

Authority:

Ward: 6

Bill No.

CITY OF HAMILTON

BY-LAW NO. _____

A by-law to amend Zoning By-law 05-200 to permit the expansion of an existing building for commercial and residential uses on lands located at 952 – 954 Concession Street (Hamilton)

WHEREAS Council approved Item ___ of Report _____ of the Planning Committee, at its meeting held on the November 14, 2017;

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

NOW THEREFORE Council enacts as follows:

1. That Map No. 1087 of Schedule "A" - Zoning Maps, of Zoning By-law No. 05-200, be amended as follows:
 - a. by adding to the City of Hamilton Zoning By-law No. 05-200, the lands the extent and boundaries of which are shown as Schedule "A" to this By-law; and,
 - b. by establishing a Neighbourhood Commercial (C2, 657) Zone, to the lands the extent and boundaries of which are shown as Schedule "A" to this By-law.
2. That Schedule "C" – Special Exceptions, of By-law No. 05-200 is hereby amended by adding an additional special exception as follows:

"657 Within the lands zoned Neighbourhood Commercial (C2) Zone, identified on Map No. 1087 of Schedule "A" – Zoning Maps and described as 952 – 954 Concession Street, the following special provisions shall apply:

 - a) Notwithstanding Subsection 4.6 a), the usual projections of window sills, chimney breasts, belt courses, cornices, eaves, troughs and other similar architectural features, ductwork, venting and other similar appurtenances may project not more than 0.35 metres into

the required front yard, and not more than 0.3 metres into the required side yard along the easterly lot line.

- b) Notwithstanding Subsection 4.6 b), an exterior staircase may encroach into the required front yard to a maximum of 0.35 metres, and into the required side yard along the easterly lot line to a maximum of 0.3 metres.
- c) Notwithstanding Subsection 4.6 e), a balcony may encroach into the required front yard to a maximum of 0.35 metres, and into the required side yard along the easterly lot line to a maximum of 0.3 metres.
- d) Section 5.1 a) v) shall not apply.
- e) Notwithstanding Subsection 5.1 d) i), with the exception of any visitor parking or barrier free parking required by Section 5.6, required parking for multiple dwellings shall not be located between the façade and the front lot line or between the façade and flankage lot line.
- f) Notwithstanding Subsection 5.2 b) i), parking space sizes shall be a minimum 2.75 metres in width and 5.8 metres in length.
- g) Notwithstanding Subsections 5.6 c) and g), the following regulations shall apply:
 - i) 10 parking spaces shall be provided, which shall include one parking space per Dwelling Unit, one visitor parking space for all Dwelling Units, and one barrier free parking space.
 - ii) The required visitor parking space shall be maintained for the shared use between the commercial use(s) and residential use, have a sign legibly marking that the parking space is for the shared use of both commercial and residential visitor parking, and shall be maintained readily accessible for either use, free and clear of all obstructions.
- h) Notwithstanding Subsections 5.7 c) and f), no short-term bicycle parking shall be required.
- i) In addition to Section 10.2.1, a Martial Arts Club shall be permitted.
- j) In addition to Section 10.2.1.1, the following restrictions shall apply:


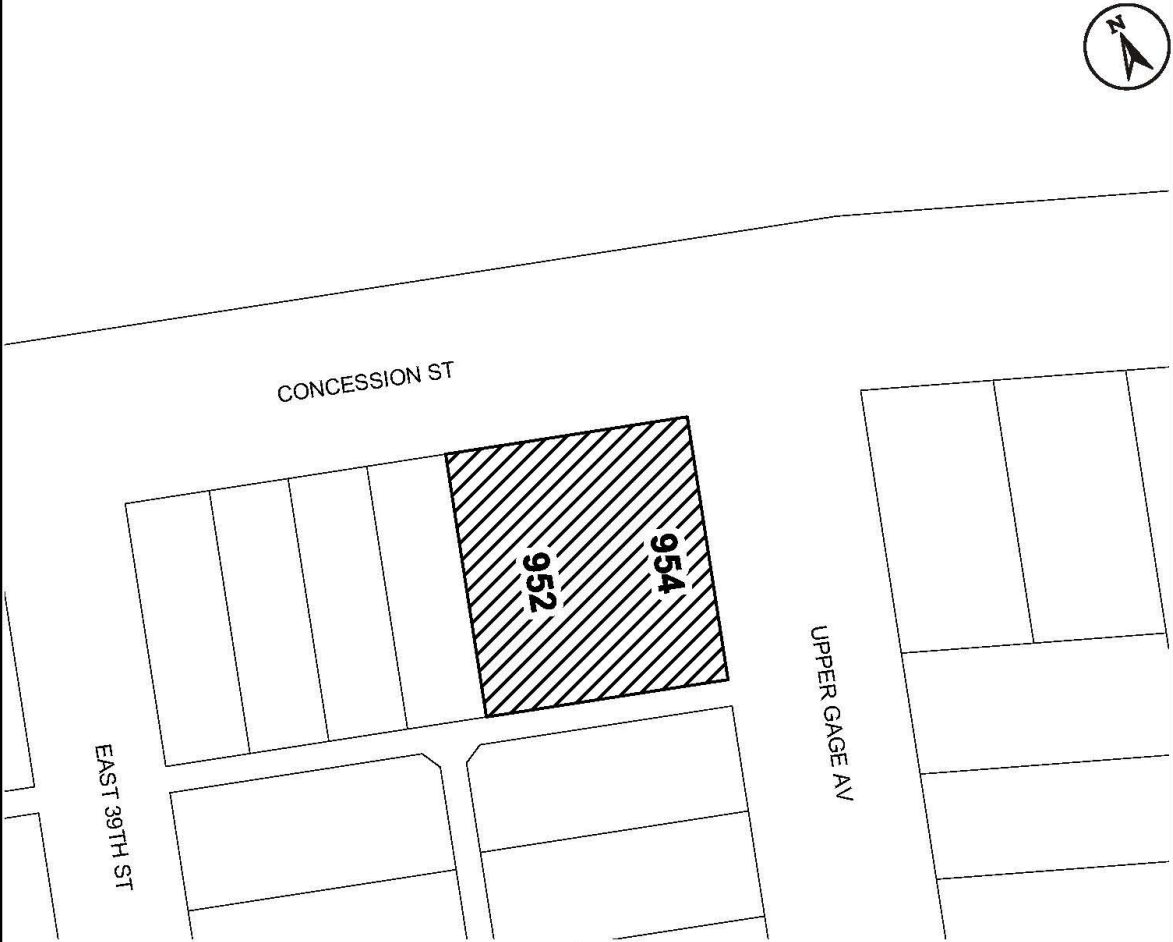

- i) A Restaurant, with a maximum seating capacity of 25 shall be permitted.
 - ii) A Veterinary Service, excluding cremation shall be permitted.
 - iii) Commercial uses shall be restricted to the ground floor of the building, and further, the basement or cellar of the building, whichever is applicable, shall be used for storage for the commercial uses only.
 - k) Notwithstanding Section 10.2.1.1 ii), a maximum of 3 Dwelling Units shall be permitted in conjunction with a commercial use and shall only be permitted above the ground floor except for access, accessory office and utility areas, and further, shall not occupy more than 50% of the total gross floor area of all the building(s) within the lot.
 - l) In addition to Section 10.2.2, an outdoor patio is prohibited, even as an accessory use.
 - m) Notwithstanding Section 10.2.3 a), the following regulations shall apply:
 - i) The building setback from a street line shall be a minimum of 0.35 metres (Concession Street).
 - ii) The building setback from a street line shall be a minimum of 0.30 metres (Upper Gage Avenue).
 - n) Notwithstanding Section 10.2.3 b), a minimum rear yard setback of 0.0 metres shall be required.
 - o) Notwithstanding Section 10.2.3 j), a minimum 0.9 metre wide Planting Strip shall be provided and maintained along the westerly property lot line.
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 and ENACTED this _____ day of November, 2017.

F. Eisenberger
MAYOR

R. Caterini
CLERK

ZAR-17-010

		
		
<p>This is Schedule "A" to By-law No. 17-</p> <p>Passed the day of, 2017</p>		<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0;">Map Forming Part of</p> <p style="margin: 10px 0;">By-law No. 17-_____</p> <p style="margin: 10px 0;">to Amend By-law No. 05-200</p> <p style="margin: 10px 0;">Map 1087</p>		<p>Subject Property</p> <p>952-954 Concession Street, Hamilton</p> <div style="display: flex; align-items: center; margin-top: 10px;"> <p>Lands added to By-law No. 05-200 and zoned Neighbourhood Commercial (C2, 657) Zone</p> </div>
<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAR-17-010</p>	 Hamilton
<p>Date: Sept. 20, 2017</p>	<p>Planner/Technician: AF/VS</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

For Office Use Only, this doesn't appear in the by-law - Clerk's will use this information in the Authority Section of the by-law

Is this by-law derived from the approval of a Committee Report? Yes

Committee: PC

Report No.: PED17193

Date: 11/14/2017

Ward(s) or City Wide: Ward 6

(MM/DD/YYYY)

Prepared by: Alana Fulford

Phone No: 4771

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