

**Authority:** Item 3, Planning Committee  
Report: 13-005 (PED13060)  
CM: April 10, 2013

**Bill No. 114**

## **CITY OF HAMILTON**

### **BY-LAW NO. 13-**

#### **To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands Located at 303 Highway No. 8**

**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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 3 of Report 13-005 of the Planning Committee, at its meeting held on the 10th day of April, 2013, recommended that Zoning By-law No. 3692-92 (Stoney Creek) be amended as hereinafter provided;

**AND WHEREAS** this By-law will be in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former City of Stoney Creek) upon approval of Official Plan Amendment No. 175.

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

1. That Map No. 6 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended by changing from the Multiple Residential "RM3-18" Zone to the General Commercial "GC-55" Zone, Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That Sub-section 8.3.8, "Special Exemptions", of Section 8.3 General Commercial "GC" Zone, of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding Special Exemption "GC-55", as follows:

**"GC-55" - 303 Highway No. 8, Schedule "A", Map No. 6**

Notwithstanding the provisions of Paragraphs (a), (c), (e), and (g) of Section 8.3.3 "Zone Regulations", and the definition of "Landscaped Strip" contained in Part 2 of Zoning By-law No. 3692-92, on those lands zoned "GC-55" by this By-law, the following shall apply for all uses, including those uses specified in Sections 8.3.4, 8.3.5, 8.3.6, and 8.3.7:

- (a) Minimum Lot Frontage - 21m.
- (c) Maximum Front Yard - 3.0m, except that a minimum front yard of 7.5m shall be provided and maintained for the building or a portion of the building existing on the date of the passing of this By-law, being the 24th day of April, 2013.
- (e) Minimum Rear Yard - 5m.
- (g) Minimum Landscaped Open Space - 10 percent of the lot area, a portion of which shall include the following, where applicable:
  1. A landscaped strip having a minimum width of 4.5m shall be provided and maintained adjacent to every portion of any lot line that abuts a street, except for points of ingress and egress.
  2. A landscaped strip having a minimum width of 4.5m shall be provided and maintained adjacent to every portion of any lot line that abuts any zone other than a commercial or industrial zone, except that a landscaped strip having a minimum width of 3.0m is permitted along the easterly side lot line.

3. No landscaped strip shall be required adjacent to a portion of any lot line that abuts a commercial or industrial zone.
  4. A retaining wall is permitted in a landscaped strip.
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 "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 24<sup>th</sup> day of April, 2013.

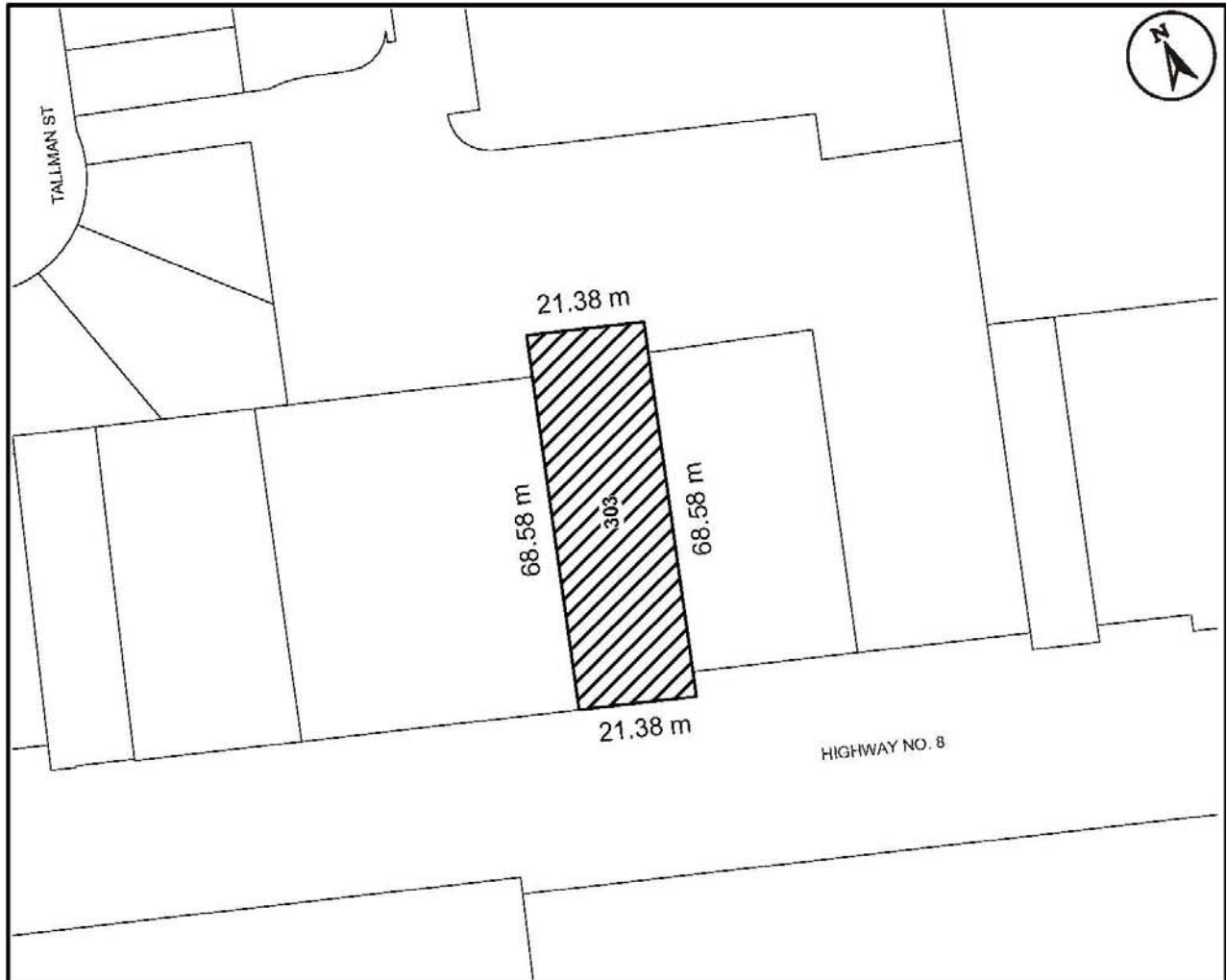
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R. Bratina  
Mayor

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R. Caterini  
City Clerk

ZAC-12-047/OPA-12-018



This is Schedule "A" to By-Law No. 13-  Passed the ..... day of ....., 2013	----- Mayor  ----- Clerk
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<h2>Schedule "A"</h2>  <h3>Map Forming Part of By-Law No. 13-_____</h3>  <h3>to Amend By-law No. 3692-92</h3>	<b>Subject Property</b> 303 Highway No. 8  Change in Zoning from the Multiple Residential "RM3-18" Zone to the General Commercial "GC-55" Zone.
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Scale: N.T.S.	File Name/Number: ZAC-12-047_OPA-12-018	Hamilton
Date: February 1, 2013	Planner/Technician: GM/KA	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		