

Authority: Item _____, Economic
Development and Planning
Committee
Report 15- _____ (PED15***)
CM:

Bill No.

CITY OF HAMILTON

BY-LAW No.

**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 _____ of Report _____ of the Planning Committee, at its meeting held on the _____ day of _____, 2015, 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 is amended by changing the zoning from the Prestige Business Park (M3) Zone to the Prestige Business Park (M3, 467, 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:

"467. In addition to Section 9.3 of this By-law, within the lands zoned Prestige Business Park (M3, 467, 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, 467) 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 and private drain connections of the sanitary sewer, as well as the proportionate share of storm mainline sewers, including private drain connections, from Sadielou Boulevard/Hollybush Drive along Parkside Drive, 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*.

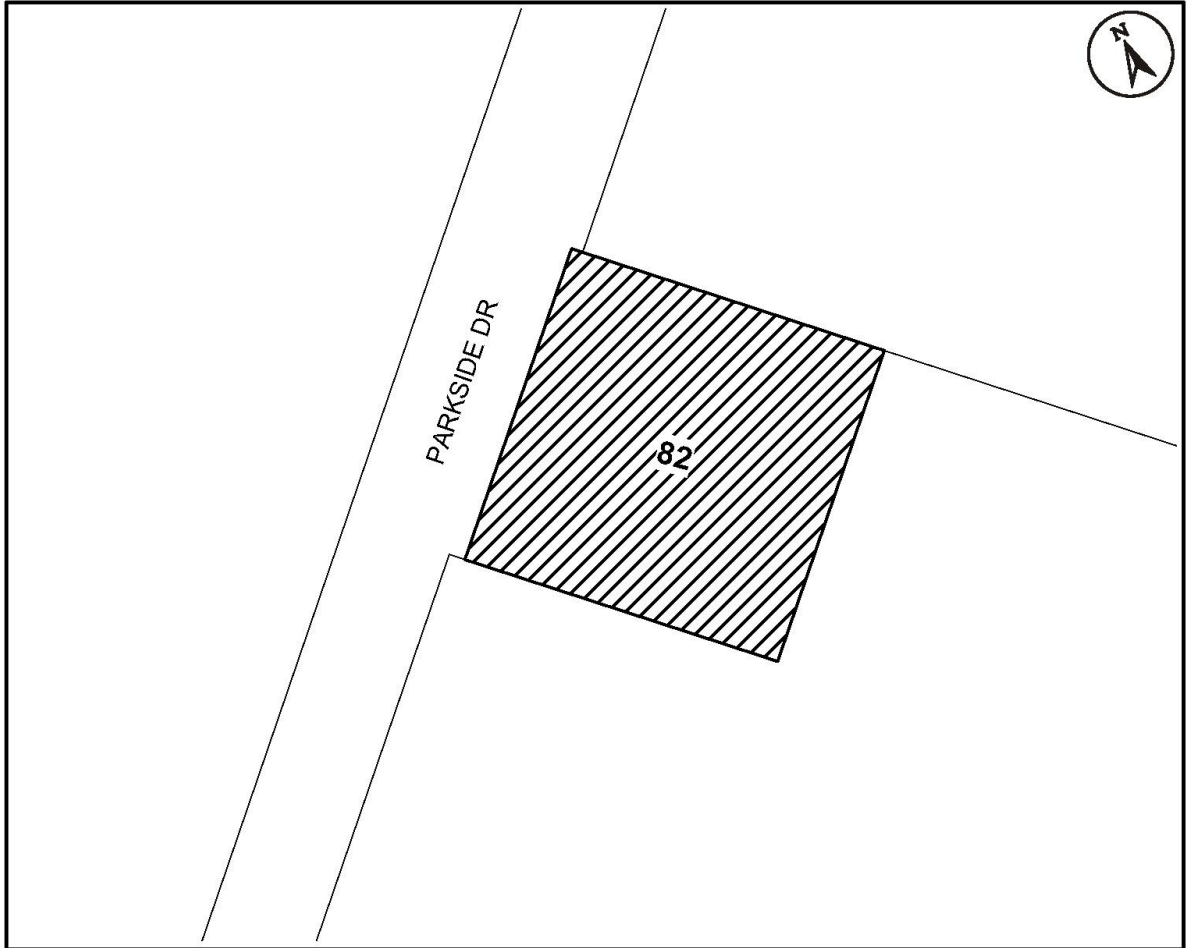
4. That this By-law No. _____ shall come into force and be deemed to come into force in accordance with Subsection 34(21) of the *Planning Act*, either upon the date of passage of this By-law or as otherwise provided by the said subsection.

PASSED and ENACTED this _____ day of _____, 2015.

Fred Eisenberger
Mayor

Rose Caterini
Clerk

ZAR-15-012



<p>This is Schedule "A" to By-law No. 15-</p> <p>Passed the day of, 2015</p>	<p>----- Mayor</p> <p>----- Clerk</p>
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<p>Schedule "A"</p> <p>Map Forming Part of By-law No. 15-_____</p> <p>to Amend By-law No. 05-200 Map 515</p>	<p>Subject Property 82 Parkside Drive, Flamborough</p> <p> Change in Zoning from the Prestige Business Park (M3) Zone to the Prestige Business Park (M3, 469, H58) Zone.</p>
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<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAR-15-012</p>	
<p>Date: June 11, 2015</p>	<p>Planner/Technician: DM/VJS</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		