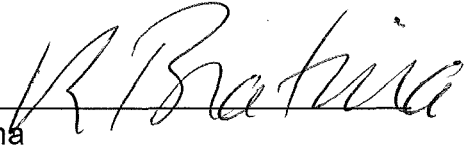
- (g) That notwithstanding Section 18A (20) there shall be ninety (90) underground parking stalls provided for the building that is jointly residential and commercial.
 - (h) That notwithstanding Table 1, Table 2, Table 3, Table 4 & Table 5 of Section 18A there shall be 90 parking spaces and 1 loading space (Small: 3.7x9.0x4.3) provided and maintained.
 - (i) That notwithstanding Section 18A(9),(25) and (26) manoeuvring space for the loading shall be provided off-site and access driveways shall be located 0.0m from a residential district.
 - (j) A minimum of 60% of the ground floor facade fronting Locke Street South shall be comprised of windows and doors.
 - (k) A minimum block face of 75% (excluding portions of the building to be used for access) shall be provided for every lot line fronting a public street.
 - (l) Notwithstanding Section 2 (b) a Mechanical Penthouse shall be permitted to a maximum of 3.5m in height and 300 square metres in area and may contain associated enclosed amenity/multi-purpose area.
3. That the 'H' symbol, applicable to the lands zoned "E/S-1707-H" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified, Holding will prohibit the use of the subject lands for the purposes permitted within this By-law until such a time as:
- (a) The applicant/owner has submitted a Record of Site Condition to the satisfaction of the Director of Planning and the Ministry of the Environment.
 - (b) The applicant/owner has submitted a noise study to the satisfaction of the Director of Planning.
4. That By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1707.
5. That Sheet No. W13 of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1707.
6. 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 "E" (Multiple Dwellings, Lodges, Clubs, Etc.) District provisions, subject to the special requirements referred to in Section 2 of this By-law.

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99-103 Locke Street South (Hamilton)


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7. 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.

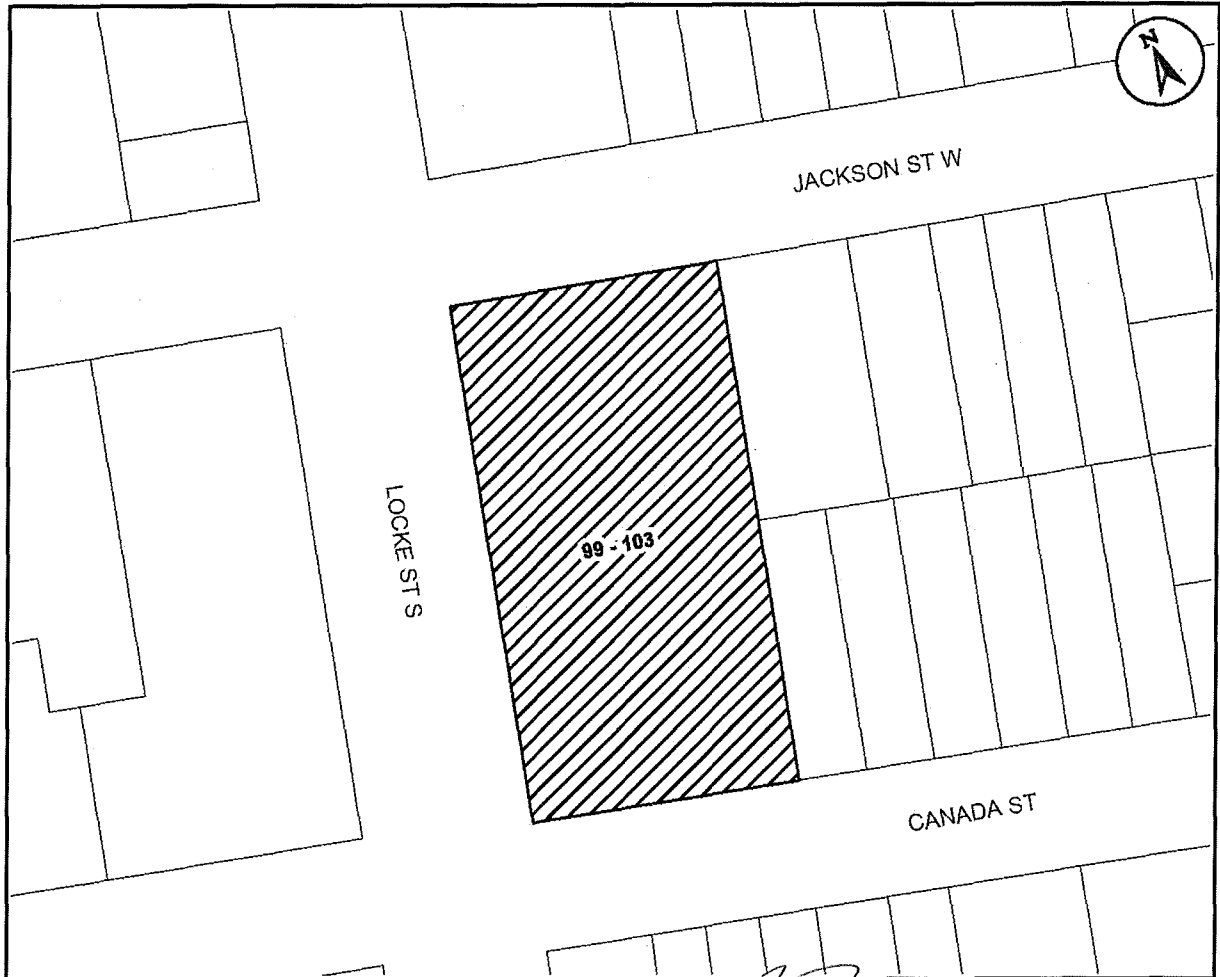
PASSED this 25th day of June, 2014.



R. Bratina
Mayor
ZAC-12-020



R. Caterini
City Clerk



<p>This is Schedule "A" to By-Law No. 14- 154</p> <p>Passed the .25th. day ofJune....., 2014</p>	<p style="text-align: center;"><i>R. Bratina</i> ----- Mayor</p> <p style="text-align: center;"><i>[Signature]</i> ----- Clerk</p>
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<p>Schedule "A"</p> <p>Map Forming Part of By-Law No. 14- <u>154</u></p> <p>to Amend By-law No. 6593</p>	<p>Subject Property 99 - 103 Locke Street South</p> <p> Change in Zoning from the "H" (Community Shopping Centre, etc.) and the "G-3/S-1108" (Public Parking Lot) District, Modified to the "E"-H' (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified Holding</p>
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Scale: N.T.S.	File Name/Number: ZAC-12-020	<p>Hamilton</p>
Date: May 9, 2014	Planner/Technician: EJ/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		