

**Authority:** Item 9  
Planning Committee  
Report 13-019 (PED13205)  
CM: December 11, 2013

**Bill No. 312**

## **CITY OF HAMILTON**

### **BY-LAW NO. 13-312**

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)  
Respecting Lands located at 1310 South Service Road, 400 Winona Road, and  
395 Fifty Road**

**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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 9 of Report 13-019 of the Planning Committee, at its meeting held on the 11th day of December, 2013, recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan, approved by the Minister under the Planning Act on March 16, 2011;

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

1. That Sub-section 8.10.6, "Special Exemptions" of Section 8.10, Community Shopping Centre "SC2" Zone, of Zoning By-law No. 3692-92, be amended by further modifying the "SC2-4(H)" provisions, as follows:

**"SC2-4(H) 1310 South Service Road, 400 Winona Road, and 395 Fifty Road, Schedule "A", Map No. 9**

In addition to the uses permitted in Sub-section 8.10.2 of the Community Shopping Centre "SC2" Zone, the following uses shall also be permitted on those lands zoned "SC2-4(H)" by this By-law:

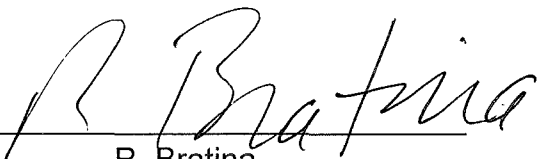
Warehouse Membership Club;  
Personal Service Shop;  
Animal Hospital or Shelter;  
Kennel - Boarding; and,  
Post Office.

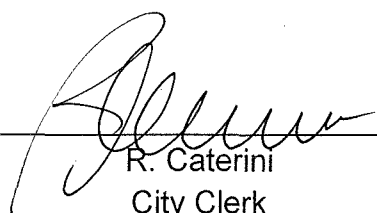
For the purposes of this By-law, a "Warehouse Membership Club" shall be defined as a building or part of a building with a minimum gross floor area of 4,645 sq. m. in which there is integrated storage and sale of a wide range of food and non-food products, and which includes some or all of the following ancillary and/or accessory sales and services: outdoor display, tire installation and sales, restaurant, motor vehicle repair garage, gas bar, car washing establishment, propane dispensing, seasonal garden centre including outdoor storage, hearing aid clinic, medical clinic, pharmacy, personal service shops, and photo print centre.

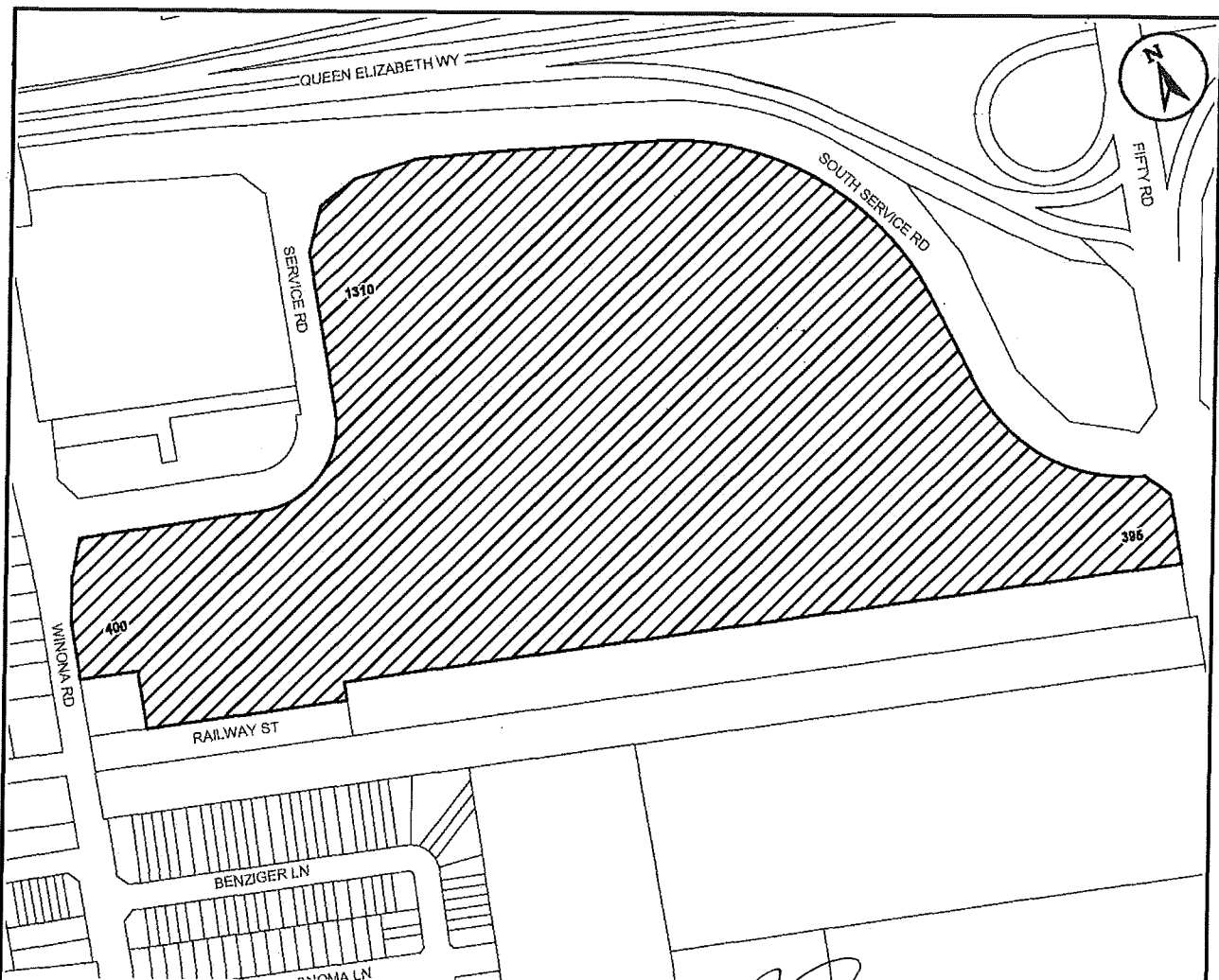
Notwithstanding Subsection 8.10.3 (j) 1., the landscape strip adjacent to the north/south alignment of Service Road shall be a minimum of 3m for the southerly 78m.

2. 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 Community Shopping Centre "SC2" and "SC2-4" Zone provisions, subject to the special provisions referred to in Section 1.
3. 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 11th day of December, 2013.

  
\_\_\_\_\_  
R. Bratina  
Mayor

  
\_\_\_\_\_  
R. Caterini  
City Clerk




This is Schedule "A" to By-law No. 13- 312  
 Passed the 11th day of December, 2013

*R. Bratina*  
 Mayor  
*[Signature]*  
 Clerk

**Schedule "A"**  
  
 Map Forming Part of  
 By-law No. 13- 312  
  
 to Amend By-law No. 3692-92

**Subject Property**  
 395 Fifty Road, 400 Winona Road &  
 1310 South Service Road

 Further Modification to the Community Shopping  
 Centre (Holding) "SC2-4(H)" Zone

Scale:  
 N.T.S.  
 Date:  
 October 24, 2013

File Name/Number:  
 ZAC-13-019  
 Planner/Technician:  
 PD/AL



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT