

Authority: Item 3, Planning Committee Report 22-017 (PED23207)

CM: October 25, 2023 Ward: 4

Written approval for this by-law was given by Mayoral Decision MDE-2023 05 dated October 25, 2023

Bill No. 202

CITY OF HAMILTON

BY-LAW NO. 23-202

To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 851 Lawrence Road, Hamilton

WHEREAS Council approved Item 3 of Report 23-017 of the Planning Committee, at its meeting held on October 25, 2023;

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

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Map No. 1195 of Schedule "A" – Zoning Maps is amended by:
 - a) Adding the Mixed Use Medium Density (C5, 877, H163) Zone to the lands known as 851 Lawrence Road and identified as Block 1, the extent and boundaries of which are shown on Schedule "A" attached to and forming part of this By-law; and,
 - b) Adding the Mixed Use Medium Density (C5, 881) Zone to the lands known as 851 Lawrence Road and 2030 King Street East and identified as Block 2, the extent and boundaries of which are shown on Schedule "A" attached to and forming part of this By-law.
2. That Schedule "C" – Special Exceptions is amended by adding the following new Special Exceptions:
 - "877. Within the lands zoned Mixed Use Medium Density (C5, 877) Zone on Map No. 1195 of Schedule "A" – Zoning Maps and described as 851 Lawrence Road, the following special provisions shall apply:
 - a) Notwithstanding Section 3, as it relates to the definition of Front Lot Line,
 - i) For the purposes of Special Exception 877, Lawrence Road shall be deemed the Front Lot Line.

- b) Notwithstanding Section 4.6 e), a balcony may encroach into any required yard to a maximum of 1.8 metres.
- c) Notwithstanding Section 5.6 c) and 5.6 e) as it relates to Multiple Dwellings and Dwellings Unit(s), the following parking shall be required:
- i) A minimum of 1.1 spaces per unit.
- d) Notwithstanding Section 10.5.1.1 i) 1. dwelling units that do not face a street shall be permitted at grade.
- e) In addition to Section 10.5.3, and notwithstanding Sections 10.5.3 a) ii), 10.5.3 d i), 10.5.3 d ii), and 10.5.3 d iii), the following regulations shall apply:
- i) Building Setback from a Street Line Maximum setback of 7.9 metres;
 - ii) Setback Between Buildings Minimum setback of 3 metres from any building, excluding underground parking structures, existing on the date of the passing of this By-law;
 - iii) Building Height
 - 1. Minimum 10.3 metre façade height along the street.
 - 2. Maximum building height shall be in accordance with Figure 37 of Schedule F – Special Figures.
- f) In addition to 10.5.3 i) a 3.0 metre wide Planting Strip shall be required along the westerly side lot line.
881. Within the lands zoned Mixed Use Medium Density (C5, 881) Zone on Map No. 1195 of Schedule “A” – Zoning Maps and described as 851 Lawrence Road and 2030 King Street East, the following special provisions shall apply:

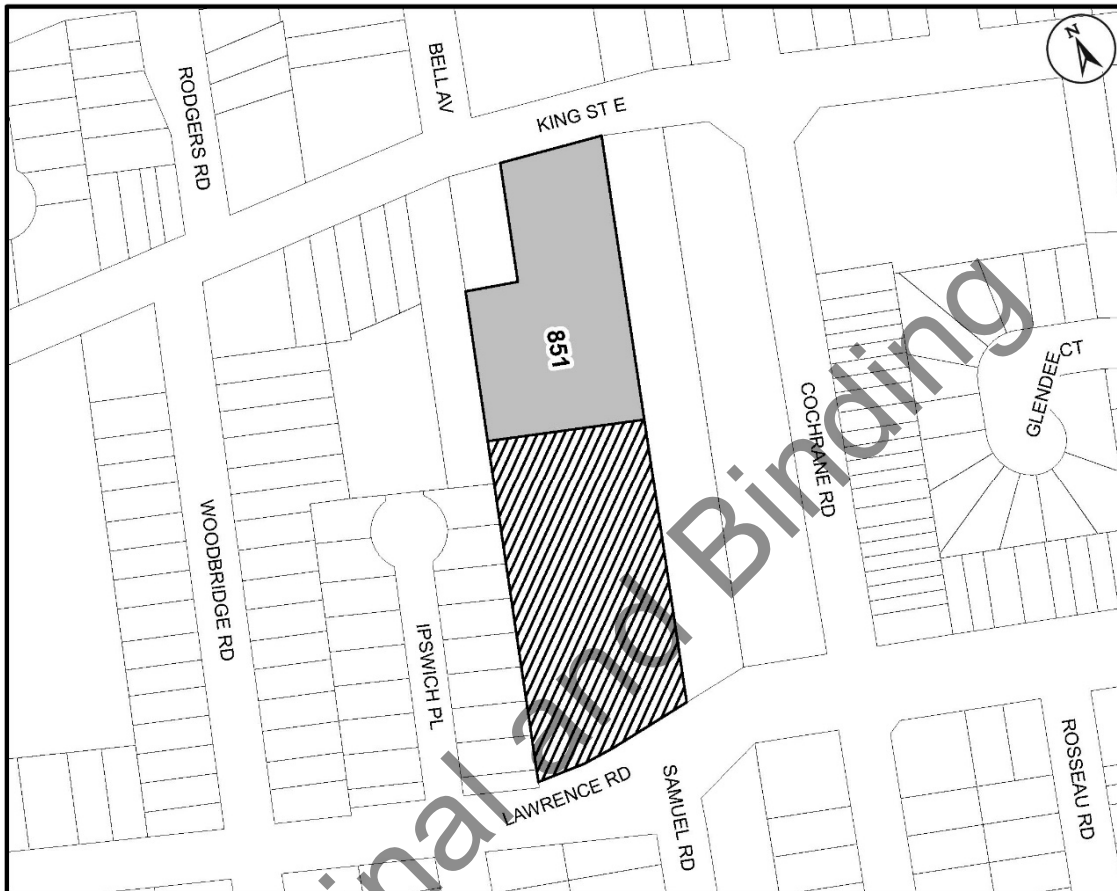
- a) Notwithstanding any other provisions of this By-law, development existing at the date of passing of this by-law shall be deemed to comply.
 - b) Notwithstanding Section 5.6 c) and 5.6 e) as it relates to Multiple Dwellings and Dwellings Unit(s), the following parking shall be required:
 - i) A minimum of 1.1 spaces per unit.”
3. That Schedule “D” – Holding Provisions be amended by adding the additional Holding Provision as follows:
- “163. Notwithstanding Section 10.5 of this By-law, within lands zoned Mixed Use Medium Density (C5, 877) Zone, identified on Map No. 1195 of Schedule “A” – Zoning Maps and described as 851 Lawrence Road, no development shall be permitted until such time as:
- a) The Owner submitting a Parking Assessment demonstrating that:
 - a. the removal of the driveway access to 380 Cochrane Road shall have no adverse impact on site circulation;
 - b. the required parking for 380 Cochrane Road and 851 Lawrence Road will be provided at 851 Lawrence Road; and,
 - c. sufficient manoeuvring space is available for waste collection and loading vehicles entirely on private property;to the satisfaction of the Manager, Transportation Planning and Director of Planning and Chief Planner.
 - b) The Owners of 380 Cochrane Road and 851 Lawrence Road enter into a parking agreement with the City to be registered against the title of both the lot upon which parking is to be provided (851 Lawrence Road) and the lot containing the use requiring the parking (380 Cochrane Road), to the satisfaction of the Director of Planning and Chief Planner.
 - c) The Owner submitting a Watermain Hydraulic Analysis, to the satisfaction of the Director of Hamilton Water.
 - d) The Owner submitting a technical memorandum prepared by a qualified professional that provides justification for why dewatering is not required, and in the event that dewatering is required, the owner shall provide a written record of a Monitoring and Contingency Plan that outlines a protocol for action, to the satisfaction of the Director of Hamilton Water.

- e) The Owner making satisfactory arrangements with the City's Growth Management Division and entering into an External Works Agreement with the City for the design and construction of any required improvements to the municipal infrastructure at the Owner's cost, should it be determined that upgrades are required to the municipal infrastructure to support the proposed development, all to the satisfaction of the Director of Growth Management and Chief Development Engineer.
 - f) The Owner submitting a revised Tree Protection Plan addressing the protection of private trees, to the satisfaction of the Director of Planning and Chief Planner. The resubmission is also to include the applicable Tree Protection Plan review fee payable to the City of Hamilton.
 - g) The Owner submitting a Wind Study, to the satisfaction of the Director of Planning and Chief Planner."
4. That Schedule "F" – Special Figures be amended by adding Figure 37: Maximum Building Heights for 851 Lawrence Road as shown on Schedule "B" to this By-law.
 5. 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 provisions of the Mixed Use Medium Density (C5, 877, H163) Zone and Mixed Use Medium Density (C5, 881) Zone subject to the special requirements referred to in Section No. 2, 3 and 4 of this By-law.
 6. 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 October, 2023.

A. Horwath
Mayor

J. Pilon
Acting City Clerk



This is Schedule "A" to By-law No. 23-

Passed the day of, 2023

Mayor

Clerk


Schedule "A"


Map forming Part of
By-law No. 23-_____

to Amend By-law No. 05-200
Map 1195

Subject Property

851 Lawrence Road, Hamilton (Ward 4)

 Block 1 - Lands to be added as Mixed Use Medium Density (C5, 877, H163) Zone

 Block 2 - Lands to be added as Mixed Use Medium Density (C5, 881) Zone

Scale:
N.T.S

File Name/Number:
ZAC-23-040

Date:
September 27, 2023

Planner/Technician:
AB/VS



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



Special Figure 37: Maximum Building Heights for 851 Lawrence Road

Date:
September 20, 2023

Legend

	0 metre Building Height		Maximum Building Height 32.2 metres
	Maximum Building Height 10.9 metres		Maximum Building Height 35.2 metres
	Maximum Building Height 16.9 metres		Maximum Building Height 38.5 metres
	Maximum Building Height 22.9 metres		Maximum Building Height 42.0 metres, inclusive of mechanical penthouse and amenity area
	Maximum Building Height 29.2 metres		Lands to be rezoned as Mixed Use High Density (C4, 877, H163) Zone

