

CITY OF HAMILTON

BY-LAW NO. 16-

**To Amend Zoning By-law No. 464 (Glanbrook)
Respecting Lands Located at 3017 Homestead Drive**

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 successor to certain area municipalities, including the former area municipality known as “The Corporation of the Township of Glanbrook” 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May 1993;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 4 of Report 16-013 of the Planning Committee, at its meeting held on the 8th day of July, 2016, which recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided;

AND WHEREAS the Urban Hamilton Official Plan was declared in force and effect on August 15, 2013, and is the Official Plan in effect for lands within the Urban Area of the City of Hamilton;

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan upon the approval of Official Plan Amendment No. 59;

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

1. That Schedule “F” appended to and forming part of Zoning By-law No. 464 (Glanbrook) is amended by changing the zoning from:
 - (a) the Existing Residential “ER” Zone to the General Commercial “C3-300” Zone on the lands comprised of Block “1”; and,

- (b) the Deferred Development “DD” Zone to the General Commercial “C3-300” Zone on the lands comprised of Block “2”;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. That Section 44, “Exceptions to the Provisions of the By-law”, of Zoning By-law No. 464, be amended by adding new Special Exception “C3-300”, as follows:

“C3-300” 3017 HOMESTEAD DRIVE, MOUNT HOPE

- 1) Notwithstanding Subsection 25.1 PERMITTED USES of SECTION 25:GENERAL COMMERCIAL “C3” ZONE, the following uses shall also be permitted on those lands zoned “C3-300”:
- (a) Home and Garden Centre, Beverage Making Establishment, Catering Service, Social Service Establishment, and uses, buildings and structures accessory to the above permitted uses.
 - (b) One single detached dwelling on the same lot existing on the date of the passing of this By-law, and uses, buildings and structures accessory thereto, as subject to the regulations of SECTION 12: EXISTING RESIDENTIAL “ER” ZONE.
- 2) Notwithstanding Subsection 25.1 PERMITTED USES of SECTION 25:GENERAL COMMERCIAL “C3” ZONE, the following uses are prohibited:
- a) boat and/or motorized snow vehicle sales establishments,
 - b) cold storage locker establishments,
 - c) dairies,
 - d) farm equipment sales establishments,
 - e) new and used motor vehicle dealerships
 - f) recreational vehicle sales establishments,
 - g) taxi establishments,
 - h) motor vehicle repair shops
- 3) Notwithstanding SECTION 4: DEFINITIONS, Subsections 7.36(a)(v) General Provisions, and 25.2(g)(i) Minimum Side Yard, the following special regulations shall apply to those lands zoned “C3-300”:

- (a) “HOME AND GARDEN CENTRE” means the use of land, buildings or structures or part thereof for the purpose of buying or selling plants, lawn, gardening and landscaping equipment, supplies, furnishings and décor.
 - (b) Loading areas may be constructed with a gravel surface.
 - (c) A minimum southerly side yard of 2.3m shall be provided and maintained.
 - (d) The single detached dwelling existing on the date of the passing of this By-law, being the day of , 2016, and uses, buildings and structures accessory thereto shall be permitted as an ancillary residential use.
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*.

PASSED this 8th day of July, 2016.

L. Ferguson
Acting Mayor

R. Caterini
City Clerk

ZAC-15-054



This is Schedule "A" to By-law No. 16- Passed the day of, 2016	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 16-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 464</p>		<p>Subject Property 3017 Homestead Drive</p> <p> Block 1 - Change in Zoning from the Existing Residential "ER" Zone to the General Commercial "C3-300" Zone, Modified.</p> <p> Block 2 - Change in Zoning from the Deferred Development "DD" Zone to the General Commercial "C3-300" Zone, Modified.</p>			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Scale: N.T.S.</td> <td style="width: 50%; padding: 2px;">File Name/Number: ZAC-15-054/UHOPA-15-025</td> </tr> <tr> <td style="padding: 2px;">Date: June 7, 2016</td> <td style="padding: 2px;">Planner/Technician: MF/VS</td> </tr> </table>	Scale: N.T.S.	File Name/Number: ZAC-15-054/UHOPA-15-025	Date: June 7, 2016	Planner/Technician: MF/VS	<p>Hamilton</p>
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PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT					