

**Authority:** Item 8, Planning Committee  
Report 14-015 (PED14158)  
CM: September 24, 2014

**Bill No. 287**

## **CITY OF HAMILTON**

### **BY- LAW NO. 14-287**

#### **To Amend Zoning By-law No. 6593 Respecting Lands Located at 2791 King Street East (Hamilton)**

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

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which By-law 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 8 of Report 14-015 of the Planning Committee, at its meeting held on the 19<sup>th</sup> day of September 2014, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**AND WHEREAS** the Urban Hamilton Official Plan was declared in force and effect on August 16, 2013 and is the Official Plan in effect for lands within the Urban Area of the City of Hamilton;

**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:

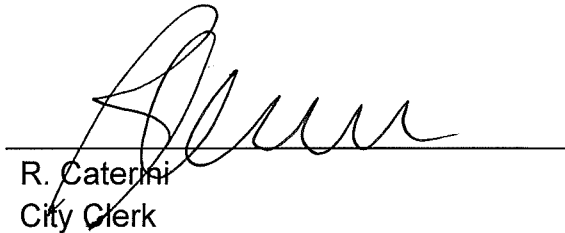
1. That Sheet Nos. E-106 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended as follows:
  - (a) By changing the zoning from the "AA" (Agricultural) District, to the "AA/S-1712" –'H' ("Agricultural" – 'Holding') District, Modified,  
  
on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule 'A'.
2. That the "AA/S-1712" –'H' ("Agricultural" – 'Holding') District, Modified provisions, as contained in Section 7A and the Parking and Loading Requirements of Section 18A of Zoning By-law No. 6593, are modified to include the following special requirements:
  - (a) In addition to Sub-section 7A(1) of Zoning By-law No. 6593, a parking area in conjunction with the medical/office use at 2803 King Street East shall be permitted;
  - (b) That Sub-section 7A(4) of Zoning By-law No. 6593 shall not apply;
  - (c) That notwithstanding Sub-section 18A(7) and 18A(f) and Table 6 of Zoning By-law No. 6593, every parking space, other than a parallel parking space, shall have dimensions not less than 2.6m wide and 5.5m long, and shall have an aisle width manoeuvring space of not less than 5.5 metres;
  - (d) That notwithstanding Sections 18A(11)(a) and 18A(12)(a) & (c) of Zoning By-law No. 6593, a landscaped area with a planting strip of not less than 1.0m in width, in conjunction with a privacy fence, shall be provided and maintained along the westerly and northerly side lot lines and that a landscaped area with a planting strip having an average width of not less than 2.0m shall be provided along southerly street line.
  - (e) That Sub-section 18A(11)(a) of Zoning By-law No. 6593, the boundary of the parking area shall be not less than 1.0m from the adjoining northerly and westerly residential district boundary;
  - (f) That Sub-section 18A(11)(b) of Zoning By-law No. 6593 shall not apply.
3. That the 'H' symbol applicable to the lands referred to in Section 1 of this By-law shall be removed conditional upon:
  - i) The owner applying for and receiving final approval Site Plan approval, to the satisfaction of the Manager of Development Planning, Heritage and Design.

- ii) That the Owner(s) of 2791 and 2803 King Street East enter into an agreement with the City to be registered against the title of both the lot upon which parking is to be provided and the lot containing the use requiring the parking, to the satisfaction of the Manager of Development Planning, Heritage and Design.
3. That By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1712.
4. That Sheet No. E-106 of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1712.
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 "AA" (Agricultural) District provisions, subject to the special requirements referred to in Section 2 and 3 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 24<sup>th</sup> day of September, 2014.



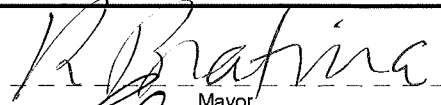
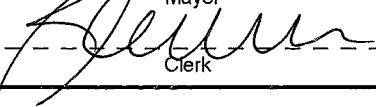


R. Bratina  
Mayor



R. Caterni  
City Clerk

ZAR-14-007



This is Schedule "A" to By-law No. 14-287 Passed the 24th day of September, 2014		 Mayor  Clerk	
<h2>Schedule "A"</h2> <p>Map Forming Part of                  By-law No. 14-287                  to Amend By-law No. 6593</p>		<b>Subject Property</b> 2791 King Street East  Change in zoning from the "AA" (Agriculture) District to the "AA/S-1712"-H' ("Agricultural" – 'Holding') District, Modified.	
Scale: N.T.S.	File Name/Number: ZAR-14-007	 <b>Hamilton</b>	
Date: June 30, 2014	Planner/Technician: DV/VS		
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT			