

CITY OF HAMILTON

BY-LAW NO. 17-

To Amend Zoning By-law No. 05-200, Respecting Lands Located at 50 Covington Street (Hamilton)

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*, Statutes of Ontario, 1999 Chap. 14;

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 8 of Report 17-001 of the Planning Committee, at its meeting held on the 25th day of January, 2017, which recommended that Zoning By-law No. 05-200 be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan upon approval of Official Plan Amendment No. 70.

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

1. That Maps 1049 and 1095 of Schedule "A" - Zoning Maps, of Zoning By-law No. 05-200, be amended by modifying the zoning from the General Business Park (M2) Zone to the General Business Park (M2, 478) Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" to this By-law.
2. That Schedule "C" - Special Exceptions, of By-law No. 05-200, is hereby amended by adding the following sub-section:

"478 Within the lands zoned General Business Park (M2, 478) Zone, identified on Maps 1049 and 1095 of Schedule "A" to By-law No. 05-200 and described as 50 Covington Street, the following special provisions shall apply:

- 1) In addition to the uses listed under Provision 9.2.1 – Permitted Uses, a Motor Vehicle Repair Garage shall also be permitted.
 - 2) For the purposes for this by-law, a Motor Vehicle Repair Garage shall mean the use of land, building or structure, or part thereof for general repairs and servicing such as, but not limited to, the repair or replacement of mufflers, exhaust systems, shock absorbers, transmissions, gears, brakes, clutch assemblies, steering systems, tires; wheels, windshields, windows and other mechanical or electrical parts or systems, the installation of undercoating, engine tuning, lubrication, engine conversion or replacement, emissions testing and the accessory retail of automotive parts but shall not include a Motor Vehicle Service Station, Motor Vehicle Collision Repair Establishment or a Motor Vehicle Wrecking Establishment.
 - 3) Notwithstanding any provision of Zoning By-law No. 05-200, the subject lands and any development located thereon, existing on the effective date of this By-law, shall be deemed to comply with the regulations for any required landscaping areas, planting strips, parking facilities, loading facilities and visual barriers relative only to the use existing on the effective date of this By-law.
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. 17-024 shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the *Planning Act*, either upon the date of passage of this By-law or as otherwise provided by the said Sub-section.

PASSED this 8th day of February, 2017.

F. Eisenberger
Mayor

R. Caterini
City Clerk

ZAR-16-005



This is Schedule "A" to By-law No. 17-

Passed the day of, 2017

Mayor

Clerk

Schedule "A"

Map Forming Part of
By-law No. 17-_____

to Amend By-law No. 05-200
Maps 1049 & 1095

Subject Property

50 Covington Street



Change in zoning from the General
Business Park (M2) Zone to General
Business Park (M2, 478) Zone, Modified

Scale:
N.T.S.

File Name/Number:
ZAR-16-005

Date:
June 2, 2016

Planner/Technician:
GT/VS



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT