

**Authority:** Item 15, Planning and Economic  
Development Committee  
Report 05-011 (PD05132)  
CM: May 25,2005

**Bill No. 139**

## **CITY OF HAMILTON**

### **BY-LAW NO. 05-139**

#### **To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands Located within Part of Lot 1, Concession 4**

**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 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 16<sup>th</sup> day of March, 1992, and approved by the Ontario Municipal Board on the 31<sup>st</sup> day of May, 1993;

**AND WHEREAS** the Council of the City of Hamilton in adopting Section 15 of Report 05-011 of the Planning and Economic Development Committee at its meeting held on the 25<sup>th</sup> day of May, 2005, recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook), approved by the Minister under the Plannina Act on February 8, 1989;

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

1. Schedule "H", appended to and forming part of By-law No. 464 (Glanbrook) is amended as follows:
  - (a) by changing from the Restricted Agricultural "A2" Zone to the Residential "R4-199" Zone, the land comprised of Block 1;
  - (b) by changing from the Residential "R4" Zone to the Residential "R4-199" Zone, the land comprised of Block 2;

- (c) by changing from the Residential Multiple “RM2” Zone to the Residential Multiple “RM2-202” Zone, the land comprised of Block 3;

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 this By-law”, of Zoning By-law No. 464, be amended by adding the following new special provisions:

**“R4-199**

Notwithstanding the regulations of paragraphs (c), (d) and (e) (ii) of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL “R4” ZONE**, for those lands zoned modified “R4-199”, the following regulations shall apply:

- (a) Maximum Lot Coverage..... .40%
- (b) Minimum Front Yard..... 6.0 metres
- (c) Minimum Side Yard

On a corner lot the minimum side yard abutting the flankage street shall be 3.0 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.

In addition to the provisions of paragraph (b) of Subsection 7.26 **ENCROACHMENT INTO YARDS**, on those lands zoned modified “R4-199”, the following regulations shall apply:

- (i) Covered porches may project into any required front yard a distance of not more than 2.0 metres.

**“RM2-202**

Notwithstanding the regulations of paragraphs (a), (b), (c), (d), (e) (ii) and (i) of Subsection 18.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING) OF SUBSECTION 18.1** of **SECTION 18: RESIDENTIAL MULTIPLE “RM2” ZONE**, for those lands zoned modified “RM2-202”, the following regulations shall apply:

- (a) Minimum Lot Frontage..... ..6 metres per dwelling unit, except:
  - (i) For a dwelling end unit which does not abut a flanking street, the minimum lot frontage shall be 8.0 metre; and

(ii) On a corner lot, the minimum lot frontage for an end dwelling unit adjacent to the flanking street shall be 9.0 metres.

(b) Minimum Lot Area .....180 square metres per dwelling unit, except:

(i) On an end lot which does not abut a flanking street, the minimum lot area shall be 240 square metres; and

(ii) On a corner lot which abuts a flanking street, the minimum lot area shall be 270 square metres.

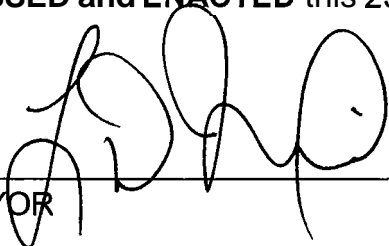
(d) Minimum Front Yard..... ..6.0 metres


(e) Minimum Side Yard

On a corner lot the minimum side yard for an end dwelling unit abutting the flankage street shall be 3.0 metres, except that an attached garage which fronts on the flankage street shall not be located within 6.0 metres of the flankage street line.

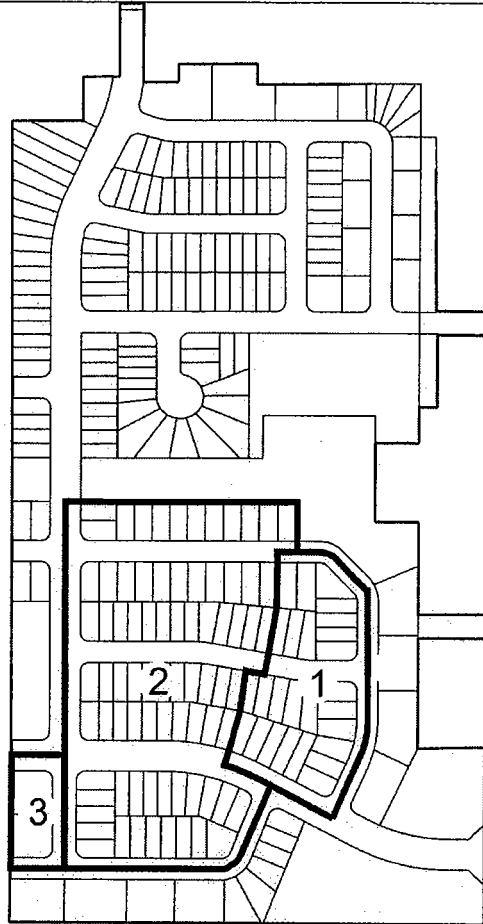
3. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 25<sup>th</sup> day of May, 2005.

  
MAYOR

  
A/CLERK

BIMBROOK ROAD WEST



REGIONAL ROAD 56

This is Schedule "A" to By-Law No. 05-139

Passed the 25th day of May, 2005

*[Handwritten signature]*  
Clerk  
*[Handwritten signature]*  
Mayor

**Subject Property - Elizabeth Gardens**

- 1** Block 1 - Change from the Restricted Agricultural "A2" Zone to the Residential "R4-199" Zone
- 2** Block 2 - Change from the Residential "R4" Zone to the Residential "R4-199" Zone
- 3** Block 3 - Change from the Residential Multiple "RM2" Zone to the Residential Multiple "RM2-202" Zone

**Schedule "A"**

Map Forming Part of  
By-Law No. 05-139  
to Amend By-Law No. 464



North



Scale:  
Not to Scale

Date:  
April 6, 2005

File Name/Number:  
**ZAC-04-96(C)**

Planner/Technician:  
MC/PM