

Authority: Item 6.4, Economic Development
and Planning Committee
Report: 10-10 (PED10100)
CM: May 4, 2010

Bill No. 130

CITY OF HAMILTON

BY-LAW NO. 10- 130

To Adopt:

Official Plan Modification/Amendment No. 2 to the Rural Hamilton Official Plan

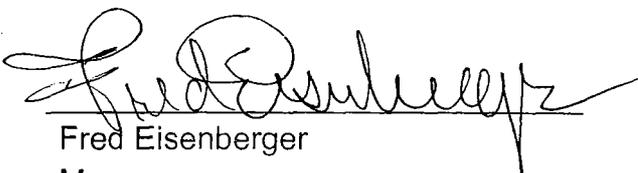
Respecting:

568 Ridge Road (Stoney Creek)

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

1. Modification/Amendment No. 2 to the Rural Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.
2. Modification/Amendment No. 2 to the Rural Hamilton Official Plan shall only become operative and effective upon final approval of the of 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.

PASSED this 26th day of May, 2010.


Fred Eisenberger
Mayor


Rose Caterini
City Clerk

Rural Hamilton Official Plan Amendment/Modification No. 2

The following text, together with Schedule "A" attached hereto, constitutes Official Plan Amendment/Modification No. 2 to the Rural Hamilton Official Plan.

1.0 Purpose:

The purpose of this Amendment is to establish Rural Site-Specific Area R-23, to permit the development of a small scale restaurant, in conjunction with and incidental to, a winery on part of 568 Ridge Road, in the former City of Stoney Creek.

2.0 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.

3.0 Basis:

The basis for permitting this Amendment is as follows:

- The proposal is consistent with the Provincial Policy Statement, and conforms to the Greenbelt Plan.
- The proposal conforms to the Niagara Escarpment Plan.

4.0 Actual Changes:

4.1 Volume 3 - Special Policy and Site Specific Areas

Text

4.1.1 Appendices

- a. That Volume 3: Chapter B - Rural Site-Specific Areas be amended by adding a new Rural Site-Specific Area, R-23, as follows:

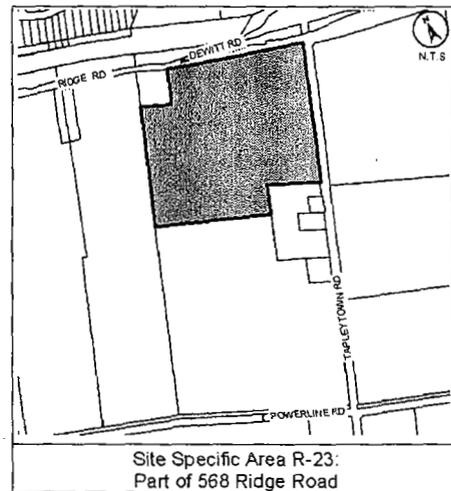
R-23 Lands known municipally as part of 568 Ridge Road, former City of Stoney Creek.

Schedule "1"

1.0 Notwithstanding Policy D.3.1.1 g) of Volume 1, on the lands known municipally as part of 568 Ridge Road, only a small scale restaurant shall be permitted in conjunction with and incidental to a winery, subject to the following criteria:

a) That the owner/applicant shall 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.



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 provided the provisions of Section C.5.1 - Sustainable Private Water and Wastewater Services of Volume 1 are met, the maximum number of patrons of the restaurant shall be 50 people.

Schedules and Appendices

4.1.2 Appendices

a. That Volume 3: Appendix A - Site-Specific Key Map be amended by adding a new Site-Specific Area, R-23, on the north portion of 568 Ridge Road, as shown on Schedule "A" to this amendment.

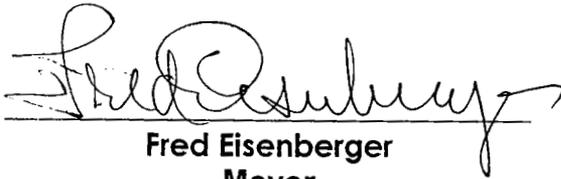
Schedule "1"

Implementation:

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

This is Schedule "1" to By-law No. 10-130, passed on the 26th day of May, 2010.

The City of Hamilton



Fred Eisenberger
Mayor



Rose Caterini
Clerk