

**Authority:** Item 21, Planning and Economic  
Development Committee  
Report 06-005 (PED06112)  
CM: April 12, 2006

**Bill No. 083**

## **CITY OF HAMILTON**

### **BY-LAW NO. 06-083**

#### **To Amend Zoning By-law No. 464 (Glanbrook), and to Repeal By-law No. 06-051, Respecting Lands located at 3087 Highway No. 56**

**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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Item 21 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12<sup>th</sup> day of April, 2006, 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);

**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 by changing from the Existing Residential "ER" Zone to a modified General Commercial "C3-210" Zone, applicable to the lands, 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 a new special provision, "C3-210", to include the following:

**C3-210 3087 HIGHWAY NO. 56**

Notwithstanding the uses permitted in **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.1 – **PERMITTED USES** of Zoning By-law No. 464, the uses permitted on the lands zoned "C3-210", shall be limited to Banks and financial institutions, liquor, beer or wines stores, commercial schools, custom workshops, dairies, day nurseries, dry cleaning establishments, funeral homes, hotels, laundries, medical centre, offices, personal service shops, photographic studios, places of entertainment or recreation, post office, printing establishments, private and commercial clubs, professional and business offices, public transportation depots, standard restaurant, take-out restaurants, fast-food, restaurant, retail stores, service shops, taverns, taxi establishments, veterinary service establishment with no outside runs; and uses, buildings and structures accessory to the above permitted uses.

Notwithstanding the regulations of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, Subsection 25.2 – **REGULATIONS FOR PERMITTED USES IN SUBSECTION 25.1**, Clauses (g), (l)(i), and (k), the following regulations shall apply to the buildings or structures existing at the date of passing of this amending By-law for lands zoned "C3-210";

- |     |  |                           |
|-----|--|---------------------------|
| (g) | Minimum Northerly Side Yard<br>Minimum Southerly Side Yard | 5.05 metres<br>3.1 metres |
|-----|--|---------------------------|
- (l)(i) A landscaped area having a minimum width of 4.0 metres, except for an area occupied by a driveway or accessory structure, shall be provided and maintained along the northerly lot line; and, a landscaped area having a minimum width of 3.1 metres shall be provided and maintained along the southerly lot line.
- (k) No loading space is required.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.35 – **MINIMUM PARKING REQUIREMENTS** and Subsection 7.36 – **MINIMUM LOADING REQUIREMENTS**, for lands zoned "C3-210", Clauses 7.35(a)(xii), 7.35(a)(xiv), and 7.36 shall not apply to the buildings or structures existing at the date of passing of this amending By-law.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsection 7.13 – **ACCESSORY BUILDINGS**, for lands zoned "C3-210", Clauses 7.13(c)(ii), 7.13(c)(iv), and 7.13(c)(vii), accessory buildings or

structures existing at the date of passing of this amending By-law may be located 0.4 metres from the north side yard.

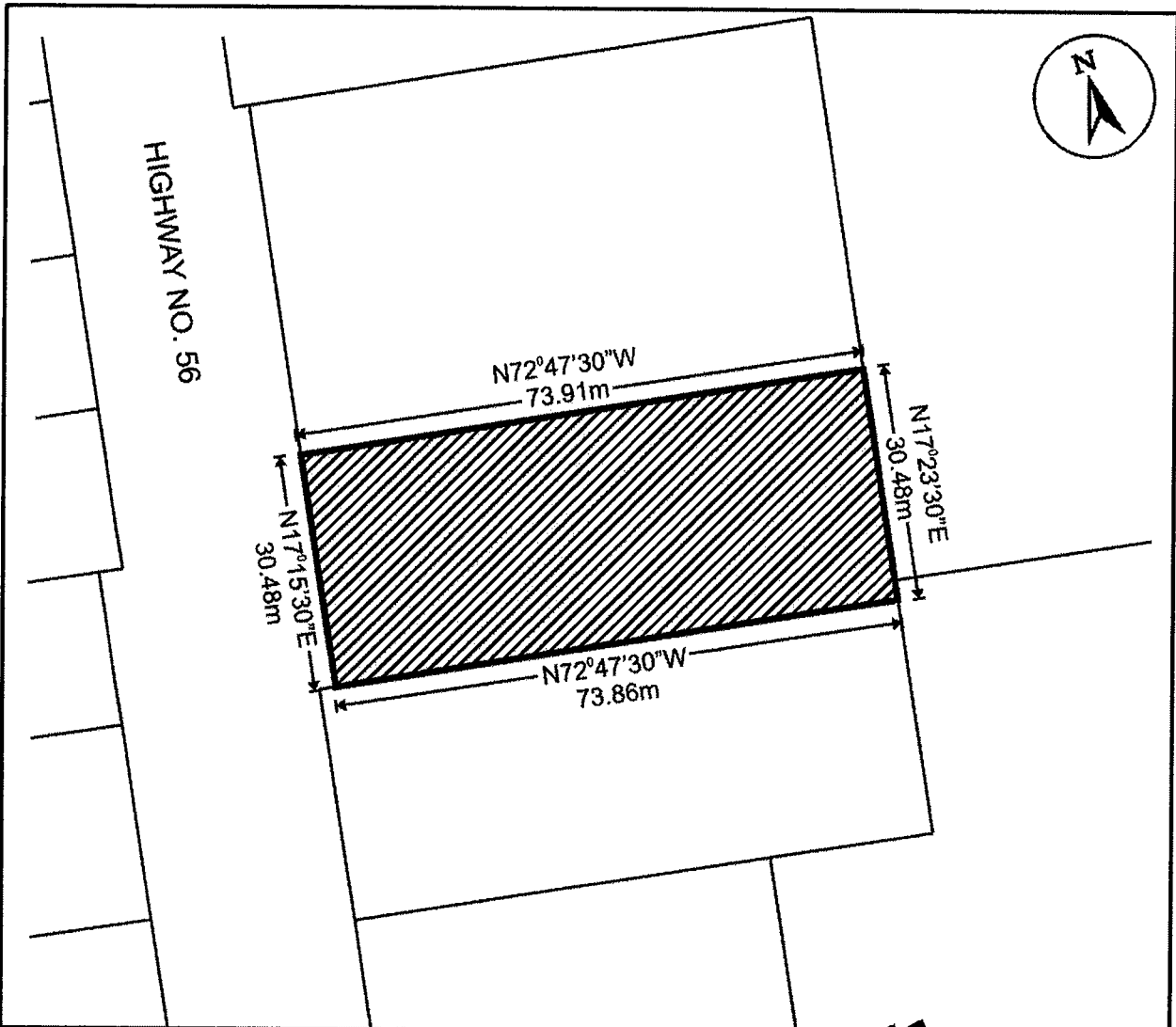
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the General Commercial "C3-210" Zone provisions.
4. That By-law No. 06-051 be repealed in its entirety.
5. The 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 12th day of April, 2006.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK

ZAC-05-113



This is Schedule "A" to By-Law No. 06-083

Passed the 12 day of April, 2006

*[Signature]*  
Clerk

*[Signature]*  
Mayor

# Schedule "A"

Map Forming Part of  
By-Law No. 06-083  
to Amend By-Law No. 464



## Subject Property 3087 Highway No. 56



Change from the Existing Residential "ER" Zone  
to a Modified General Commercial "C3-210" Zone.



Scale:  
Not to Scale

Date:  
January 2006

File Name/Number:  
ZAC-05-113

Planner/Technician:  
MJ/MF