

Bill No. 129

CITY OF HAMILTON

BY-LAW NO. 10-129

To Adopt:

Official Plan Amendment No. 37 to the former Region of Hamilton Wentworth
Official Plan and Official Plan Amendment No. 157 to the former City of Stoney
Creek Official Plan.

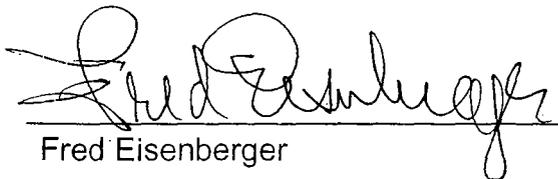
Respecting:

568 Ridge Road (Stoney Creek)

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

1. Amendment No. 37 to the Official Plan of the former Region of Hamilton Wentworth Planning Area consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.
2. Amendment No. 157 to the former City of Stoney Creek Official Plan Planning Area consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 26th day of May 2010.



Fred Eisenberger
Mayor



Rose Caterini
City Clerk

Amendments

to the

**The Former Regional Municipality of Hamilton-Wentworth Official Plan and
the Official Plan of the Former City of Stoney Creek**

That the following text, together with Schedule "A" - Regional Development Pattern, Map No. 1, of the former Regional Municipality of Hamilton-Wentworth Official Plan, and Schedule 'B' - General Land Use Plan - Schedule "A" of the Official Plan of the Former City of Stoney Creek, attached hereto, constitutes:

1. Official Plan Amendment No. 37 to the former Regional Municipality of Hamilton-Wentworth Official Plan; and,
2. Official Plan Amendment No.157 to the Official Plan of the former City of Stoney Creek.

Purpose:

The purpose of this Amendment is to establish "Special Policy Areas 13" (Regional Official Plan) and Special Policy Area "J" (Stoney Creek Official Plan), in order to permit the development of a small scale restaurant in conjunction with/incidental to an agricultural operation (winery) within the "Niagara Escarpment Protection" lands, at 568 Ridge Road, in the Former City of Stoney Creek.

Location:

The lands affected by this Amendment, being approximately 18.65ha, are part of the lands known municipally as 568 Ridge Road, on the south side of Ridge Road, and the west side of Tapleystown Road, in the Former City of Stoney Creek.

Basis:

The basis for permitting the proposal is as follows:

- The proposal is consistent with the Provincial Policy Statement, and conforms to the Provincial Greenbelt Plan.
- The proposal conforms to the Niagara Escarpment Plan, which shall prevail in the case of conflict with any local plans and/or Zoning By-laws.
- The proposal is, in principle, in conformity with the Agricultural Area policies of the Region of Hamilton-Wentworth Official Plan and former City of Stoney Creek Official Plan.

Actual Changes:

1. **That the former Regional Municipality of Hamilton-Wentworth Official Plan be amended as follows:**

Schedule Changes:

- 1.1 Map 1 - Regional Development Pattern - be revised by changing the subject lands to Special Policy Area 13, as shown on the attached Schedule "A" of this amendment.

Text Changes:

- 1.2 That Section D-4, Plan Interpretation, Amendments and Boundaries, be amended by adding the following subsection:

"D-4.16 Lands located on the south side of Ridge Road and the west side of Tapleystown Road, known municipally as part of 568 Ridge Road, being Part of Lot 17 of Concession 4, former City of Stoney Creek

In addition to the uses permitted in Section C-1.5.2(c), Escarpment Protection Area, for the lands known municipally as 568 Ridge Road and identified as SPECIAL POLICY AREA 13 on Map 1, a small scale restaurant in conjunction with/incidental to the agricultural operation (winery) shall be permitted, subject to the following criteria:

- (a) That the owner/applicant shall apply for and receive final approval of a Site Plan Control Application, from the City of Hamilton.
- (b) That the owner/applicant shall prove, to the satisfaction of the Director of Planning of the City of Hamilton, and the Niagara Escarpment Commission, that a minimum of 2 hectares (5 acres) of the arable winery farm parcel upon which the winery is proposed is capable of and committed to producing grapes that are used in the winery, and a minimum of two-thirds of that 2 hectare area is in full grape production for use in the winery by the time a building permit is issued for the winery.
- (c) That the maximum size of a winery shall not exceed 1.5% of the winery parcel, to a maximum of 2,323 square metres (25,000 square feet) - whichever is lesser. This area calculation shall not include that portion of the winery that is fully underground.

- (d) That subject to on-site private sewage systems and water supplies, the maximum number of patrons of the restaurant shall be 50 people."

2. **That the Official Plan of the former City of Stoney Creek be amended as follows:**

Schedule Changes:

- 2.1 Schedule "A" - General Land Use Plan - be revised by changing the subject lands to Special Policy Area "J", as shown on the attached Schedule "B" of this amendment.

Text Changes:

- 2.2 That Section A.9, Agricultural, be amended by adding the following subsection:

"A.9.2.15 Lands located on the south side of Ridge Road and the west side of Tapleystown Road, known municipally as part of 568 Ridge Road, being Part of Lot 17 of Concession 4, former City of Stoney Creek

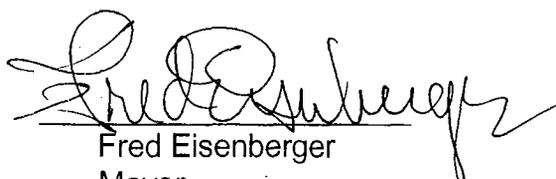
In addition to the uses permitted in Section A.9.2.2, for land located within the "Escarpment Protection" area, within the lands known municipally as 568 Ridge Road and identified as SPECIAL POLICY AREA J on Schedule "A", a small scale restaurant in conjunction with/incidental to the agricultural operation (winery) shall be permitted, subject to Policy A.9.2.2 (a to h); Policy B.2.4, and Policy Section A.7.2.3, and Regional Official Plan Amendment No. 37.

Implementation:

A Niagara Escarpment Development Permit and Site Plan Application will give effect to this Amendment.

This is Schedule "1" to By-law No. 10-129, passed on the 26th day of May, 2010.

The City of Hamilton

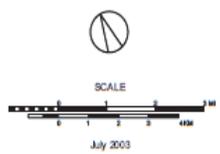
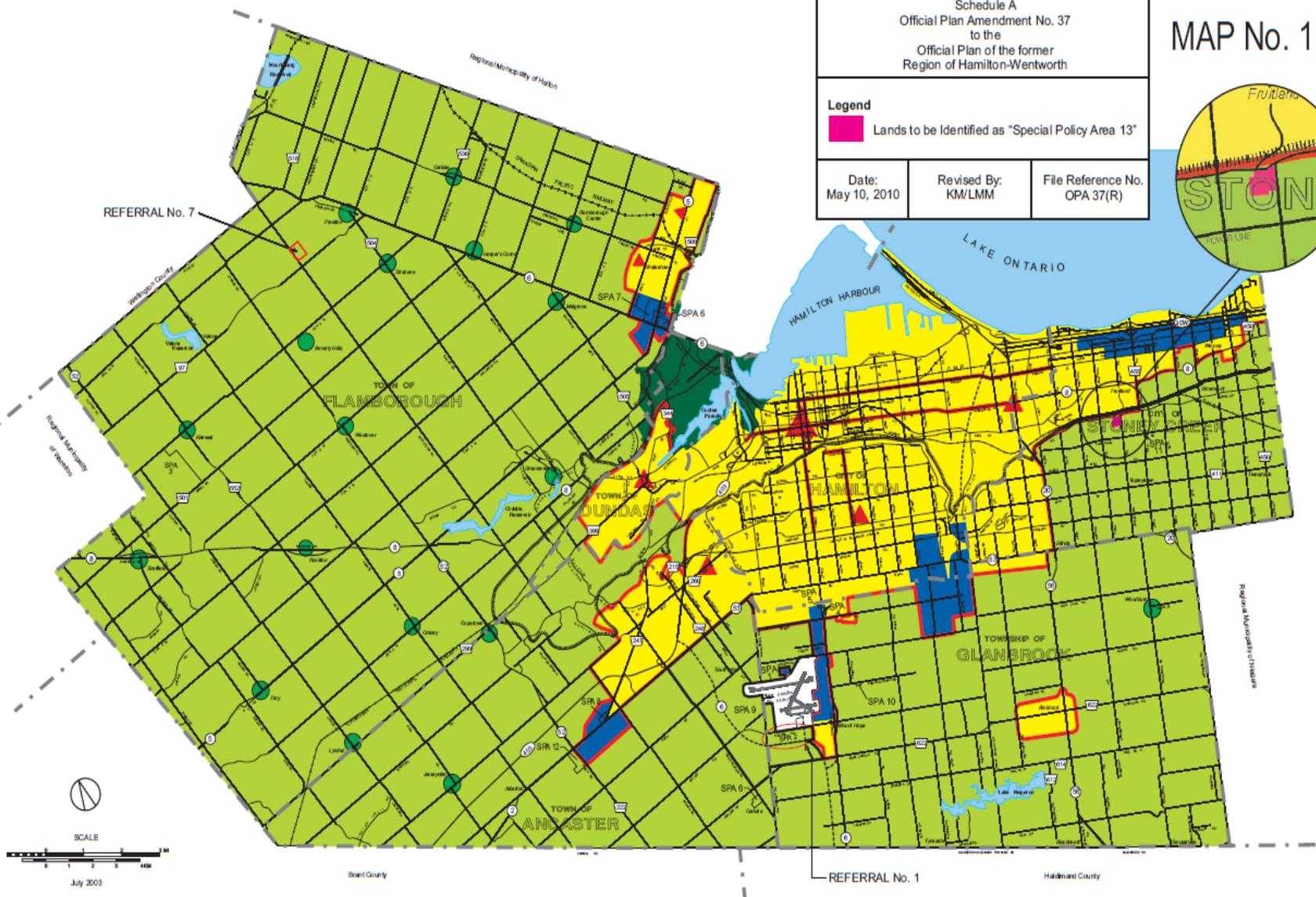

Fred Eisenberger
Mayor


Rose Caterini
City Clerk

Schedule A
 Official Plan Amendment No. 37
 to the
 Official Plan of the former
 Region of Hamilton-Wentworth

MAP No. 1

Legend		
Lands to be Identified as "Special Policy Area 13"		
Date: May 10, 2010	Revised By: KM/LMM	File Reference No. OPA 37(R)



URBAN AREAS		RURAL AREAS		OTHER	
Urban Area Boundary	Regional Centre	Rural Area	Parkway Belt West Policy Areas	Future Roadway	Municipal Boundary
Urban	Mixed-use Centre	Rural Settlements	Special Policy Areas	Airport	
Business Parks	High Density Mixed-use Corridors				

REGIONAL DEVELOPMENT PATTERN



THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
 Regional Environment Department

January 2010

Schedule A
Amendment No. 157 to the
Official Plan for the former
City of Stoney Creek

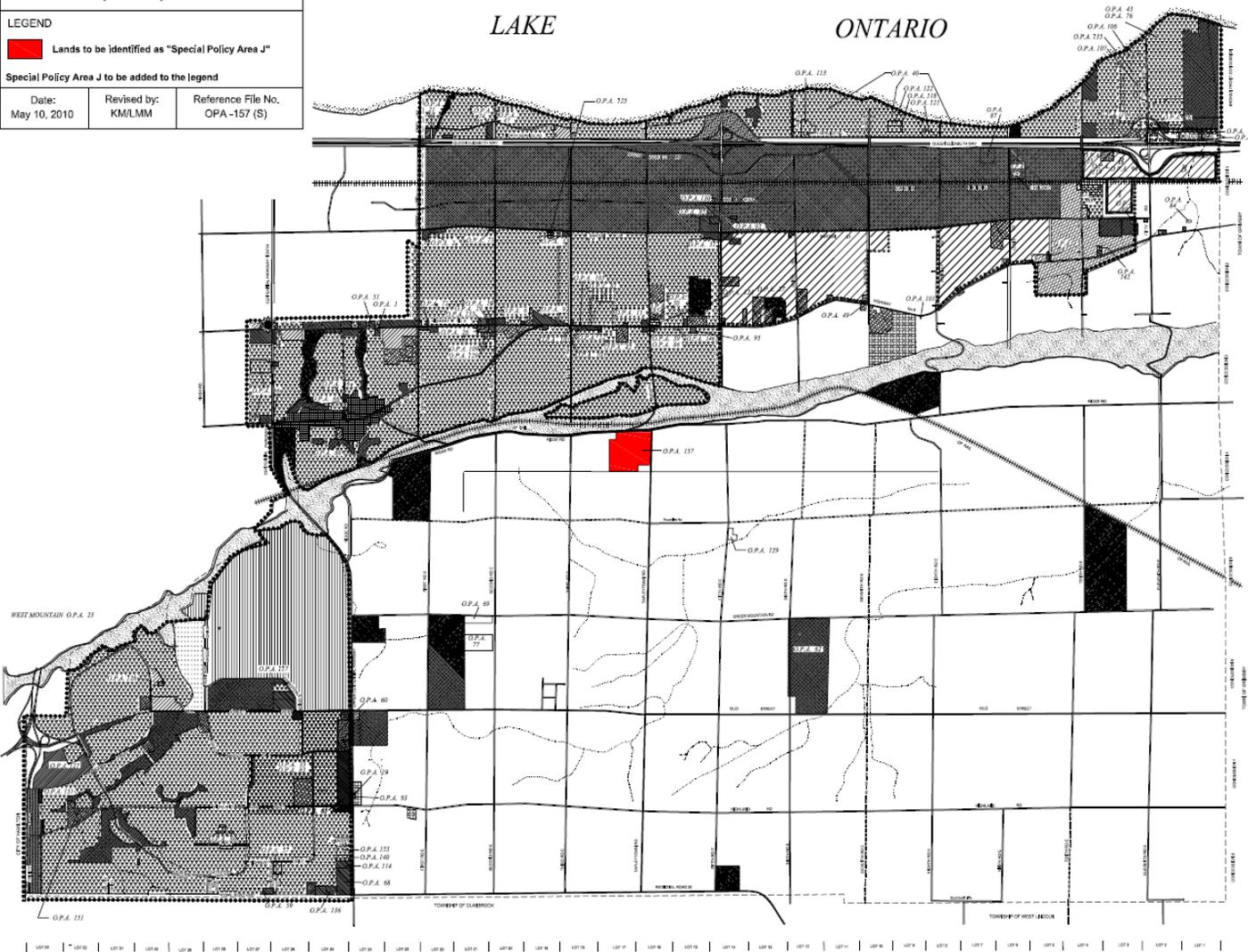
LEGEND

 Lands to be identified as "Special Policy Area J"

Special Policy Area J to be added to the legend

Date: May 10, 2010	Revised by: KM/LMM	Reference File No. OPA-157 (S)
-----------------------	-----------------------	-----------------------------------

LAKE ONTARIO



CITY OF STONEY CREEK OFFICIAL PLAN Schedule "A" General Land Use Plan

Legend

Land Use Designations

- | | | | |
|---|----------------------------|---|------------------------------------|
|  | Residential |  | Special Policy Area 'A' |
|  | Medium Density Residential |  | Special Policy Area 'B' |
|  | Downtown |  | Special Policy Area 'F' |
|  | Shopping Centres |  | Special Policy Area 'J' |
|  | General Commercial |  | Area subject to Policy A.12.6c |
|  | Highway Commercial |  | Municipal Boundary |
|  | Service Commercial |  | Business Improvement Area (B.I.A.) |
|  | Industrial - Business Park |  | Provincial Highway |
|  | Institutional |  | Regional Road |
|  | Winona Urban Community |  | Municipal Road |
|  | Open Space |  | Railway |
|  | Escarpment Natural Area |  | Water Course |
|  | Agricultural |  | Urban Policy Area |
|  | Rural Industrial |  | O.P.A. Official Plan Amendment |
|  | Rural Lakeshore |  | Sub-Regional Centre |