

**Authority:** Item 5, Planning Committee  
Report 20-002 (PED20024)  
CM: February 12, 2020  
Ward: 14

**Bill No. 029**

## **CITY OF HAMILTON**

### **BY-LAW NO. 20-**

#### **To Amend Zoning By-law No. 05-200, Respecting Lands Located at 630 Stone Church Road West, Hamilton**

**WHEREAS** Council approved Item 5 of Report 20-002 of the Planning Committee, at the meeting held on February 12, 2020;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan.

**NOW THEREFORE** Council amends Zoning By-law No. 05-200 as follows:

1. That Maps 1234 and 1287 of Schedule “A” – Zoning Maps are amended by changing the zoning from the Community Commercial (C3) Zone to the Community Commercial (C3, 639, H33) Zone for the lands attached as Schedule “A” to this By-Law.
2. That Schedule “C” – Special Exceptions be amended by adding the following new Special Exception:
  - “639. Within the lands zoned Community Commercial (C3) Zone, identified on Maps 1234 and 1287 of Schedule “A” – Zoning Maps and described as 630 Stone Church Road West, the following special provisions shall apply:
    - a) Notwithstanding Section 4.6 a), 4.8.1 c), 4.19), 5.1 a) v) a) and b), 5.2 b), f), and i), 5.2.1 c), 5.5 a), and 5.6 c) as it relates to “Retail within a Commercial and Mixed Use Zone”, the following regulations shall apply:
      - i) Permitted Yard Encroachments                      The usual projections of window sills, cornices, eaves, troughs, and other similar architectural features, ductwork, venting and other similar appurtenances may be permitted in any required yard provided that no such feature shall project more than 0.5 metres into the required yard and shall be no

- less than 0.4 metres from the rear lot line.
- ii) Accessory Buildings in Commercial and Mixed Use Zones  
Accessory buildings having a maximum gross floor area of less than 11.0 square metres and a maximum building height of 3.0 metres may be located in a required rear yard or a required side yard.
  - iii) Visual Barrier
    - a) A visual barrier shall have a minimum height of 1.7 metres.
    - b) All other applicable provisions of Section 4.19 shall apply.
  - iv) Parking Location  
Parking spaces and aisles giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall not be located within 0.9 metres of a street line and a minimum 0.9 metre planting strip shall be required and permanently maintained between the street line and the parking spaces and/or aisles, excluding driveways extending directly from the street.
  - v) Parking Space Sizes
    - a) Minimum 2.7 metres in width and 5.5 metres in length.
    - b) Notwithstanding a) above, in the case of a barrier free parking space, each parking space shall have a minimum width of 2.7 metres and a minimum length of 5.5 metres plus an abutting 1.9 metre wide shared aisle.
  - vi) Parking Aisle Width  
The minimum aisle width shall be 5.8 metres.

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| vii) Location of Loading Facilities             | A loading space/area shall be located within the required easterly side yard and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law. |
| viii) Minimum Number of Required Parking Spaces | 13, including 1 barrier free parking space.  |

b) Notwithstanding Section 10.3.3 a) ii), b) ii), c) i), and i) vi and vii) 2., the following regulations shall apply:

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| i) Maximum Building Setback from a Street | 20.1 metres except the maximum building setback shall not apply to accessory buildings.   |
| ii) Minimum Rear Yard                     | 0.8 metres  |
| iii) Minimum Interior Side Yard           | 1.2 metres  |
| iv) Built Form for New Development        | a) Parking spaces and aisles shall be permitted to be located between a building façade and the front lot line.<br><br>b) The principal entrance shall be accessible from the building façade but shall not be required to have direct access from the public sidewalk. |

3. That Schedule “D” – Holding Provisions be amended by adding the additional Holding Provision as follows:

“33. Notwithstanding Section 10.3 of this By-law, within lands zoned Community Commercial (C3, 639) Zone, identified on Maps 1234 and 1287 of Schedule “A” – Zoning Maps and described as 630 Stone Church Road West, no development shall be permitted until such time as:

- a) The owner receives final approval of a Site Plan Control application, to the satisfaction of the Director of Planning and Chief Planner.

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 12th day of February, 2020.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

ZAR-19-003



This is Schedule "A" to By-law No. 20-  Passed the ..... day of ....., 2020	----- Mayor  ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2>  <h3 style="margin: 0;">Map Forming Part of By-law No. 20-_____</h3>  to Amend By-law No. 05-200 Maps 1234 & 1287	<b>Subject Property</b>  630 Stone Church Road West  Change in Zoning from Community Commercial (C3) Zone to Community Commercial (C3, 639, H33) Zone
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<b>Scale:</b> N.T.S.	<b>File Name/Number:</b> ZAR-19-003	 Hamilton
<b>Date:</b> November 15, 2019	<b>Planner/Technician:</b> TV/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		