

**Authority:** Item 2, Planning Committee  
Report: 16-005 (PED16067)  
CM: March 30, 2016

**Bill No. 086**

## **CITY OF HAMILTON**

### **BY-LAW NO. 16-**

#### **To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands Located at 3 Green Mountain Road West**

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

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8<sup>th</sup> day of December, 1992, and approved by the Ontario Municipal Board on the 31<sup>st</sup> day of May, 1994;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 2 of Report 16-005 of the Planning Committee, at its meeting held on the 30<sup>th</sup> day of March, 2016, which recommended that Zoning By-law No. 3692-92 (Stoney Creek) 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. 11 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek), is hereby amended by changing the zoning of lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule 'A', from the Neighbourhood Development "ND" Zone to the General Commercial "GC-56" Zone, Modified.

2. That Subsection 8.3.8, "Special Exemptions" of Section 8.3, General Commercial "GC" Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption, "GC-56", as follows:

**"GC-56" 3 Green Mountain Road, Schedule "A" Map No. 11**

Notwithstanding the provisions of Paragraphs (f), (h), (i)(3) of Subsection 8.1.5 "Motor Vehicle Service Stations And Car Washing Establishments" of the "General Provisions for Commercial Zones" and Subsection 4.10.3 "Dimensions of Parking Space" of the "Parking Regulations", on those lands zoned "GC-56", the following shall apply:

- |  |   |
|--|---|
| (a) Minimum Rear Yard  | 1.5 metres  |
| (b) Minimum Landscape Open Space   | A landscaped strip shall only be required adjacent to every portion of any lot line that abuts any street, except for points of ingress and egress, and be a minimum width of 3.2 metres. |
| (c) The width of an entrance or exit ramp shall be not more than 12.9 metres abutting Upper Centennial Parkway and 12.4 metres abutting Green Mountain Road West. The width of an entrance or exit ramp shall be not less than 9.0 metres along either street. |   |
| (e) (i) Required parking spaces for 90 degree perpendicular parking may have minimum rectangular dimensions of 2.6 metres by 5.8 metres exclusive of any lands used for access, manoeuvring, driveways or a similar purpose.                                   |   |
| (ii) For other than 90 degree perpendicular parking spaces, the parking space shall not be less than 2.4 metres in width or less than 5.9 metres in length exclusive of any land used for access, manoeuvring, driveways or a similar purpose.                 |   |

In addition to the definition of "Landscaped Strip", a gateway feature shall be required within the Landscaped Strip at the corner of Green Mountain Road West and Upper Centennial Parkway which may include, but not be limited to, a decorative wall, signage, lighting and / or metal works.

3. 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 General Commercial "GC" Zone provisions, subject to the special requirements referred to in Section 2 of this by-law.

4. 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 30<sup>th</sup> day of March, 2016.

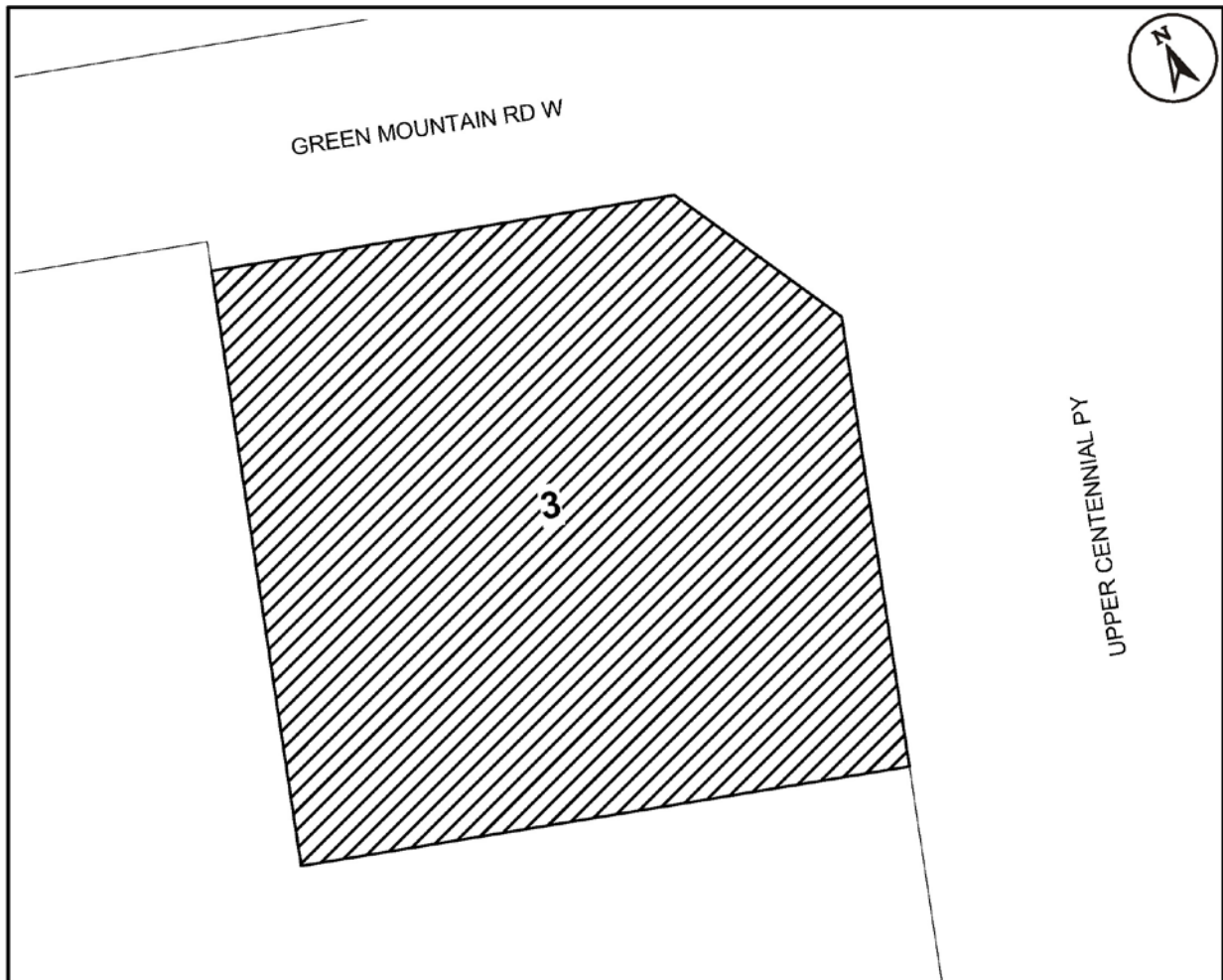
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F. Eisenberger  
Mayor

ZAC-15-033

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R. Caterini  
City Clerk



This is Schedule "A" to By-law No. 16-

Passed the ..... day of ....., 2016

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Mayor

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Clerk

## Schedule "A"

Map Forming Part of  
By-law No. 16-\_\_\_\_\_

to Amend By-law No. 3692-92

### Subject Property

3 Green Mountain Road West



Change in zoning from the Neighbourhood  
Development "ND" Zone to the General  
Commercial "GC-56" Zone, Modified.

Scale:  
N.T.S.

File Name/Number:  
ZAC-15-033

Date:  
Feb. 3, 2016

Planner/Technician:  
GT/VS



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT