



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
 - Applicant/agent on file, or
 - Person likely to be interested in this application
-

APPLICATION NO.:	A-24:195	SUBJECT PROPERTY:	160 Hughson Street South, Hamilton
ZONE:	C5 (Mixed Use Medium Density)	ZONING BY-LAW:	Zoning By-law City of Hamilton 05-200, as Amended

APPLICANTS: Owner: 2414677 Ontario Inc. c/o Lankin Investments - Julian Piro
Agent: Ken Bekendam

The following variances are requested:

1. A 0.0m finished floor elevation for a dwelling unit shall be provided instead of the minimum 0.9m above grade finished floor elevation required.
2. A parking space may be setback 2.01 metres from the Forest Avenue Street line instead of the minimum 3.0m minimum setback from a street line required for parking spaces.
3. A parking space may be setback 0.0 metres from Hughson Street South Street line instead of the minimum 3.0m minimum setback from a street line required for parking spaces.
4. No planting strip shall be required between a street line and a parking space instead of the minimum 3.0m wide planting strip required between a street line and a parking space.
5. Parking spaces on a lot containing a Multiple Dwelling shall be permitted between the building façade and a front or flankage lot line instead of the requirement that no parking shall be located between a building façade and a front or flankage lot line.
6. A total of four (4) parking spaces for small car parking shall be permitted instead of a maximum of 10% of the required parking for small car parking permitted.

PURPOSE & EFFECT: To facilitate interior alterations to an existing Multiple Dwelling to establish 11 additional dwelling units

A-24:195

Notes:

- i. Please note, this application was previously tabled for the Committee Hearing on September 24, 2024. Previous comments indicated Variances would not be required for total number of parking spaces and Bicycle Parking spaces should Zoning By-law Amendment 24-052 come into full force and effect. As per OLT 24-000544, the majority of Zoning By-law Amendment 24-052 is now in full force and effect. As such, the previous variances are no longer required and have been removed from the requested variances.

Be advised that the Electric Vehicle Parking requirements under By-law 24-052, remain under appeal and are not covered under Section 1.12 of the “Transitional Provisions” of the Hamilton Zoning By-law 05-200. If the remaining portions of By-law 24-052, pertaining to Electric Vehicle Parking, become Final and Binding before issuance of a building permit, the Electric Vehicle Parking requirements will be applicable upon review for such building permit.

- ii. Please note, an Encroachment Agreement with Public Works may be required for the shed and fence located within the Forest Avenue Right of Way.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

This application will be heard by the Committee as shown below:

DATE:	Tuesday, November 26, 2024
TIME:	1:50 p.m.
PLACE:	Via video link or call in (see attached sheet for details)
	City Hall Council Chambers (71 Main St. W., Hamilton)
	To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment

For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon November 22, 2024

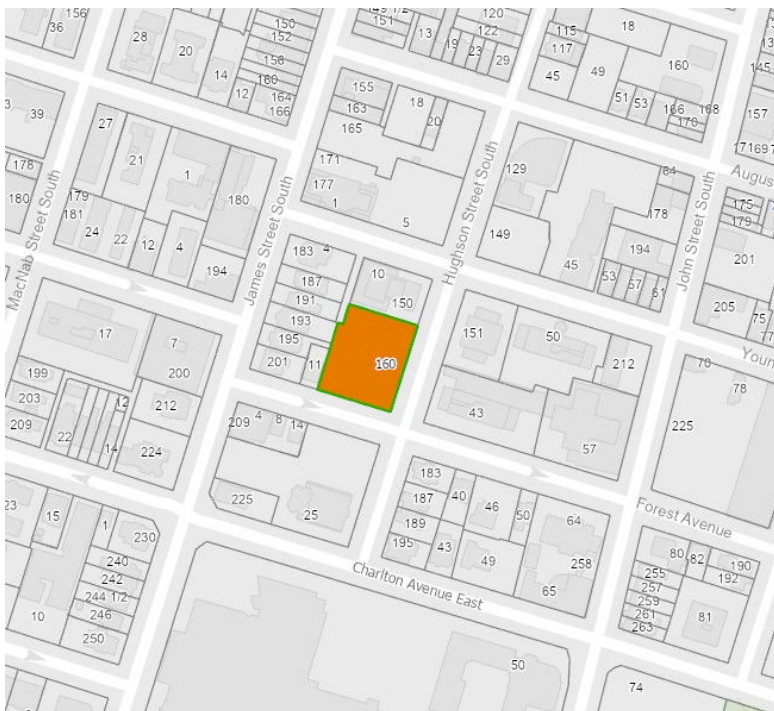
Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon November 25, 2024

FURTHER NOTIFICATION

A-24:195

If you wish to be notified of future Public Hearings, if applicable, regarding A-24:195, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



 **Subject Lands**

DATED: November 7, 2024

Jamila Sheffield,
Secretary-Treasurer
Committee of Adjustment

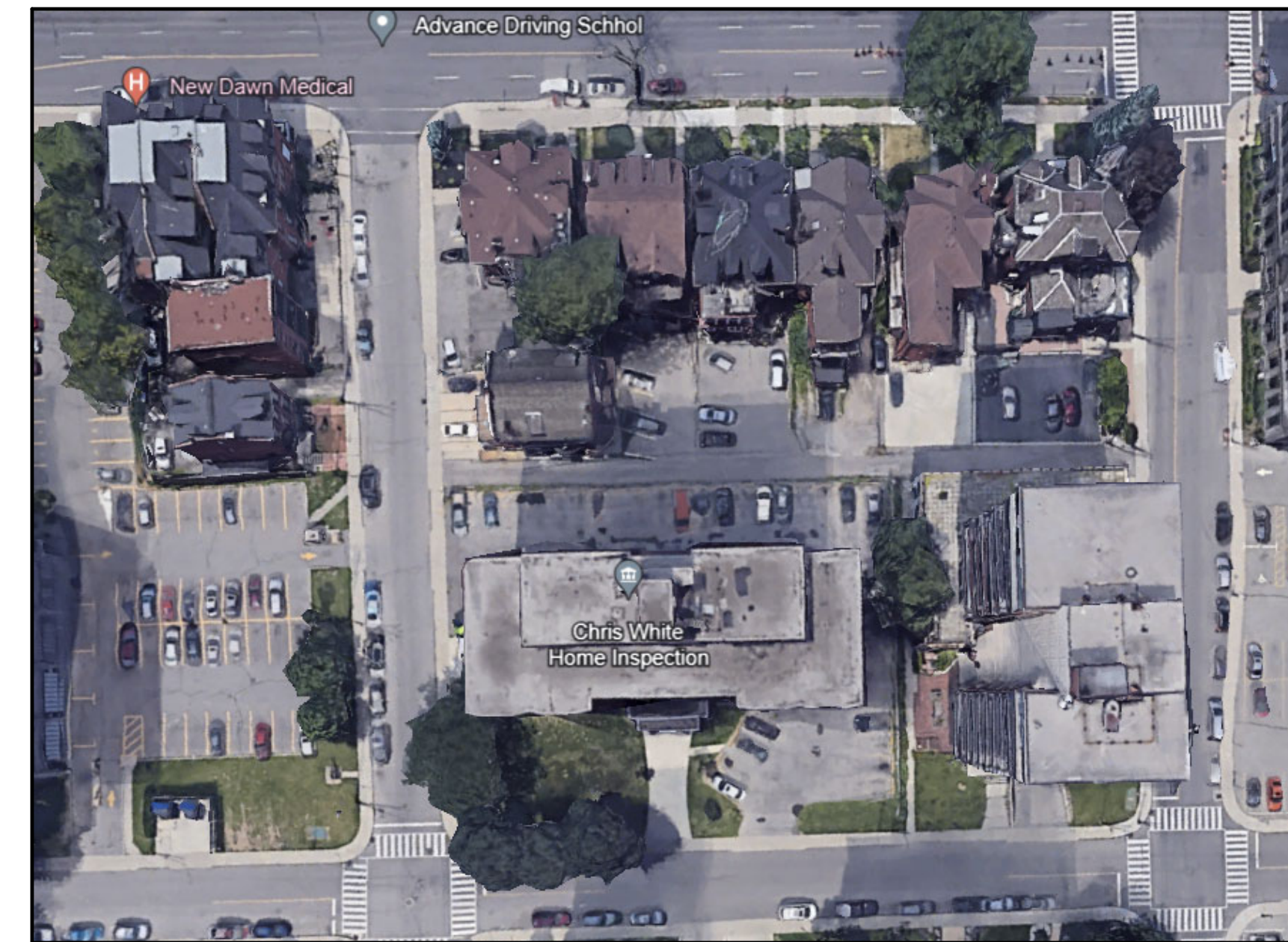
Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.

160 HUGHSON ST. SOUTH - HAMILTON, ON.

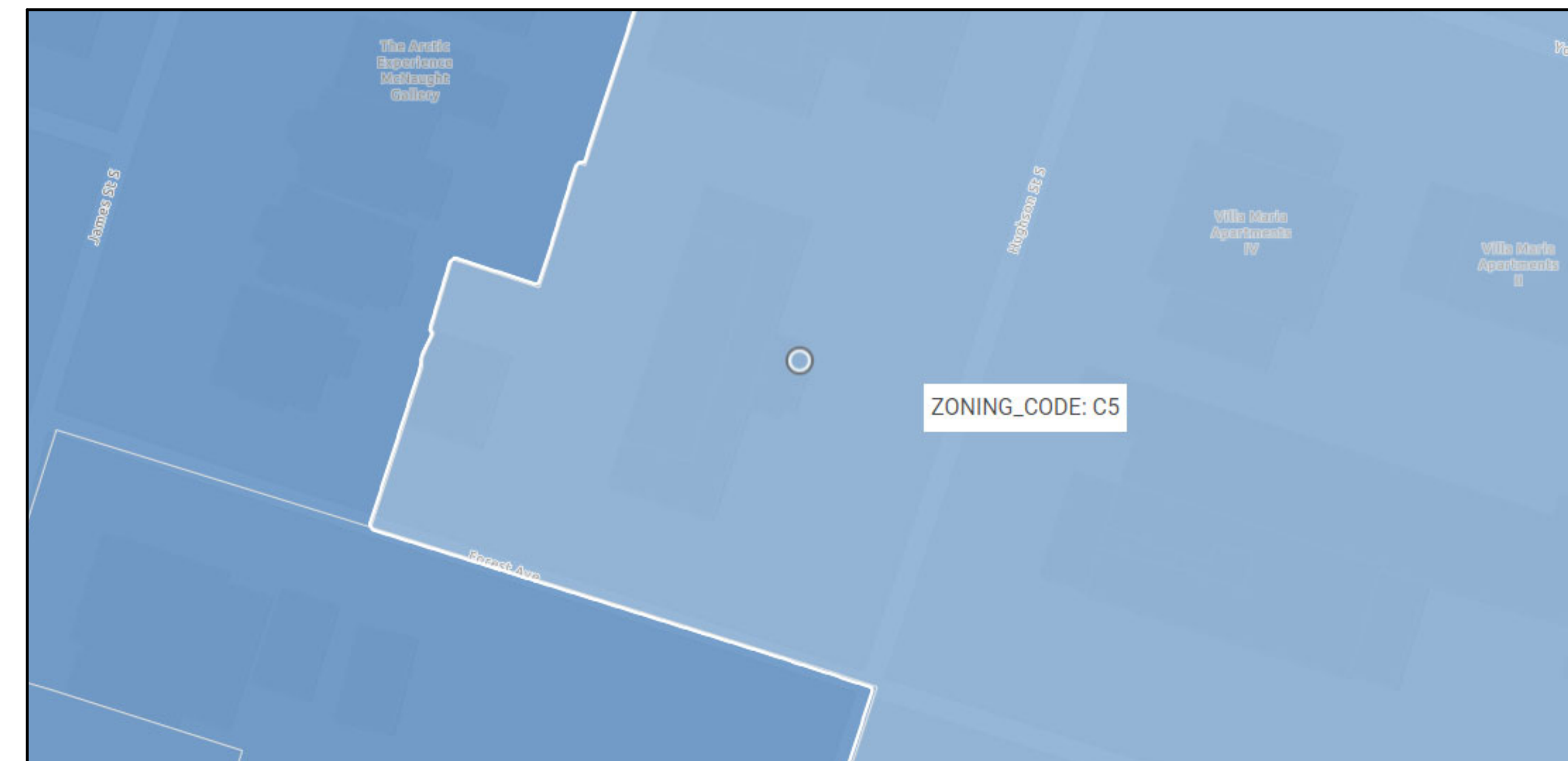
MULTI-UNIT CONVERSION



EXISTING BUILDING



AERIAL MAP



ZONING MAP

CITY ELECTRONIC STAMP:



LEGAL SECOND SUITES ARCHITECTURAL AND ENGINEERING SERVICES ARE OWNED AND OPERATED BY KING HOMES INC.

LEAD DESIGNER & CONSULTANT:
KEN BEKENDAM, B.A. BUSCOM, L.T.
kenbekendam@gmail.com

CELL PHONE:
905-961-0647

OFFICE ADDRESS:
979 MAIN ST. E. HAMILTON, ON

OFFICE PHONE:
905-546-4467

The undersigned has reviewed and takes the responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
Required unless design is exempt under 2.17.5.1 of the building code

Name: _____ Signature: _____ BCIN: _____

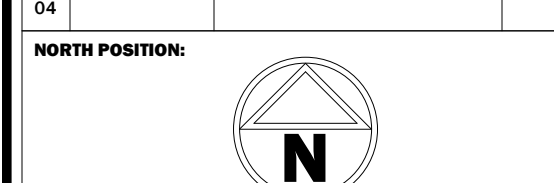
REGISTRATION INFORMATION
Required unless design is exempt under 2.17.5.1 of the building code

KING HOMES INC. 121307
Name: _____ BCIN: _____

GENERAL NOTES:

- DO NOT SCALE DRAWINGS. FULL SCALE: 24" X 36"
- ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE LEAD DESIGNER MUST BE NOTIFIED IMMEDIATELY.
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- USE LATEST REVISED DRAWINGS.
- ALL CONSTRUCTION TO MEET LATEST ONTARIO BUILDING CODE.
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- CONTRACTOR WILL BE RESPONSIBLE FOR ALL CONSTRUCTION AND SAFETY REQUIREMENTS ON SITE.

NO.	DATE	GENERAL DESCRIPTION	INITIALS
01			
02			
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04			



ENGINEER'S STAMP:

PROJECT NAME/ADDRESS:

160 HUGHSON ST S. - HAMILTON, ON.

SHEET NAME:

TITLE PAGE

PROJECT NO.	DATE
24-06	04/07/24

SCALE:	REVISION:
1/2" = 1'-0"	

DRAWN BY:	REVIEWED BY:
DANILO MARTINELLI	KEN BEKENDAM

SHEET NO.

A0.01



LEGAL SECOND SUITES ARCHITECTURAL AND ENGINEERING SERVICES ARE OWNED AND OPERATED BY KING HOMES INC.

LEAD DESIGNER & CONSULTANT: KEN BEKENDAM, B.A. BUSCOM, L.T. CELL PHONE: 905-961-0647 kenbekendam@gmail.com
OFFICE ADDRESS: 979 MAIN ST. E. HAMILTON, ON OFFICE PHONE: 905-546-4467

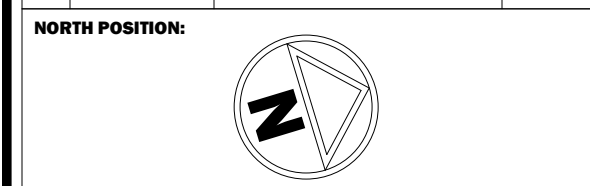
The undersigned has reviewed and takes the responsibility for this design, and the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

REGISTRATION INFORMATION
Name: Ken Bekendam BCIN
Signature: Ken Bekendam
REGISTRATION INFORMATION
Name: Ken Bekendam BCIN

GENERAL NOTES:

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NO.	DATE	GENERAL DESCRIPTION	INITIALS
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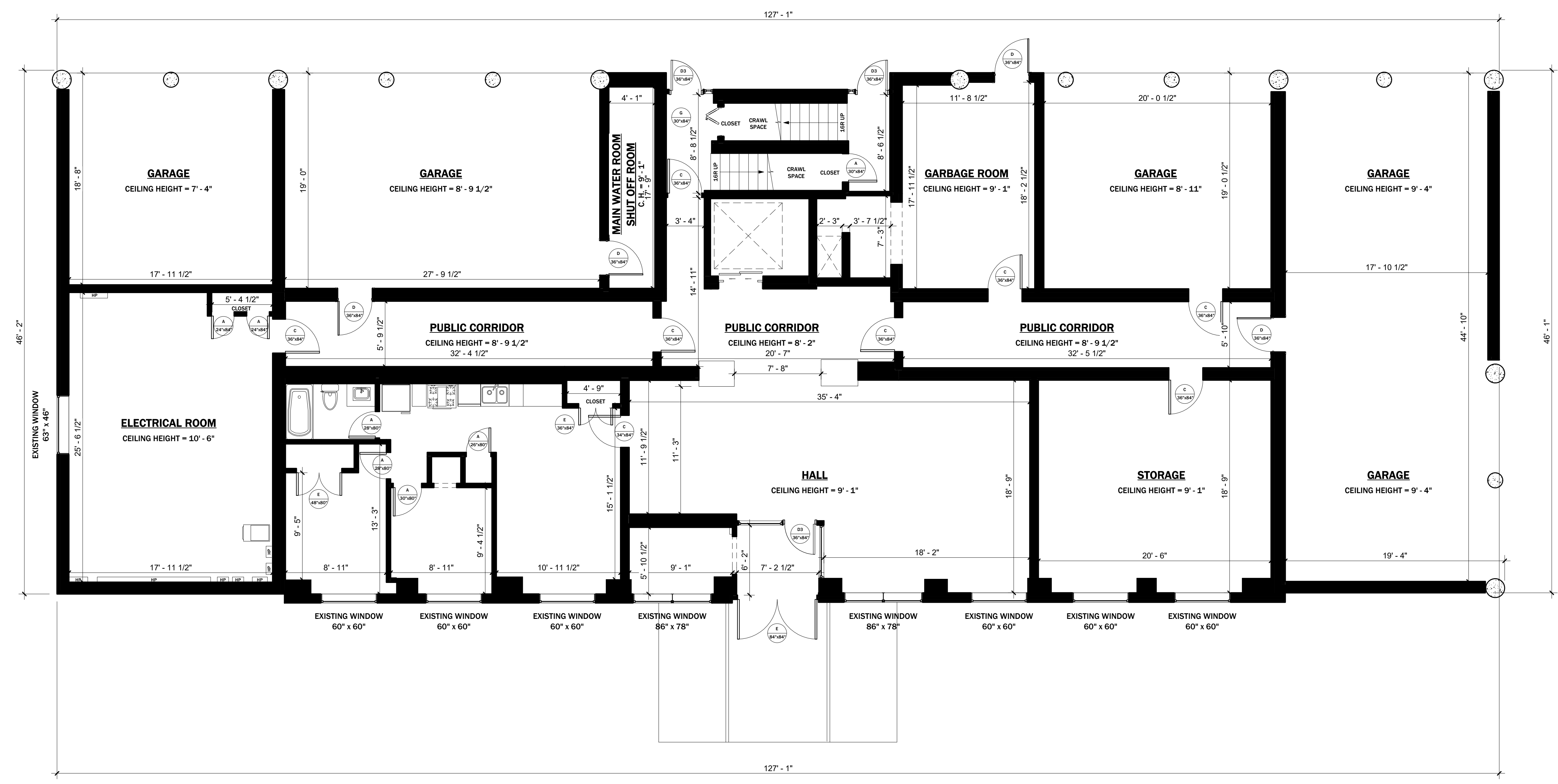
ENGINEER'S STAMP:

PROJECT NAME/ADDRESS:
160 HUGHSON ST S. - HAMILTON, ON.

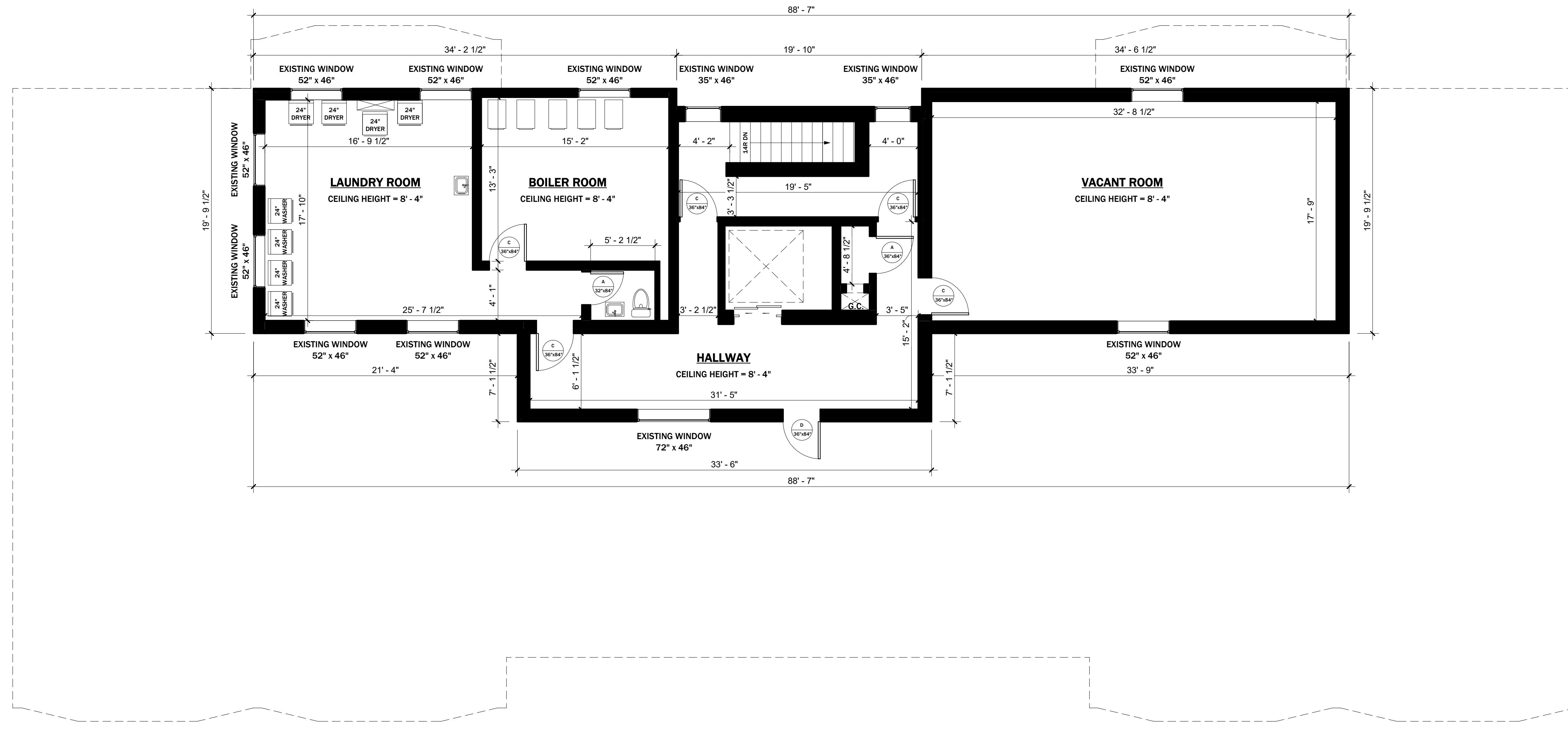
SHEET NAME:
EXISTING FLOOR PLAN

PROJECT NO. 24-06	DATE: 03/13/24
SCALE: 3/16" = 1'-0"	REVISION:
DRAWN BY: DANILO MARTINELLI	REVIEWED BY: KEN BEKENDAM

SHEET NO.
A1.01



1 EXISTING 1ST FLOOR
3/16" = 1'-0"



① EXISTING 12TH FLOOR
3/16" = 1'-0"



LEGAL SECOND SUITES ARCHITECTURAL AND ENGINEERING SERVICES ARE OWNED AND OPERATED BY KING HOMES INC.

LEAD DESIGNER & CONSULTANT:
KEN BEKENDAM, B.A. BUSCOM, L.T.
kenbekendam@gmail.com

CELL PHONE:
905-961-0647

OFFICE ADDRESS:
979 MAIN ST. E. HAMILTON, ON

OFFICE PHONE:
905-546-4407

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QUALIFICATION INFORMATION
Required unless design is exempt under 2.17.5.1 of the building code

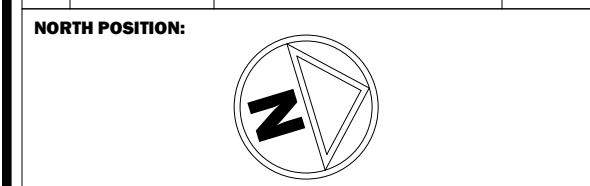
Name: _____ Signature: _____ BCIN: _____

REGISTRATION INFORMATION
Required unless design is exempt under 2.17.5.1 of the building code

Name: KING HOMES INC. 121307 BCIN: _____

- GENERAL NOTES:**
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NO.	DATE	GENERAL DESCRIPTION	INITIALS
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ENGINEER'S STAMP:

PROJECT NAME/ADDRESS:

160 HUGHSON ST S. - HAMILTON, ON.

SHEET NAME:
EXISTING FLOOR PLAN

PROJECT NO. 24-06	DATE: 03/13/24
SCALE: 3/16" = 1'-0"	REVISION:
DRAWN BY: DANILO MARTINELLI	REVIEWED BY: KEN BEKENDAM

SHEET NO.
A1.02



LEGAL SECOND SUITES ARCHITECTURAL AND ENGINEERING SERVICES ARE OWNED AND OPERATED BY KING HOMES INC.

LEAD DESIGNER & CONSULTANT: KEN BEKENDAM, B.A. BUSCOM, L.T. CELL PHONE: 905-961-0647 kenbekendam@gmail.com

OFFICE ADDRESS: 979 MAIN ST. E. HAMILTON ON OFFICE PHONE: 905-546-4407

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Required unless design is exempt under 2.17.5.1 of the building code. QUALIFICATION INFORMATION: Name, Signature, BCIN, REGISTRATION INFORMATION: Name, BCIN

GENERAL NOTES: 1. DO NOT SCALE DRAWINGS. FULL SCALE: 24" X 36"

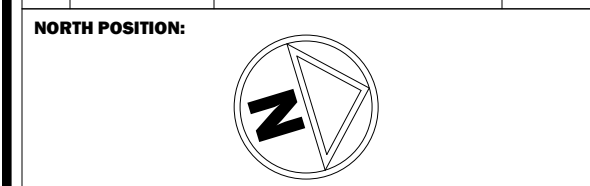
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Table with 4 columns: NO., DATE, GENERAL DESCRIPTION, INITIALS. Rows 01 to 04.



ENGINEER'S STAMP:

PROJECT NAME/ADDRESS: 160 HUGHSON ST S. - HAMILTON, ON.

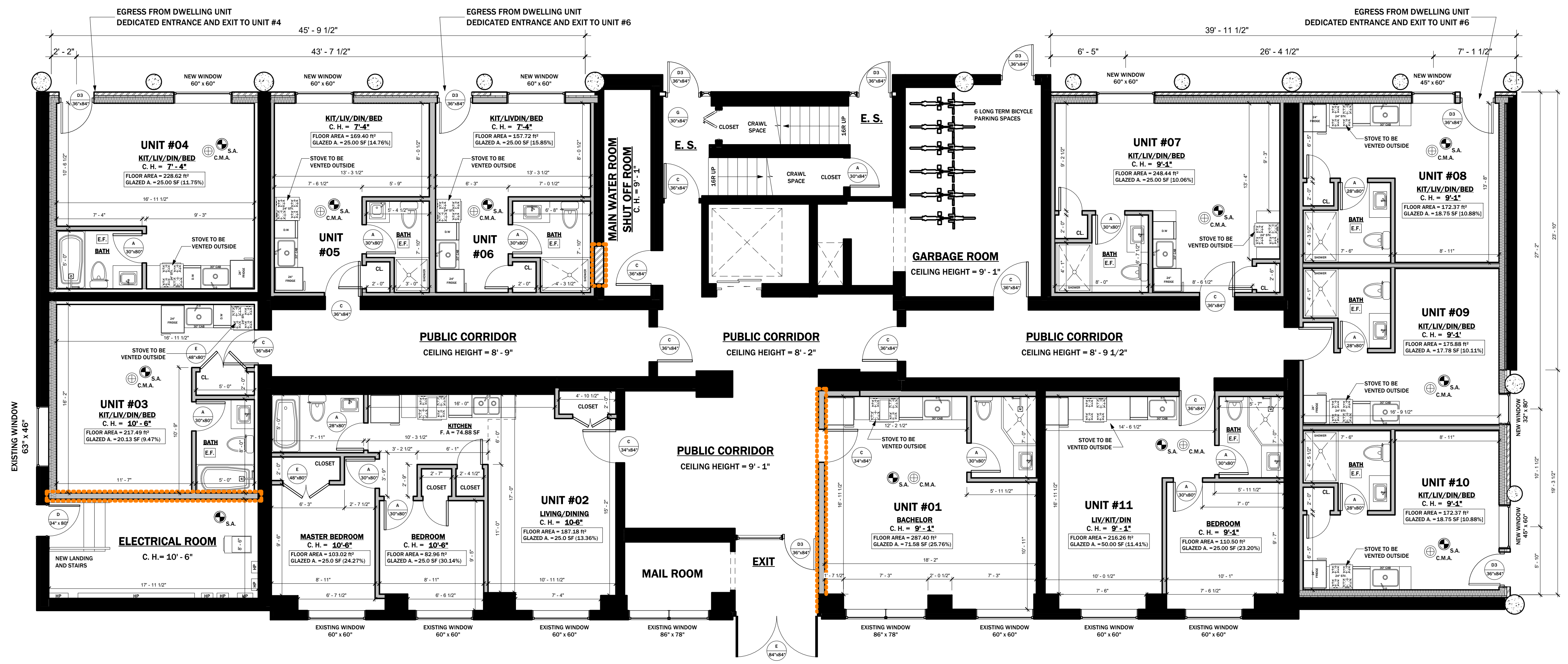
SHEET NAME: PROPOSED FLOOR PLAN

PROJECT NO. 24-06 DATE: 04/02/24

SCALE: 3/16" = 1'-0" REVISION:

DRAWN BY: DANILO MARTINELLI REVIEWED BY: KEN BEKENDAM

SHEET NO. A1.03



1 PROPOSED 1ST FLOOR
3/16" = 1'-0"



LEGAL SECOND SUITES ARCHITECTURAL AND ENGINEERING SERVICES ARE OWNED AND OPERATED BY KING HOMES INC.
LEAD DESIGNER & CONSULTANT: KEN BEKENDAM, B.A. BUSCOM, L.T.
 CELL PHONE: 905-961-0647
 kenbekendam@gmail.com
OFFICE ADDRESS: 979 MAIN ST. E. HAMILTON, ON
OFFICE PHONE: 905-546-4407

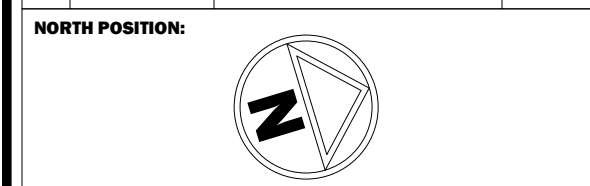
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QUALIFICATION INFORMATION
 Required unless design is exempt under 2.17.5.1 of the building code

REGISTRATION INFORMATION
 Required unless design is exempt under 2.17.5.1 of the building code
 KING HOMES INC. 121307
 Name BCIN

- GENERAL NOTES:**
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NO.	DATE	GENERAL DESCRIPTION	INITIALS
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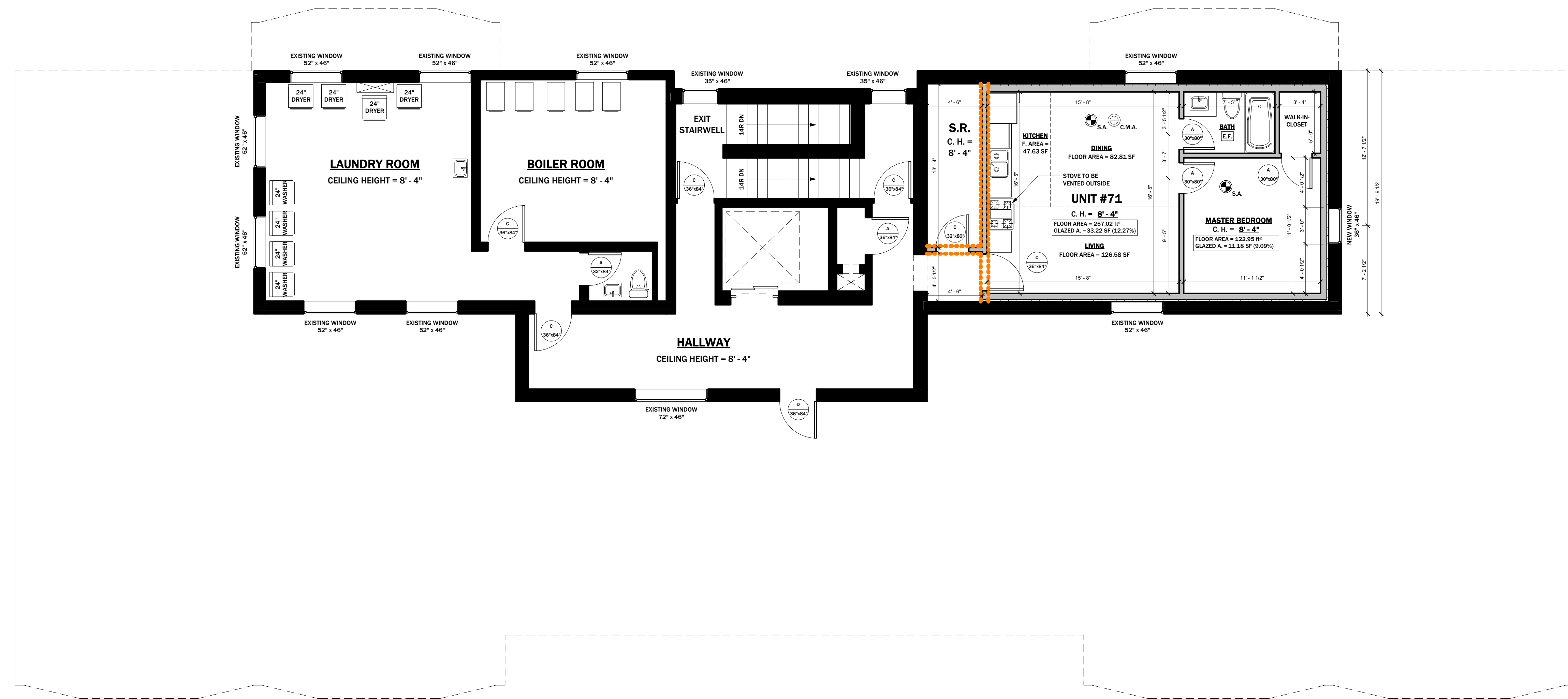
ENGINEER'S STAMP:

PROJECT NAME/ADDRESS:
 160 HUGHSON ST S. - HAMILTON, ON.

SHEET NAME:
 PROPOSED FLOOR PLAN

PROJECT NO.	DATE	SCALE	REVISION
24-06	04/02/24	3/16" = 1'-0"	
DRAWN BY:	REVIEWED BY:		
DANILO MARTINELLI	KEN BEKENDAM		

SHEET NO.
 A1.04

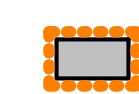


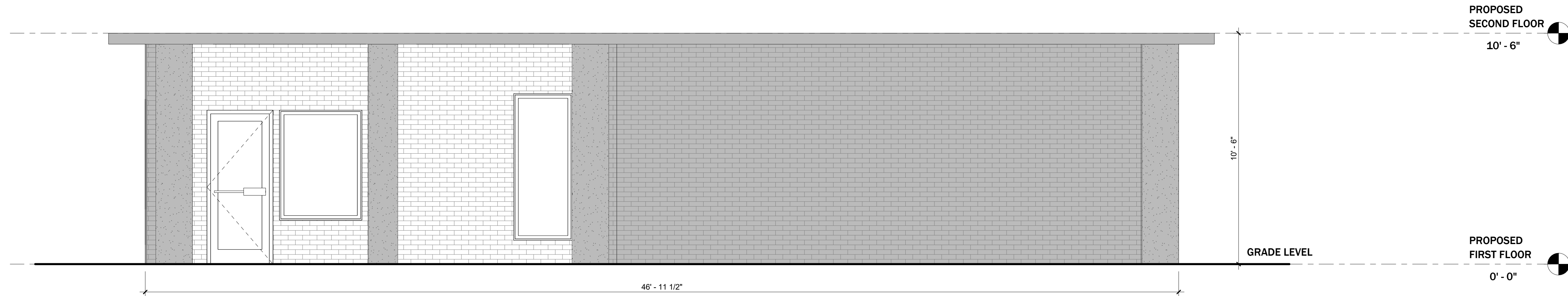
1 PROPOSED 12TH FLOOR
 3/16" = 1'-0"

SEPARATION OF SERVICE ROOM

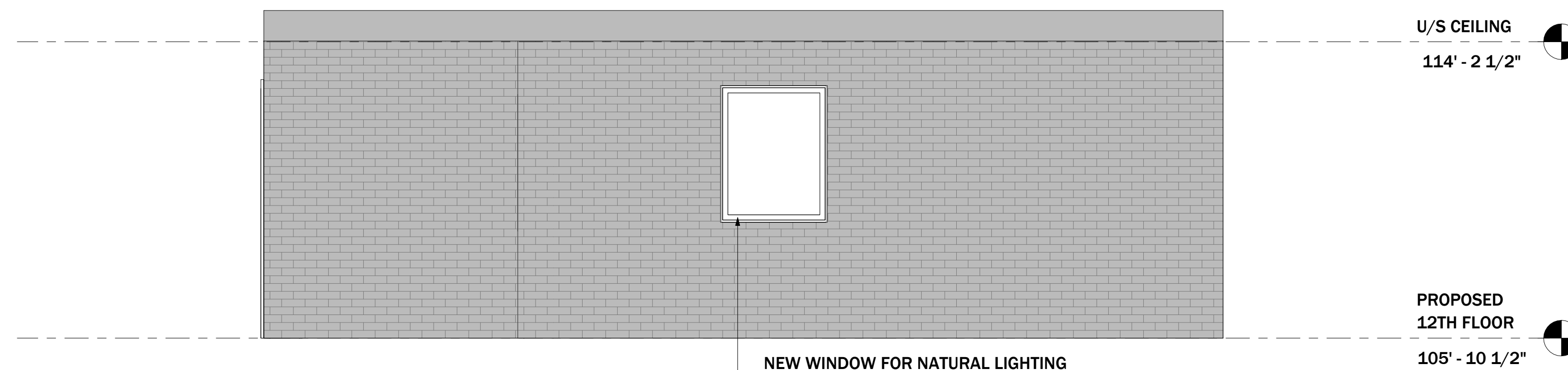
NEW VERTICAL PARTITION (WALLS) - S3b (2HR FRR, STC51)

- NEW 31mm x 64mm STEEL STUDS SPACED 406mm O.C.
- 65mm THICK ABSORPTIVE MATERIAL
- RESILIENT METAL CHANNELS SPACED 24" O.C.
- 2 LAYERS 15.9mm TYPE X GYPSUM BOARD BOTH SIDES



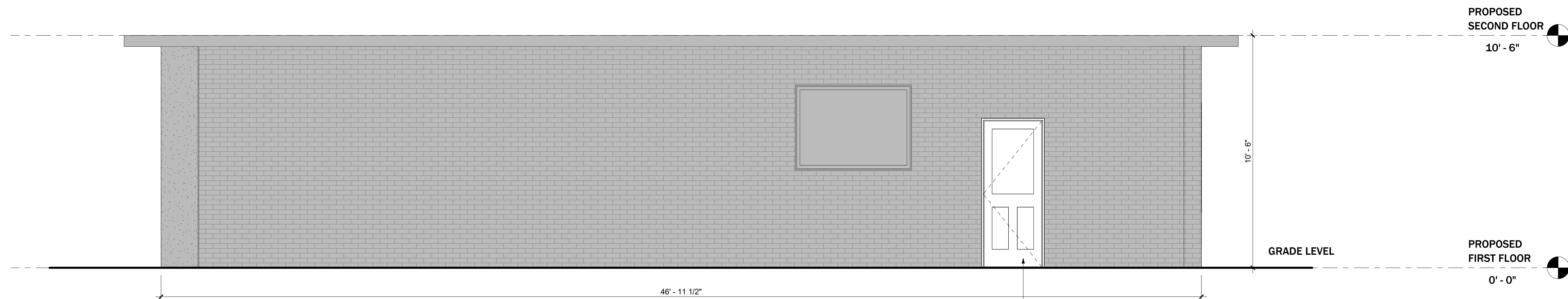


1 PROPOSED NORTH ELEVATION
3/8" = 1'-0"



2 PROPOSED NORTH ELEVATION - 12TH FLOOR
3/8" = 1'-0"

NEW WINDOW FOR NATURAL LIGHTING
35" W x 46"
OPENING WITH STEEL LINTEL SUPPORT:
(AS PER O.B.C TABLE 9.20.5.2.A.)
INTERIOR ANGLE - 2 PLY 2 x 8
EXTERIOR ANGLE - 5" x 3 1/2" x 5/16"
W / MIN END BEARING OF 3 1/2" ON EACH SIDE



3 PROPOSED SOUTH ELEVATION
3/8" = 1'-0"

NEW ENTRY DOOR
34" x 80"

CITY ELECTRONIC STAMP:



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kenbekendam@gmail.com
CELL PHONE:
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OFFICE PHONE:
905-546-4467

The undersigned has reviewed and takes the responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
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Name: Ken Bekendam Signature: Ken Bekendam BCIN: 121307
REGISTRATION INFORMATION
Required unless design is exempt under 2.17.5.1 of the building code
KING HOMES INC. BCIN: 121307

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 - BUILDING OWNER(S) WILL BE RESPONSIBLE FOR HIRING A CERTIFIED CONTRACTOR TO PERFORM SCOPE OF WORK AS PER ISSUED PERMIT.
 - CONTRACTOR WILL BE RESPONSIBLE FOR ALL CONSTRUCTION AND SAFETY REQUIREMENTS ON SITE.

NO.	DATE	GENERAL DESCRIPTION	INITIALS
01			
02			
03			
04			

NORTH POSITION:

ENGINEER'S STAMP:

PROJECT NAME/ADDRESS:
160 HUGHSON ST S. - HAMILTON, ON.

SHEET NAME:
PROPOSED ELEVATIONS

PROJECT NO.	DATE	SCALE	REVISION
24-06	04/02/24	3/8" = 1'-0"	
DRAWN BY: DANILO MARTINELLI	REVIEWED BY: KEN BEKENDAM		

SHEET NO.
A2.01



LEGAL SECOND SUITES ARCHITECTURAL AND ENGINEERING SERVICES ARE OWNED AND OPERATED BY KING HOMES INC.

LEAD DESIGNER & CONSULTANT: KEN BEKENDAM, B.A BUSCOM, L.T. kenbekendam@gmail.com
OFFICE ADDRESS: 979 MAIN ST. E. HAMILTON, ON
CELL PHONE: 905-961-0647
OFFICE PHONE: 905-546-4467

The undersigned has reviewed and takes the responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION
Required unless design is exempt under 2.17.5.1 of the building code

REGISTRATION INFORMATION
Required unless design is exempt under 2.17.5.1 of the building code
Name: KING HOMES INC. BCIN: 121307

- GENERAL NOTES:**
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 - ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED ON THE DRAWINGS, THE LEAD DESIGNER MUST BE NOTIFIED IMMEDIATELY.
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NO.	DATE	GENERAL DESCRIPTION	INITIALS
01			
02			
03			
04			

NORTH POSITION:

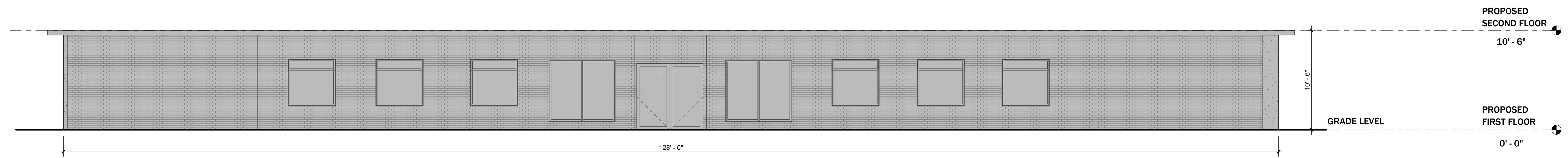
ENGINEER'S STAMP:

PROJECT NAME/ADDRESS:
160 HUGHSON ST S. - HAMILTON, ON.

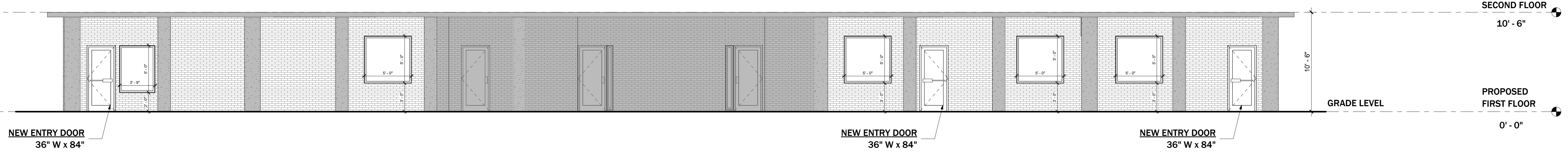
SHEET NAME:
PROPOSED ELEVATIONS

PROJECT NO. 24-06	DATE 04/02/24
SCALE 3/16" = 1'-0"	REVISION
DRAWN BY: DANILO MARTINELLI	REVIEWED BY: KEN BEKENDAM

SHEET NO.
A2.02

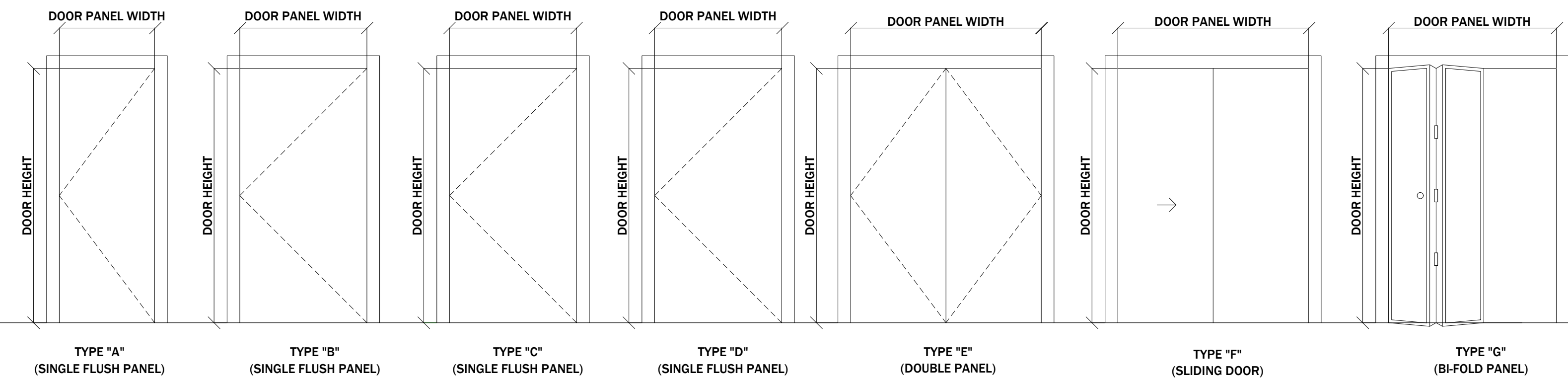


1 PROPOSED EAST ELEVATION
3/16" = 1'-0"

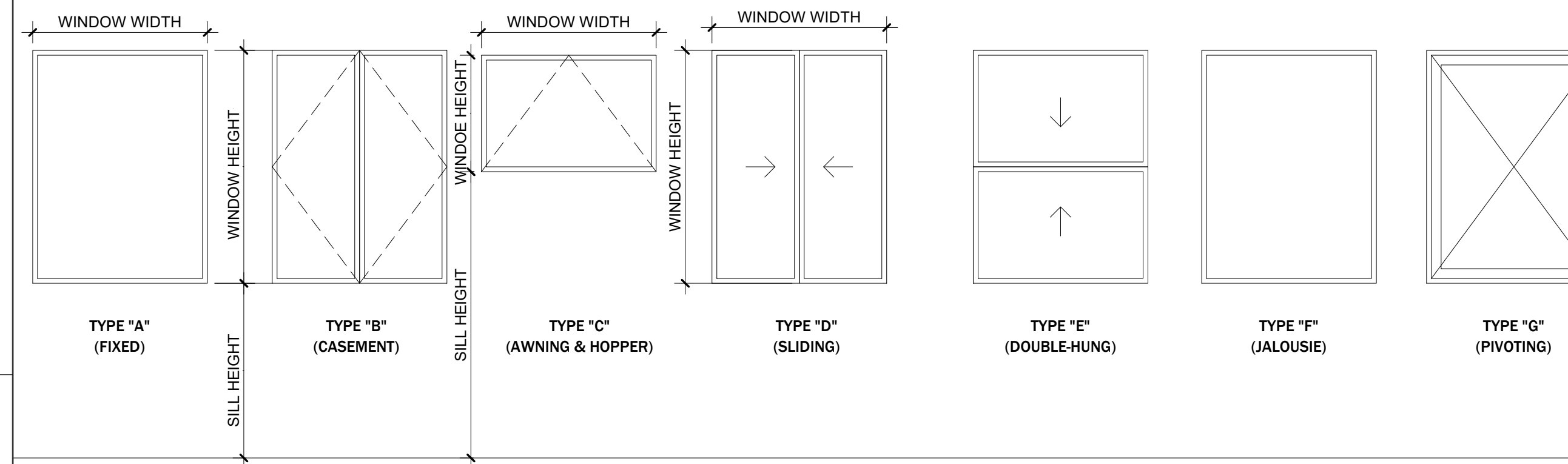


2 PROPOSED WEST ELEVATION
3/16" = 1'-0"

DOOR PANEL TYPES (ELEVATIONS)



WINDOW TYPE - ELEVATIONS



DOOR SCHEDULE

DOOR #	NO. OF PANELS	DOOR PANEL WIDTH	DOOR HEIGHT	DOOR MATERIAL	DOOR FINISH	CORE	FRAME MATERIAL	FRAME FINISH	REMARKS
PANEL TYPE: A									
A1	1	24"	80"	MDF	PT	-	MDF	PT	
A2	1	26"	80"	MDF	PT	-	MDF	PT	
A3	1	28"	80"	MDF	PT	-	MDF	PT	
A4	1	30"	80"	MDF	PT	-	MDF	PT	
A5	1	32"	80"	MDF	PT	-	MDF	PT	
A6	1	34"	80"	MDF	PT	-	MDF	PT	
A7	1	36"	80"	MDF	PT	-	MDF	PT	
PANEL TYPE: B (w/ SELF CLOSER (45 MIN))									
B1	1	28"	80"	MDF	PT	-	MDF	PT	
B2	1	30"	80"	MDF	PT	-	MDF	PT	
B3	1	32"	80"	MDF	PT	-	MDF	PT	
B4	1	34"	80"	MDF	PT	-	MDF	PT	
B5	1	36"	80"	MDF	PT	-	MDF	PT	
PANEL TYPE: C (w/ SELF CLOSER (20 MIN))									
C1	1	28"	80"	MDF	PT	-	MDF	PT	
C2	1	30"	80"	MDF	PT	-	MDF	PT	
C3	1	32"	80"	MDF	PT	-	MDF	PT	
C4	1	34"	80"	MDF	PT	-	MDF	PT	
C5	1	36"	80"	MDF	PT	-	MDF	PT	
PANEL TYPE: D (EXTERIOR DOOR)									
D1	1	30"	80"	MDF	PT	-	MDF	PT	
D2	1	32"	80"	MDF	PT	-	MDF	PT	
D3	1	34"	80"	MDF	PT	-	MDF	PT	
D4	1	36"	80"	MDF	PT	-	MDF	PT	
PANEL TYPE: E (DOUBLE PANEL)									
E1	2	28"	80"	MDF	PT	-	MDF	PT	
E2	2	30"	80"	MDF	PT	-	MDF	PT	
E3	2	32"	80"	MDF	PT	-	MDF	PT	
E4	2	34"	80"	MDF	PT	-	MDF	PT	
E5	2	36"	80"	MDF	PT	-	MDF	PT	
E6	2	42"	80"	MDF	PT	-	MDF	PT	
E7	2	48"	80"	MDF	PT	-	MDF	PT	
PANEL TYPE: F (SLIDING DOOR)									
F1	2	28"	80"	MDF	PT	-	MDF	PT	
F2	2	30"	80"	MDF	PT	-	MDF	PT	
F3	2	32"	80"	MDF	PT	-	MDF	PT	
F4	2	34"	80"	MDF	PT	-	MDF	PT	
PANEL TYPE: G (BI-FOLD PANEL)									
G1	2	28"	80"	MDF	PT	-	MDF	PT	
G2	2	30"	80"	MDF	PT	-	MDF	PT	
G3	2	32"	80"	MDF	PT	-	MDF	PT	
G4	2	34"	80"	MDF	PT	-	MDF	PT	

NOTES:
 1. REFER TO FLOOR PLANS/ELEVATIONS FOR WINDOW SILL HEIGHTS
 2. ALIGN TOP OF WINDOWS WITH TOP OF DOORS SO THAT TOP EDGES OF DOORS AND WINDOWS ALIGN IN A LEVEL PLANE ABOVE FINISH FLOOR.
 3. WINDOW WITH SILLSS LESS THAN 5'-0" ABOVE TUB OR SHOWER FLOOR SHALL BE TEMPERED.

NOTES:
 1. ALL FIRE RATED DOORS TO HAVE SELF-CLOSING DEVICES, CONFORMING TO 9.10.13.10 (1), ADDITIONALLY, LOCK SETS TO BE INSTALLED.
 2. ALL HINGES TO BE 3 1/2" X 3 1/2" SQUARE CORNER STAINLESS STEEL, MINIMUM 3 PER PANEL.
 3. PROVIDE SMOKE SEALS AT ALL FIRE RATED DOORS
 4. FINISHED FLOOR TO UNDERSIDE OF DOOR TO BE A CONSISTENT HEIGHT UP TO A MAXIMUM OF 1/4" FOR BEDROOMS AND 1/2" FOR BATHROOMS.
 5. ALL DOORS ARE 1 3/4" THICK, SPRAYED TOP AND UNDERSIDE OF DOOR PANEL.
 6. CONTRACTOR TO ADD TRANSITION STRIP UNDERNEATH MIDDLE OF DOOR WHERE MATERIAL CHANGES IN ALL LOCATION (TYP.)
 7. ALL NEW DOORS BETWEEN UNITS TO HAVE A MINIMUM 20 MIN FIRE RATING

*GC TO SITE VERIFY DOOR HEIGHT AND WIDTH

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*GC TO SITE VERIFY DOOR HEIGHT AND WIDTH

CITY ELECTRONIC STAMP:



LEGAL SECOND SUITES ARCHITECTURAL AND ENGINEERING SERVICES ARE OWNED AND OPERATED BY KING HOMES INC.

LEAD DESIGNER & CONSULTANT: KEN BERENDAM, B.A. BUSCOM, L.T. kenberendam@gmail.com
 CELL PHONE: 905-965-0647

OFFICE ADDRESS: 979 MAIN ST. E. HAMILTON ON
 OFFICE PHONE: 905-546-4467

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QUALIFICATION INFORMATION
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Name: _____ Signature: _____ BCIN: _____
 REGISTRATION INFORMATION
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 KING HOMES INC. 121307
 Name: _____ BCIN: _____

GENERAL NOTES:

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NO.	DATE	GENERAL DESCRIPTION	INITIALS
01			
02			
03			
04			

NORTH POSITION:

ENGINEER'S STAMP:

PROJECT NAME/ADDRESS:

160 HUGHSON ST S. - HAMILTON, ON.

SHEET NAME:

DOOR & WINDOW SCHEDULE

PROJECT NO.	DATE	REVISION:
24-06	10/03/22	
SCALE: 1/2" = 1'-0"		
DRAWN BY: Author	REVIEWED BY: Checker	

SHEET NO.

A4.04



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Building Division
71 Main Street West
Hamilton, Ontario, Canada, L8P 4Y5
Phone: 905.546.2720 Fax: 905.546.2764
www.hamilton.ca

October 16, 2024

ATTENTION OF: Brody Paul
EMAIL: brody.paul@hamilton.ca

Attention:

Re: Applicable Law Review – Zoning By-law Compliance (Resubmission No.2)
Zoning District: “C5” (Mixed Use Medium Density) Zone
Zoning By-law: Hamilton Zoning By-law No. 05-200
Address: 160 Hughson Street South, Hamilton

An Applicable Law Review respecting zoning by-law compliance has been completed and the following comments are provided.

COMMENTS:

1. This application will facilitate alterations to the interior of the existing Multiple Dwelling to establish eleven (11) additional dwelling units within the existing building.
2. Please note that the following zoning compliance review is based on the plans and materials provided by the applicant via email dated October 4th, 2024.
3. The use of a Multiple Dwelling is permitted in the current “C5” (Mixed Use Medium Density) Zone pursuant to Hamilton Zoning By-law No. 05-200.
4. Please note that the following zoning compliance comments, pertain only to the review of the proposed parking layout, and the interior alterations to the building to establish an additional eleven (11) dwelling units. No exterior changes to the building have been indicated as part of this application, apart from the additional windows/doors indicated on the Proposed Elevation drawings.
5. Building Division records indicate the last approved parking layout was in association with Building Permit No. BZ-20067 issued October 1, 1964. Parking was previously approved under former Hamilton Zoning By-law No. 6593, which required a total of forty-eight (48) parking spaces. Twelve (12) parking spaces were indicated to be provided in the existing garage area at the first-storey, and thirty-six (36) parking spaces were indicated to be provided in the surface level parking lot.

Based on the submitted Site Plan, it appears the proposed parking layout has been substantially altered from the original approved parking layout, and is further modified by converting the existing garage area to dwelling units resulting in a further reduction of parking on the lot. As the parking area no longer conforms to the approved parking layout or the current regulations which apply to the lands, a full zoning review has been conducted to

bring the parking lot into conformity with the current regulations of Hamilton Zoning By-law No. 05-200. Therefore, for the purpose of establishing the minimum number of required parking spaces, the total number of existing and proposed dwelling units have been used. However, for the purpose of determining the minimum number of bicycle parking spaces, only the additional dwelling units that result in an increase in gross floor area, have been used, as Hamilton Zoning By-law No. 6593 did not require a minimum number of bicycle parking spaces to be provided.

6. The front lot line for this property/development is the lot line abutting Forest Avenue, being the shortest lot line abutting a street.
7. Please note that the subject lot is identified on Schedule "A" to Appendix "D" as a Parking Rate Area 1 as per amending By-law No. 24-052.
8. Please be advised that the Electric Vehicle Parking requirements under By-law 24-052, remain under appeal and are not covered under Section 1.12 of the "Transitional Provisions" of the Hamilton Zoning By-law 05-200. At present, a review of the Electric Parking requirements has not been included in the following zoning chart. If the remaining portions of By-law 24-052 become final before issuance of a building permit, the Electric Vehicle Parking requirements will be applicable upon review for such building permit.
9. The proposed development has been reviewed and compared to the standards of the "C5" (Mixed Use Medium Density) Zone, as indicated in the following chart:

By-law Requirement	Required	Provided	Conforms/ Non-conforming
"C5" Zone Regulations			
Restriction of Uses within a building <i>Section 10.5.1.1</i>	In addition to Section 10.5.1, the following uses shall be permitted in accordance with the following restrictions: i) Restriction of Uses within a building: 1. The finished floor elevation of any dwelling unit shall be a minimum of 0.9 metres above grade; and, 2. Notwithstanding 10.5.1.1i) 1., dwelling unit(s) shall be permitted in a basement or cellar	The Site Statistics indicate the finished floor elevation as 0.0 metres. Dwelling units have not been indicated in a basement or cellar.	Non-conforming VARIANCE REQUIRED (No.1)
Minimum Amenity Area for Dwelling Units and Multiple Dwellings <i>Section 10.5.3(h)</i> <i>NOTE: No previous Amenity Area requirement for the use of a Multiple Dwelling in an "E-3" Zone under Hamilton Zoning By-law No. 6593. The</i>	On a lot containing 10 dwelling units or more, the following Minimum Amenity Area requirements be provided: i) An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area; and,	Amenity area indicated as 349.82 square metres.	Conforms

By-law Requirement	Required	Provided	Conforms/ Non-conforming
<p><i>specific requirement was for a percentage of the lot to be Landscaped Area, which is deemed to be a Legal Non-complying site condition; therefore, the Amenity Area requirement as required by Section 10.5.3(h) has only been applied to the eleven (11) dwelling units being proposed.</i></p>	<p>10 x 4.0 = 40 square metres</p> <p>ii) An area of 6.0 square metres for each dwelling unit greater than 50 square metres of gross floor area.</p> <p>1 x 6.0 = 6 square metres</p> <p>TOTAL: 46.0 square metres of amenity space required for the eleven (11) additional dwelling units.</p> <p>iii) In addition to the definition of Amenity Area in Section 3: Definitions, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air</p>		
Section 5: Parking Regulations			
<p>Parking on the Same Lot <i>Section 5.1.1(d)</i></p>	<p>All required parking spaces shall be located on the same lot as the use for which they are required, unless the parking spaces are provided on another lot in compliance with Section 5.6.1.</p>	<p>Parking facilities are provided on the same lot as the use.</p>	Conforms
<p>Minimum parking space size <i>Section 5.2.1(a)</i></p>	<p>Unless permitted by another regulation in this By-law, parking space sizes shall be a minimum of 2.8 metres in width and 5.8 metres in length</p>	<p>Nineteen (19) standard parking spaces ("P5" and "P10" – "P27") are indicated as a minimum of 2.8 metres in width and 5.8 metres in length.</p>	Conforms
<p>Required Increase in Width due to Obstruction <i>Section 5.2.1(b)</i></p>	<p>Where a wall, column, or any other obstruction is located abutting or within any parking space, the minimum width of a parking space shall be increased by 0.3 metres for each side which is obstructed by a wall, column, or other obstruction;</p>	<p>Parking spaces do not appear to be obstructed.</p>	N/A
<p>Exceptions to Increase in Width due to Obstruction <i>Section 5.2.1(c)</i></p>	<p>Notwithstanding Subsection 5.2.1 b), an additional 0.3 metres shall not be required provided all of the following conditions are met:</p> <p>i) the maximum length of the wall, column or other obstruction shall not exceed</p>	<p>Parking spaces do not appear to be obstructed.</p> <p>Applicant to note instances where a parking space may not be considered obstructed.</p>	N/A

By-law Requirement	Required	Provided	Conforms/ Non-conforming
	<p>1.15 metres, measured along the side of the parking space, from the front or rear of the space towards the side's midpoint;</p> <p>ii) the wall, column or other obstruction is located at the front, rear, or both ends of the parking space; and,</p> <p>iii) the wall, column or other obstruction does not project more than 0.15 metres into the width of the parking space</p>		
<p>Increase in Length Due to Stairs within an Attached Garage <i>Section 5.2.1(d)</i></p>	<p>The length of each parking space in an attached garage of a dwelling unit shall be increased by an equivalent length of the step, steps or stairwell that extends into the parking space, except</p> <p>i) an open stairway may project into the length of the required parking space not more than 0.75 metres provided the height of the stairway does not exceed 0.5 metres.</p>	<p>N/A</p>	<p>N/A</p>
<p>Light Standards Not Considered Obstructions <i>Section 5.2.1(e)</i></p>	<p>Notwithstanding Section 5.2.1 b), light standards, including the base, located at the intersection of four parking spaces shall not be considered as an obstruction.</p>	<p>Light standards have not been indicated.</p>	<p>N/A</p>
<p>Optional Reduction in Minimum Dimensions for Small Car Parking <i>Section 5.2.1(f)</i></p>	<p>Notwithstanding Subsection 5.2.1 a), where 10 or more parking spaces are provided on a lot, the minimum parking space size of not more than 10% of such <u>required parking spaces</u> may be a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only.</p> <p>NOTE: Five (5) visitor parking spaces required. Therefore, a maximum of 0.5 (0) parking spaces are</p>	<p>Four (4) parking spaces ("P1 – "P4") are indicated as a minimum of 2.6 metres in width and 5.5 metres in length.</p>	<p>Non-conforming VARIANCE REQUIRED (No.2)</p>

160 Hughson Street South, Hamilton

By-law Requirement	Required	Provided	Conforms/ Non-conforming
	permitted to be provided for small car parking.		
Minimum Parallel Parking Space Dimensions <i>Section 5.2.1(g)</i>	Notwithstanding Subsection 5.2.1 a), each parallel parking space shall have a minimum width of 2.4 metres and a minimum length of 6.7 metres, except that end spaces which have a clear, unobstructed approach, may have a minimum length of 5.5 metres.	Two (2) parallel parking spaces have been indicated with a minimum width of 2.45 metres and a minimum length of 6.70 metres.	Conforms
Minimum Accessible Parking Space Width and Accessibility Aisle Requirement <i>Section 5.2.2(a)</i>	Each accessible parking space shall have: i) a minimum width of 3.4 metres, notwithstanding Section 5.2.1 a) above and subject to Section 5.2.2 b) below; ii) a minimum length of 5.8 metres; and, iii) a minimum of one side must continuously abut an accessibility aisle, provided in accordance with Section 5.2.2 c) and d) below.	i) and ii) Two (2) accessible parking spaces are indicated, one with a minimum width of 3.40 metres and one with a minimum width of 2.40 metres, and both with a minimum length of 5.80 metres. iii) One side of the accessible parking space abuts an accessibility aisle.	Conforms
Permitted Reduction in Width for Accessible Parking Spaces <i>Section 5.2.2(b)</i>	Where two or more accessible parking spaces are provided, a maximum of 50% of such spaces, rounded up to the nearest whole number in the case of a numeric fraction, may have a reduced minimum width of 2.4 metres.	Two (2) accessible parking spaces are indicated, one with a minimum width of 3.40 metres and one with a minimum width of 2.40 metres, and both with a minimum length of 5.80 metres	Conforms
Accessibility Aisle Requirements <i>Section 5.2.2.(c)</i>	A minimum of one side of each accessible parking space shall continuously abut an unobstructed accessibility aisle which shall: i) have a minimum width of 1.5 metres; ii) have a minimum length which extends the full length of each abutting accessible parking space; and, iii) be clearly identified and marked	One side of each accessible parking space abuts an accessibility aisle, which extends the full length of the abutting accessible parking space and is indicated as having a minimum width of 1.50 metres.	Conforms

By-law Requirement	Required	Provided	Conforms/ Non-conforming
Sharing of Accessibility Aisle <i>Section 5.2.2.(d)</i>	A maximum of two accessible parking spaces may abut one accessibility aisle, provided such spaces continuously abut opposite sides of the shared accessibility aisle.	A maximum of two accessible parking spaces abut one accessibility aisle, with such spaces continuously abutting opposite sides of the shared accessibility aisle	Conforms
Drive Aisle Requirements <i>Section 5.2.3(a)</i>	The drive aisle abutting any parking space shall be designed and provided in accordance with the following minimum width requirements: <u>Parking Angle Degree/One-Way and Two-Way Aisle Width</u> 0° / 3.7m 15° / 3.7m 30° / 3.7m 45° / 4.5m 60° / 5.5m 75° / 6.0m 90° / 6.0m	A minimum aisle width of 6.0 metres has been indicated.	Conforms
Access Requirements <i>Section 5.2.4(a)</i> Access to all parking shall:	i) be arranged so as to not interfere with normal public use of the street or laneway; ii) be provided by means of an access driveway: 1. located on the lot; or, 2. located partly on the lot in the case of a mutual driveway; or, 3. by means of a Right-of-Way; and, iii) in the case of a Parking Lot, provide ingress and egress of vehicles to and from a street in a forward motion only	The required parking is provided with adequate means of ingress and egress to and from the street or laneway and is arranged so as not to interfere with normal public use of the street or laneway. The parking area is accessed by means of an access driveway located on the lot. Ingress and egress of vehicles to and from the street is in a forward motion.	Conforms
Minimum Access Driveway Width <i>Section 5.2.4(b)</i>	The width of any driveway providing access to a parking space shall be a minimum of 2.7 metres.	The minimum width of the driveway providing access to parking area is greater than 2.7 metres.	Conforms
Tandem and Stacked Parking Restriction and Exceptions <i>Section 5.2.4(c)</i>	All parking spaces shall have adequate means of ingress and egress to and from the street or laneway without the necessity of moving any	Parking spaces are shown to have adequate means of ingress and egress to and from the street	Conforms

By-law Requirement	Required	Provided	Conforms/ Non-conforming
	other motor vehicle, except: i) the accessibility to a maximum of one of the parking spaces for a Single Detached Dwelling may be obstructed by another motor vehicle; and, ii) where a parking attendant is on site or a valet service is provided in association with a Commercial Parking Facility or Hotel, parking spaces may be designed to include the use of tandem or stacked parking.	without the necessity of moving any other vehicle.	
Minimum Floor Level for an Attached Garage <i>Section 5.2.4(d)</i>	Where an attached garage is provided for a Single Detached Dwelling Semi-Detached Dwelling, Duplex Dwelling, Street Townhouse Dwelling, Triplex Dwelling or Fourplex Dwelling in any Zone except the Agriculture (A1) and Rural (A2) Zone, the finished floor level of the garage shall be a minimum of 0.3 metres above grade.	N/A	N/A
Streetline Setback and Planting Strip Requirement <i>Section 5.3.1(a)</i>	Unless identified as exempt in Section 5.3.1 b), parking spaces and associated drive aisles, excluding driveways extending directly from the street, shall be subject to all of the following: i) Shall not be located within 3.0 metres of a street line; ii) Shall provide a 3.0 metre wide Planting Strip being required and permanently maintained between the street line and the parking spaces or aisle, except for that portion of a lot line; 1. Notwithstanding 5.3.1 a) iii), no Planting Strip shall be required for any portion of a lot line abutting the Red Hill Valley Parkway or the Lincoln Alexander Parkway; and, iii) Where a Planting Strip is provided, as per 5.3.1 a) ii) above, any architectural wall	i) Parking spaces are indicated to be within 0.0 metres of the Hughson Street South streetline, and within 2.12 metres of the Forest Avenue streetline. ii) A 3.0 metre planting strip has not been indicated between the parking lot and the Forest Avenue and Hughson Street South streetlines. iii) An architectural wall or feature has not been indicated within the planting strip.	Non-conforming VARIANCE REQUIRED (No.3 and 4)

By-law Requirement	Required	Provided	Conforms/ Non-conforming
	or feature within the Planting Strip shall be limited to a maximum height of 0.6 metres.		
<p>Multiple Dwelling Front and Flankage Yard Parking Restriction <i>Section 5.3.1(c)</i></p>	<p>In addition to Section 5.3.1 a), on a lot containing a Multiple Dwelling:</p> <p>i) With the exception of any visitor parking required by Section 5.7.1, 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. In no case shall any parking be located within the required front yard or required flankage yard or within 3.0 metres of a street line.</p> <p>ii) Visitor parking may be permitted between the façade and a street provided that no more than 50% of the front or flankage yard shall be used for visitor parking and access to such parking.</p> <p>NOTE: Five (5) visitor parking spaces required.</p>	<p>i) Two (2) accessible parking spaces, are located between the façade and the front lot line.</p> <p>Parking spaces are indicated to be within 0.0 metres of the Hughson Street South streetline and within 2.12 metres of the Forest Avenue streetline.</p> <p>ii) Three (3) parking spaces are indicated between the facade and Hughson Street South.</p>	<p>Non-conforming VARIANCE REQUIRED (No. 5)</p>
<p>Landscape Strip and Visual Barrier Requirement for Parking Lots <i>Section 5.3.1(d)</i></p> <p>Parking Lot: Shall mean an area located on a lot which contains five or more parking spaces</p>	<p>Where a Parking Lot is situated on a lot which abuts a Residential Zone, Settlement Residential (S1) Zone, Downtown (D5), or Downtown (D6) Zone, the following shall be provided and maintained along that portion of the lot line that abuts a Residential Zone, Settlement Residential (S1) Zone, Downtown (D5) Zone, or Downtown (D6) Zone:</p> <p>i) A minimum 1.5 metre wide landscape strip which shall contain a Visual Barrier in accordance with Section 4.19 of this By-law.</p>	<p>The subject property does not abut said zones.</p>	<p>N/A</p>
<p>Landscape Area and Landscaped Parking Island Requirements for Surface Parking Lots Containing 50 or More</p>	<p>In addition to Section 5.3.1 b), the following requirements shall apply to surface Parking Lots in all zones which contain 50 or</p>	<p>Twenty-seven (27) parking spaces are indicated.</p>	<p>N/A</p>

By-law Requirement	Required	Provided	Conforms/ Non-conforming
<p>Parking Spaces in All Zones <i>Section 5.3.1(e)</i></p>	<p>more parking spaces:</p> <ul style="list-style-type: none"> i) Landscaped Area(s) and Landscaped Parking Island(s) with a minimum combined area of 10% of the area of the Parking Lot and associated access driveway and manoeuvring areas shall be provided and maintained; ii) Each Landscaped Area and Landscaped Parking Island shall have a minimum area of 10.0 square metres; iii) The calculation for Landscaped Area(s) and Landscaped Parking Island(s) shall not include the area of landscaping provided to satisfy the minimum requirement of any other Section of this By-law; iv) A Landscaped Area or Landscaped Parking Island may be traversed by a pedestrian walkway; and, v) When calculating the minimum number of parking spaces in accordance with Section 5.7.1, such number may be reduced by the number needed to accommodate the minimum Landscaped Parking Island requirement of this section, up to a maximum of 10% of the required parking spaces. 		

By-law Requirement	Required	Provided	Conforms/ Non-conforming
<p>Parking Spaces, Driveways and Widening in All Zones <i>Section 5.3.4(a)</i></p>	<p>(a) Parking spaces, driveways and widening(s) in all zones shall be provided and maintained with stable surfaces such as asphalt, concrete or other hard-surfaced material, crushed stone, permeable pavers or gravel, and shall be maintained in a dust free condition.</p> <p>i) Notwithstanding Section 5.3.4 a), on a lot containing a residential use in a Residential Zone, any parking provided beyond that which is required by Section 5.7.1 of this By-law shall be maintained with permeable material and shall not be deemed landscaped area in the calculation of total landscaped area on a lot.</p>	<p>(a) The surface level parking lot appears to be asphalt. Applicant to indicate material of parking lot on future submissions.</p> <p>(i) The subject lot is not located in a Residential Zone.</p>	<p>(a) Conforms</p> <p>(i) N/A</p>
<p>Parking Lots in all zones, except the Rural Zones <i>Section 5.3.4(b)</i></p>	<p>Parking Lots in all zones, except the Rural Zones, shall be designed and maintained with stable surfaces such as asphalt, concrete, or other hard surfaced material, or permeable pavers.</p>	<p>The surface level parking lot appears to be asphalt. Applicant to indicate material of parking lot on future submissions.</p>	<p>Conforms</p>
<p>Bicycle Parking Locational Requirements <i>Section 5.4.2(a)</i></p>	<p>i) Short-term Bicycle Parking Spaces shall be publicly accessible and located within a bicycle parking area at grade, which includes the first floor of a building or an exterior surface area</p> <p>ii) Long-term Bicycle Parking Spaces shall be located in a secure enclosed bicycle parking area.</p>	<p>Six (6) short-term bicycle parking spaces are indicated at grade.</p> <p>Long-term bicycle parking spaces have not been indicated.</p>	<p>Conforms</p>
<p>Visitor Parking Space Requirements <i>Section 5.6.6</i></p>	<p>a) A required visitor parking space provided on a lot shall be clearly identified and marked as being reserved for such purpose.</p>	<p>Visitor parking spaces have been clearly identified.</p>	<p>Conforms</p>
<p>Minimum Number of Required Parking Spaces <i>Section 5.7.1(a)(i)</i></p> <p>NOTE: The subject lot is identified on Schedule "A" to Appendix "D" as a Parking Rate Area 1</p>	<p>Multiple Dwelling, where the total number of such units is 5 or greater.</p> <p>a) In PRA 1, no parking spaces are required for residents, and 2 visitor parking spaces, plus 0.05 visitor parking spaces are required per unit.</p>	<p>Twenty-seven (27) parking spaces have been indicated, five (5) of which have been indicated to be provided for visitor parking.</p>	<p>Conforms</p>

By-law Requirement	Required	Provided	Conforms/ Non-conforming
<p>NOTE: Where the application of the parking standards in Section 5.7.1, 5.7.2, 5.7.4, and 5.7.5 results in a numeric fraction, <u>fractions shall be rounded down to the nearest whole number</u></p>	<p><u>CALCULATION:</u></p> <p>2 + 0.05 x 71 units = 2 + 3.5 = 5.55 (5) visitor parking spaces required</p> <p>b) In PRA 2, 0.5 spaces per unit for residents, plus 0.15 visitor parking spaces per unit.</p> <p>c) In PRA 3, 0.85 spaces per unit for residents, plus 0.25 visitor parking spaces per unit.</p> <p>d) In all other areas, 1 space per unit for residents, plus 0.3 visitor parking spaces per unit.</p>		
<p>Maximum Permitted Parking Rate Schedule <i>Section 5.7.2</i></p> <p>NOTE: The subject lot is identified on Schedule "A" to Appendix "D" as a Parking Rate Area 1</p> <p>NOTE: Where the application of the parking standards in Section 5.7.1, 5.7.2, 5.7.4, and 5.7.5 results in a numeric fraction, <u>fractions shall be rounded down to the nearest whole number</u></p>	<p>Multiple Dwelling:</p> <p>a) In PRA 1, 1 space per unit, inclusive of resident and visitor parking spaces.</p> <p><u>CALCULATION:</u></p> <p>71 units x 1 = 71</p> <p>THEREFORE: A maximum of seventy-one (71) parking spaces are permitted.</p> <p>b) In PRA 2, 1.25 spaces per unit, inclusive of resident and visitor parking spaces.</p> <p>c) In PRA 3, 2 spaces per unit, inclusive of resident and visitor parking spaces.</p>	<p>Twenty-seven (27) parking spaces have been indicated.</p>	<p>Conforms</p>
<p>Minimum Accessible Parking Rate Schedule <i>Section 5.7.3(b)</i></p> <p>NOTE: The minimum number of accessible parking spaces which must be provided <u>shall be the greater minimum number resulting from the calculations in Sections 5.7.3 b) and</u></p>	<p>On a lot containing 5 or more parking spaces, a minimum number of the parking spaces provided shall meet the requirements of the Minimum Accessible Parking Rate Schedule below:</p> <p>5-100 spaces: Minimum 4% of the total number of parking spaces provided;</p> <p><u>CALCULATION:</u></p>	<p>Two (2) accessible parking spaces are indicated.</p>	<p>Conforms</p>

By-law Requirement	Required	Provided	Conforms/ Non-conforming
<p>5.7.3 c) below, with numeric fractions rounded up.</p> <p>NOTE: Where the application of the minimum accessible parking standards in Section 5.7.3 results in a numeric fraction, <u>fractions shall be rounded up to the nearest whole number.</u></p>	<p>NOTE: 27 parking spaces indicated to be provided</p> <p>4% of 27 (1.08) rounded up to 2</p> <p>THEREFORE: A minimum of two (2) accessible parking spaces are required to be provided</p> <p>101-200 spaces: Minimum 1 space + 3% of the total number of parking spaces provided;</p> <p>201-1000 spaces: Minimum 2 spaces + 2% of the total number of parking spaces provided; and,</p> <p>1000 or more spaces: Minimum 11 + 1% of the total number of required parking spaces.</p>		
<p>Minimum Accessible Parking Rate Schedule <i>Section 5.7.3(c)</i></p>	<p>Parking Requirement Excluding PRA and existing GFA:</p> <p>d) In all other areas, 1 space per unit for residents, plus 0.3 visitor parking spaces per unit.</p> <p><u>CALCULATION:</u></p> <p>1 x 11 = 11 resident parking spaces 0.3 x 11 = 3.3 (3) visitor parking spaces</p> <p>TOTAL = 14 parking spaces required for proposed dwelling units.</p> <p>Accessible Parking Space Requirement:</p> <p>5-100 spaces: Minimum 4% of the total number of parking spaces provided.</p> <p><u>THEREFORE:</u></p> <p>4% of 14 = 0.56 round up to 1</p> <p>One (1) accessible parking</p>	<p>Two (2) accessible parking spaces are indicated.</p>	<p>Conforms</p>

By-law Requirement	Required	Provided	Conforms/ Non-conforming
	space is required to be provided.		
<p>Minimum Bicycle Parking Rate Schedule <i>Section 5.7.5(a)</i></p> <p>NOTE: The subject lot is identified on Schedule "A" to Appendix "D" as a Parking Rate Area 1</p> <p>NOTE: Section 5.4.1(b)(ii) where an addition, alteration or expansion of an existing building is proposed, the bicycle parking requirements of Section 5.7.5 shall only apply to the increased gross floor area of the building.</p>	<p>Multiple Dwelling where the total number of units exceeds 4:</p> <p><u>Short-term Bicycle Parking:</u></p> <p>(a) In Parking Rate Area (PRA) 1 and PRA 2, 0.1 per unit.</p> <p><u>CALCULATON:</u></p> <p>NOTE: Applicant has advised via email dated October 4th, 2024, that seven (7) of the proposed dwelling units contribute to an increase in gross floor area of the building. Applicant to confirm gross floor area of the existing and proposed layout is indicated as per the definition provided in Hamilton Zoning By-law No. 05-200.</p> <p>7 x 0.1 = 0.7 (0) short-term bicycle parking space is required to be provided.</p> <p>(b) In all other areas, 0.05 per unit.</p> <p><u>Long-term Bicycle Parking:</u></p> <p>(a) In Parking Rate Area (PRA) 1 and PRA 2, 0.7 per unit.</p> <p><u>CALCULATON:</u></p> <p>7 x 0.7 = 4.9 (4) long-term bicycle parking spaces are required to be provided.</p> <p>(b) In all other areas, 0.5 per unit</p>	<p>Eight (8) short-term bicycle parking spaces are indicated at grade.</p> <p>Six (6) long-term bicycle parking spaces have been indicated.</p>	<p>Conforms</p>

- Construction of the proposed development is subject to the issuance of a building permit in the normal manner. Be advised that Ontario Building Code regulations may require specific setback and construction types.

8. All new signs proposed for this development must comply with the regulations contained within the Sign By-law 10-197.
9. All new fences proposed for this development must comply with the regulations contained within Fence By-law 10-142.
10. The designer shall ensure that the fire access route conforms to the Ontario Building Code.

Yours truly

for the Manager of Building Engineering and Zoning