

Authority: Item 6, Economic Development
and Planning Committee
Report: 10-001 (PED10109)
CM: May 26, 2010

Bill No. 125

CITY OF HAMILTON

BY-LAW NO. 10-125

**To Amend Zoning By-law No. 6593 (Hamilton), respecting lands located at 195
Locke Street South (Hamilton)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario 1999 Chap. 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the *City of Hamilton* is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Hamilton" and is the successor of 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;

AND WHEREAS Zoning By-law No. 6593 (Hamilton) was enacted on the 25th day of July 1950, which 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 6 of Report 10-011 of the Economic Development and Planning Committee, at its meeting held on the 26th day of May, 2010, 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 (the Official Plan of the former City of Hamilton) in accordance with the provisions of the Planning Act.

By-law respecting lands located at 195 Locke Street South (Hamilton)

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

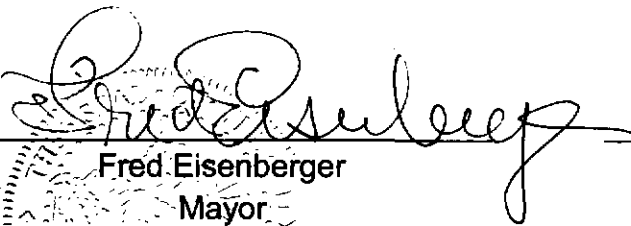
1. That Map W-13 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing from the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to the "H/S-1631" (Community Shopping and Commercial, etc.) District, Modified, on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14 of Zoning By-law No. 6593, be modified to include the following requirements:
 - (a) That notwithstanding Section 14(1) of Zoning By-law No. 6593, only the following uses shall be permitted:
 - (i) Retail Commercial Uses.
 - (ii) General Office Uses, excluding medical, dental, and drugless practitioners.
 - (iii) One dwelling unit above a commercial use.
 - (b) That notwithstanding Section 14(3)(i) of Zoning By-law No. 6593, a front yard of a depth of at least 0.4m shall be provided and maintained;
 - (c) That notwithstanding Section 14(3)(ii) of Zoning By-law No. 6593, a southerly side yard of 0.0m and a northerly side yard of 0.2m shall be provided and maintained;
 - (d) That notwithstanding Section 14(3)(iii) of Zoning By-law No. 6593, a rear yard depth of at least 5.9m shall be provided and maintained;
 - (e) That notwithstanding Section 14(4) of Zoning By-law No. 6593, a minimum lot width of 7.3m and a minimum lot area of 144 square metres shall be provided and maintained;
 - (f) That notwithstanding Section 14(9) of Zoning By-law No. 6593, planting strips abutting a residential district or use are not required;
 - (g) That notwithstanding Section 18A(1)(b) of Zoning By-law No. 6593, a minimum of 1 parking space shall be provided and maintained for a dwelling unit;
 - (h) That notwithstanding Section 18A(1)(f) of Zoning By-law No. 6593, an aisle width of 3.8m for maneuvering space shall be provided and maintained for parking angles of 90 degrees;

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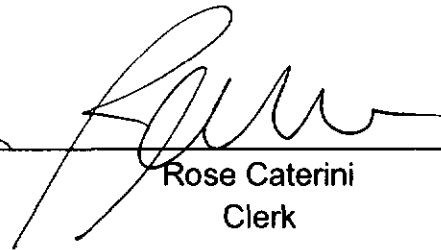
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- (i) That notwithstanding Section 18A(7) of Zoning By-law No. 6593, required parking spaces shall have dimensions not less than 2.6 metres wide and 5.5 metres long.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law, in accordance with the Planning Act.

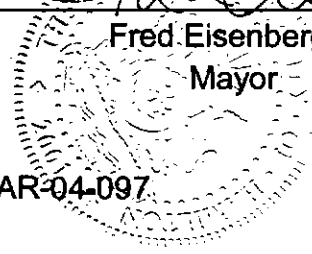
PASSED and ENACTED this 26th day of May, 2010.



Fred Eisenberger
Mayor

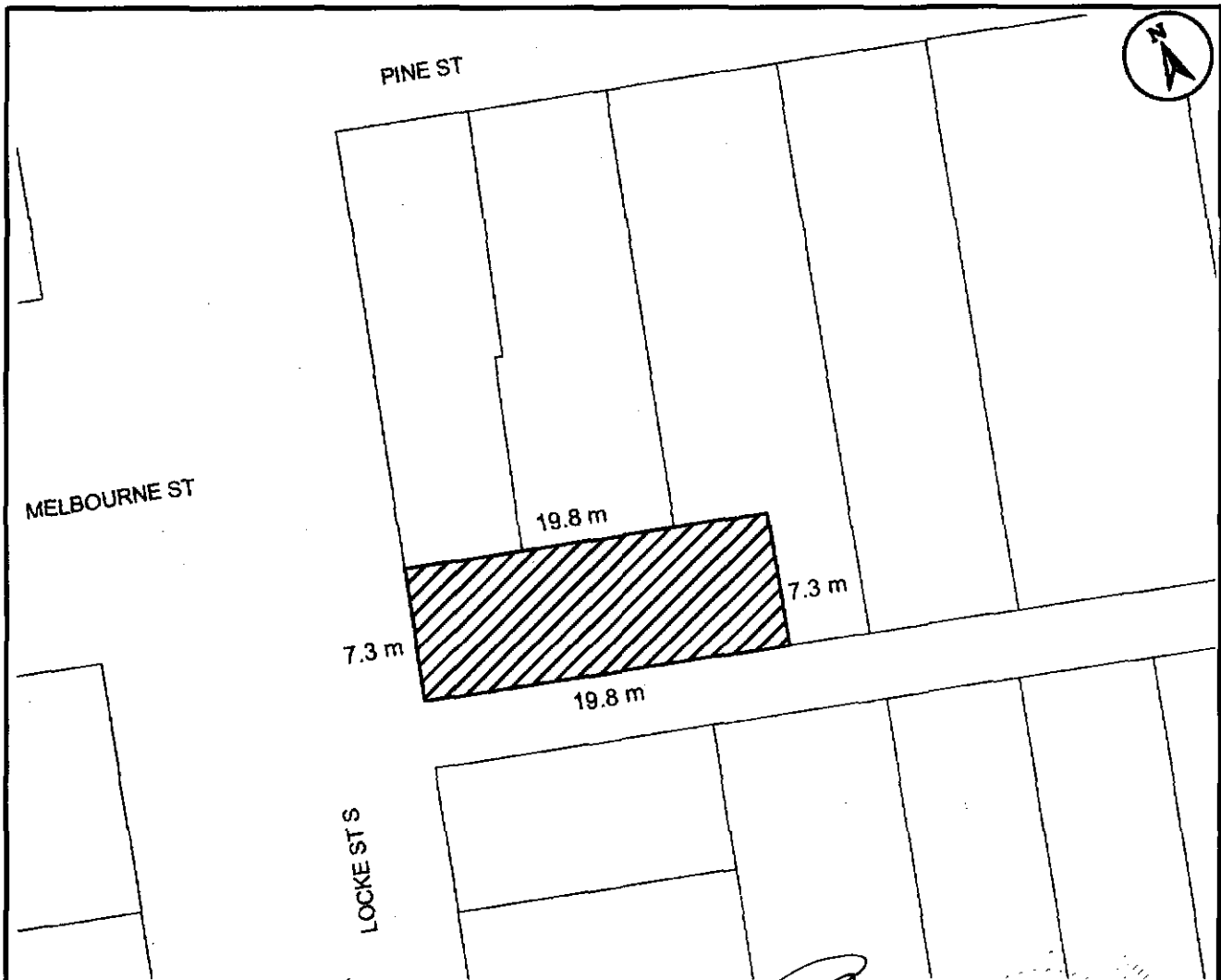


Rose Caterini
Clerk



ZAR-04-097

By-law respecting lands located at 195 Locke Street South (Hamilton)



This is Schedule "A" to By-Law No. 10- 125

Passed the ..26th.. day of ...May....., 2010

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 10-125

to Amend By-law No.6593

Subject Property

195 Locke Street South



Change in Zoning from the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to the "H/S-1631" (Community Shopping and Commercial, etc.) District modified.

Scale:
 N.T.S.

File Name/Number:
 ZAR-04-097

Date:
 April 15, 2010

Planner/Technician:
 KM/KA



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT