

Authority: Item 1, Planning Committee
Report 17- 006 (PED17051)
CM: April 12, 2017
Ward: 11

Bill No. 060

CITY OF HAMILTON

BY-LAW NO. 17-060

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands Located at 3079 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 the 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 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 1 of Report 17-006 of the Planning Committee, at its meeting held on the 12th day of April, 2017, which recommended that Zoning By-law No. 464 (Glanbrook), 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 Schedule “F”, appended to and forming part of By-law No. 464 (Glanbrook), is amended by changing from the Existing Residential “ER” Zone,

to the General Commercial “C3-303” Zone, Modified, 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 a new special provision, “C3-303”, as follows:

“C3-303” 3079 Homestead Drive

- a) Notwithstanding **SECTION 25: GENERAL COMMERCIAL “C3” ZONE**, Sub-section 25.1 - **PERMITTED USES**, the following uses shall be prohibited on the lands zoned “C3-303”:

- i. Boat and/or motorized snow vehicle sales establishment;
- ii. Cold storage locker establishments;
- iii. Dairies;
- iv. Farm equipment sales establishment;
- v. Garden centres;
- vi. New and used motor vehicle dealerships;
- vii. Motor vehicle rental and leasing;
- viii. Public and private parking lots and structures;
- ix. Public transportation depots;
- x. Recreational vehicle sales establishments; and,
- xi. Taxi establishments.

- b) In addition to **SECTION 25: GENERAL COMMERCIAL “C3” ZONE**, Sub-section 25.2 – **REGULATIONS**, the following shall apply:

- i. No single use shall be over 10,000 square metres in floor area.
- ii. Offices shall not exceed 2,000 square metres in floor area.
- iii. Medical clinics and Offices shall not be permitted on the ground floor.

- c) In addition to **SECTION 7: GENERAL PROVISIONS**, Subsection 7.35 – **MINIMUM PARKING REQUIREMENTS**, the following shall apply:

- i. A minimum five short term bicycle parking spaces shall be required to be provided on site.

All other regulations of the General Commercial “C3” Zone shall apply.

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

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used, except in accordance with the General Commercial "C3" Zone provisions, subject to the special requirements as 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 12th day of April, 2017.

F. Eisenberger
Mayor

R. Caterini
City Clerk

ZAC-14-018

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This is Schedule "A" to By-law No. 17-
 Passed the day of, 2017

 Mayor

 Clerk

Schedule "A"
 Map Forming Part of
 By-law No. 17-_____
 to Amend By-law No. 464

Subject Property
 3079 Homestead Drive

 Change in zoning from the Existing Residential "ER" Zone to the General Commercial "C3-303" Zone.

Scale:
 N.T.S.

File Name/Number:
 ZAC-14-018

Date:
 March 8, 2017

Planner/Technician:
 MS/AL

