CITY OF HAMILTON

BY-LAW NO. 15-183

To Amend Zoning By-law No. 05-200,
Respecting Lands Located at 82 Parkside Drive (Flamborough)

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, S.O. 1999, Chap. 14;

AND WHEREAS it is desirable to enact a new Zoning By-law to comprehensively deal with zoning throughout the City;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

AND WHEREAS Zoning By-law No. 05-200 was enacted on the 25th day of May, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 11 of Report 15-012 of the Planning Committee, at its meeting held on the 14th day of August, 2015, which recommended that Zoning By-law No. 05-200 be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan.

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

1. That Map No. 515 of Schedule "A" – Zoning Maps, of Zoning By-law No. 05-200, be amended by changing the zoning from the Prestige Business Park (M3) Zone to the Prestige Business Park (M3, 469, H58) Holding Zone, Modified, for the lands, the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this By-law.

2. That Schedule "C" – Special Exceptions, of By-law No. 05-200, is amended by adding an additional special exception as follows:

"469. In addition to Section 9.3 of this By-law, within the lands zoned Prestige Business Park (M3, 469, H58) Holding Zone, Modified, identified on Map 515 of Schedule "A" to By-law 05-200 and described as 82 Parkside Drive, the following special provisions shall apply:

a) PERMITTED USES

In addition to Subsection 9.3.1 Permitted Uses, a motor vehicle car washing establishment with accessory pet washing bays and motor vehicle vacuuming bays shall be permitted.
b) REGULATIONS

   i) Minimum Lot Area  3,500 square metres

   ii) Parking  Notwithstanding Subsection 5.6 c) iv. Parking Schedules, five (5) parking spaces shall be provided for a motor vehicle car washing establishment with accessory pet washing bays and motor vehicle vacuuming bays, having a total maximum gross floor area of 715 square metres.

3. That Schedule "D" – Holding Provisions, of By-law No. 05-200 be amended by adding an additional Holding Provision as follows:

"58. That notwithstanding Section 9.3 of this By-law, on those lands zoned Prestige Business Park (M3, 469) Zone, on Map 515 of Schedule "A", no development shall be permitted until such time as:

   (i) The owner has paid all costs associated with the westerly extension of the sanitary sewer from Sadielou Boulevard / Hollybush Drive along Parkside Drive, including the private sanitary drain connection, private storm drainage connection and private water service, to the satisfaction of the Senior Director of Growth Management.

   (ii) The owner has applied for and received final Site Plan approval, to the satisfaction of the Manager of Development Planning, Heritage and Design.

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.

4. That this By-law No. 15-183 shall come into force and be deemed to come into force in accordance with Subsection 34(21) of the Planning Act, either upon the date of passage of this By-law or as otherwise provided by the said subsection.

PASSED this 14th day of August, 2015.

Brenda Johnson  
Deputy Mayor

Rose Caterini  
City Clerk

ZAR-15-012
To Amend Zoning By-law No. 05-200, Respecting Lands Located at 82 Parkside Drive (Flamborough)

Map Forming Part of By-law No. 15-183

Scale: N.T.S.  
Date: June 11, 2015  
File Name/Number: ZAR-15-012  
Planner/Technician: DM/VS  
Subject Property  
82 Parkside Drive, Flamborough  
Change in Zoning from the Prestige Business Park (M3) Zone to the Prestige Business Park (M3, 480, H58) Zone.

This is Schedule "A" to By-law No. 15-183
Passed the 14th day of August, 2015

Schedule "A"
Map Forming Part of By-law No. 15-183 to Amend By-law No. 05-200 Map 515

Hamilton