

**Authority:** Item 14, Planning Committee  
Report: 18-012 (PED18169)  
CM: August 17, 2018  
Ward: 9

**Bill No. 309**

## **CITY OF HAMILTON**

### **BY-LAW NO. 18-309**

#### **To Amend Stoney Creek Zoning By-law 3692-92 Respecting Lands Located at 19 Highland Road East (Stoney Creek)**

**WHEREAS** the City of Hamilton Act, 1999, S. O. 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

**WHEREAS;** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton –Wentworth”;

**WHEREAS;** the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

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

**WHEREAS;** the Council of the City of Hamilton, in adopting Item 14 of Report 18-012 of the Planning Committee, at its meeting held on the 17th day of August, 2018, which recommended that the Zoning By-law No. 3692-92 (Stoney Creek) be amended; and,

**WHEREAS** this By-law will be in conformity with the Rural Hamilton Official Plan upon adoption of Official Plan Amendment No. 20;

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

1. That Map No. 17 of Schedule “A”, appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended as follows:
  - (a) by changing the zoning from the Rural Industrial “MR-5” Zone, Modified to the Rural Industrial “MR-6(H)” Zone, Modified

2. That Subsection 9.9.5, "Special Exemptions" of Section 9.9 Rural Industrial "MR" Zone, of Zoning By-law No. 3692-92, be amended by adding a new Special Exemption, "MR-6(H)", as follows:

**"MR-6(H)" 19 Highland Road East, Schedule "A", Map No. 17**

- (a) In addition to the uses permitted in Section 9.9.2 of the Rural Industrial "MR" Zone, public storage warehouses shall be permitted. No parking space located adjacent to Highland Road shall be permitted to be used for the parking of rental trucks or rental trailers
- (b) Notwithstanding Section 9.1.5(a), a minimum setback of 4.5m shall be required.
- (c) Notwithstanding Section 9.1.5(d), a landscape strip having a minimum width of 4.4m shall be required.
- (d) Notwithstanding Section 9.9.3(a), a minimum lot area of 0.8 hectares shall be permitted.
- (e) Notwithstanding Section 9.9.3(b), a minimum frontage of 42 metres shall be required.
- (f) Notwithstanding Section 9.9.3(h), a minimum of 20 parking spaces shall be required.
- (g) Notwithstanding the provision of Section 3.8 "Holding Zones", on those lands zoned "MR-6(H)" by this By-law, the Holding Symbol may be removed and thereby give effect to the "MR-6" Zone provisions in Section two above, upon completion of the following:

That the owner completes the following:

- i. That the applicant confirm that the property can be adequately serviced.
- ii. That the applicant design the required servicing extension and enter into and execute an external servicing agreement and/or special servicing agreement.
- iii. That applicant acknowledge that the servicing be considered temporary until the ultimate servicing network is designed with any future boundary expansion to the east of upper Centennial.
- iv. That the applicant or successor be responsible for any future permanent servicing cost associated with the ultimate servicing network.

All to the satisfaction of the Senior Director of Growth Management.

2. 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** September 26<sup>th</sup>, 2018.

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F. Eisenberger  
Mayor

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J. Pilon  
Acting City Clerk

ZAC-17-055 and RHOPA-17-024



<p>This is Schedule "A" to By-law No. 18-</p> <p>Passed the ..... day of ....., 2018</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<h2>Schedule "A"</h2> <p>Map Forming Part of By-law No. 18-_____</p> <p>to Amend By-law No. 3692-92</p>	<p><b>Subject Property</b> 19 Highland Road</p> <p> Change in Zoning from Rural Industrial "MR-5(H)" Zone, Modified to Rural Industrial "MR-6(H)" Zone, Modified</p>
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Scale: N.T.S.	File Name/Number: ZAC-17-055 & RHOPA-17-024	<p><b>Hamilton</b></p>
Date: Septmeber 5, 2018	Planner/Technician: AB/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		