



PLANNING COMMITTEE

Request for Exemption from *Planning Act* Section 45(1.3) for
By-law No. 17-193 respecting 100 Hamilton St N



BACKGROUND

- By-law No. 17-193 approved September 13, 2017.
- Site Plan conditionally approved on July 24, 2018 for an apartment building with 69 units.
- Current owners proposing Retirement Home use with 143 units.

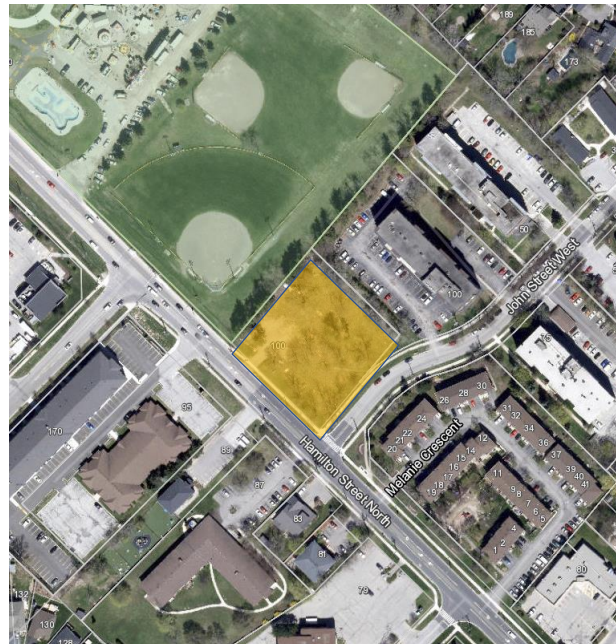


Figure 1. Subject Lands



Figure 2. Proposed Development



REQUIRED VARIANCES

Minor Variance to the site specific by-law is required as follows:

1. To permit kitchenettes in the dwelling units.
2. To reduce the number of loading spaces required.

Typical Floor Plan

Scale: 1:1000

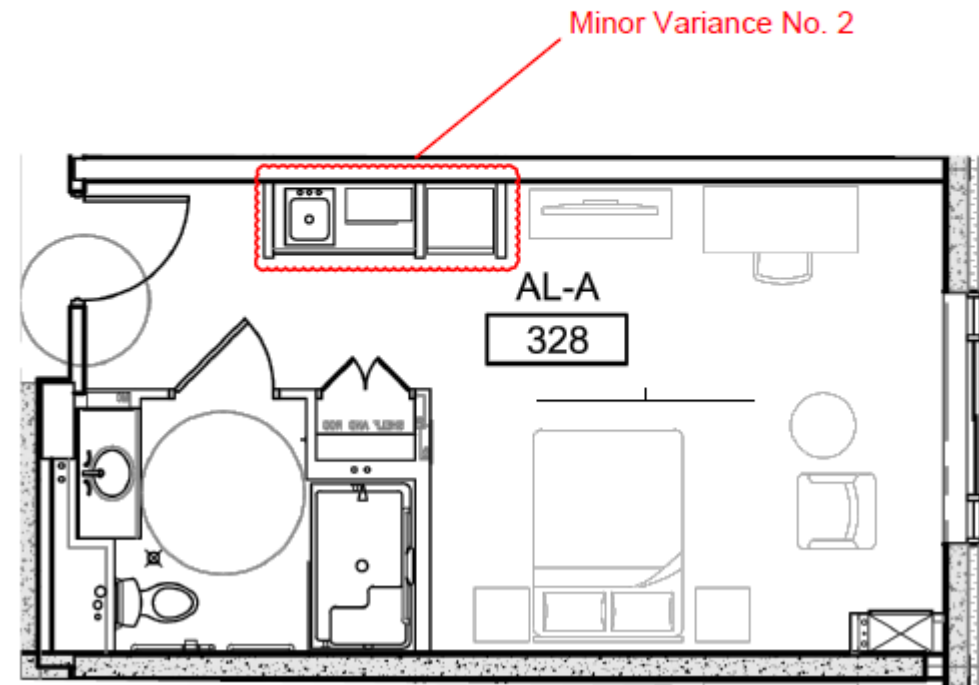
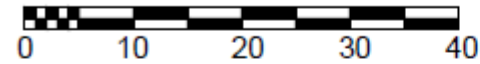


Figure 3. Minor Variance No. 2



REQUEST TO COMMITTEE

- Section 45(1.3) of the *Planning Act* prevents the amendment of a site-specific Zoning By-law for two years.
- We respectfully request that Committee and Council permit the application for a Minor Variance, in keeping with Section 45(1.4) of the *Act*.

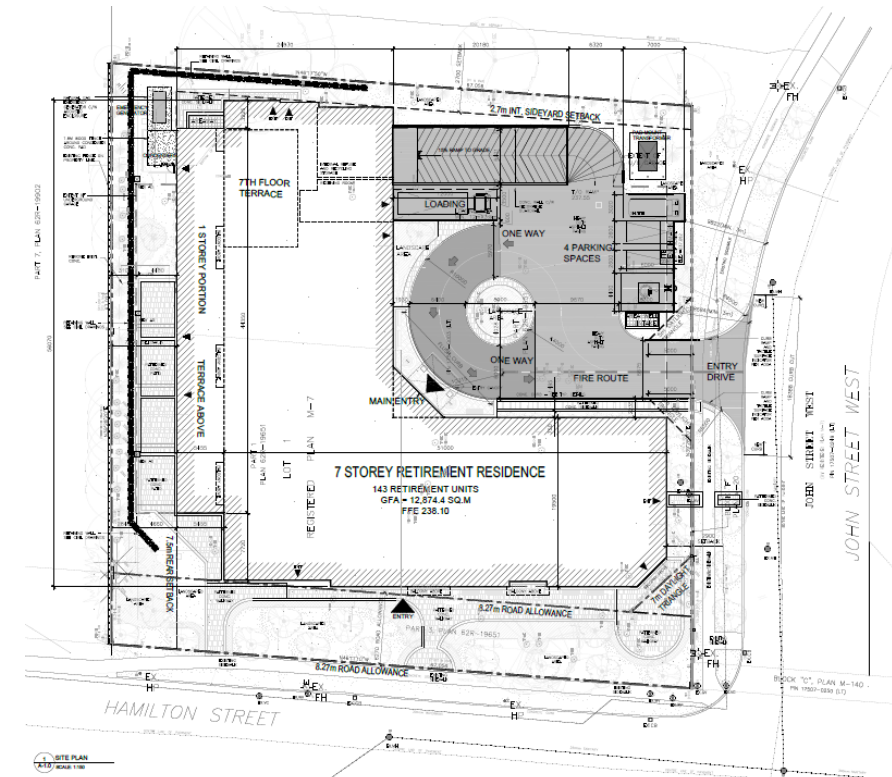


Figure 4. Revised Site Plan for DA-17-230

CITY OF HAMILTON

MOTION

COMMITTEE DATE: June 18, 2019

MOVED BY COUNCILLOR

SECONDED BY COUNCILLOR.....

Authorization for 100 Hamilton Street GP Inc. to apply for Variances to a By-law for Lands Located at 100 Hamilton Street North.

WHEREAS Bill 73, *Smart Growth for our Communities Act*, 2015 placed a moratorium for minor variance applications within 2 years of passing a site specific zoning by-law amendment;

WHEREAS the application as presented in report PED17157 for 100 Hamilton Street North was approved on September 13, 2017;

WHEREAS Council may waive this moratorium on a site specific basis per Section 45(1.4) of the *Planning Act* to allow the applicant to make an application to the Committee of Adjustment;

WHEREAS it would then be within the authority of the Committee of Adjustment to assess the merits of the application and to make a decision; and,

WHEREAS the applicant is interested in seeking a minor variance to address a matter related to loading and potentially other matters.

THEREFORE BE IT RESOLVED:

That 100 Hamilton Street GP Inc. be authorized to apply for variances to a by-law for lands located at 100 Hamilton Street North.