

Authority: Item 13, Economic Development
and Planning Committee
Report 08-020 (PED08208)
CM: October 29, 2008

Bill No. 253

CITY OF HAMILTON

BY-LAW NO. 08-253

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands located at 245, 253, 269 and 295 Glancaster Road

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 13 of Report 08-020 of the Planning and Economic Development Committee at its meeting held on the 29th day of October, 2008, 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 "E", appended to and forming part of By-law No. 464 (Glanbrook) is amended as follows:
 - (a) by changing from the Existing Residential "ER" Zone to the Residential "R4-244" Zone, the land comprised of Block 1;

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- (b) by changing from the Existing Residential "ER" Zone to the Residential "R4-245" Zone, the land comprised of Block 2;
- (c) by changing from the Existing Residential "ER" Zone to the Residential "R4-246" Zone, the land comprised of Block 3;
- (d) by changing from the Residential - Holding "R3-141" Zone and the Existing Residential "ER" Zone to the Residential "R3-247" Zone, the land comprised of Block 4; and,
- (e) by changing from the Existing Residential "ER" Zone to the Residential "R4-248" Zone, the land comprised of Block 5

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:

"R4-244"

Notwithstanding the regulations of Paragraphs (a), (b), (c), and (d) (ii) of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLINGS) OF SECTION 16: RESIDENTIAL "R4" ZONE**, for those lands zoned modified "R4-244", the following regulations shall apply:

- (a) Minimum Lot Frontage..... 12 metres (40 feet),
except on a corner lot the minimum frontage shall be 15 metres (50 feet)
- (b) Minimum Lot Area..... 400 square metres (5,166 square feet),
including a corner lot
- (c) Maximum Lot Coverage..... 45%
- (e) Minimum Side yard
 - (ii) On a corner lot the minimum side yard abutting the flanking street shall be 1.5 metres (5 feet), except that an attached garage or attached carport which fronts on the flankage street shall not be located within 6.0 metres (20 feet) of the flanking street line.

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“R4-245”

Notwithstanding the regulations of Paragraphs (a), (b), (c), (d), and (e) (ii) of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLINGS)** of **SECTION 16: RESIDENTIAL “R4” ZONE**, for those lands zoned modified “R4-245”, the following regulations shall apply:

- (a) Minimum Lot Frontage.....12 metres (40 feet),
except on a corner
lot the minimum
frontage shall be
12 metres (40 feet)
- (b) Minimum Lot Area.....360 square metres
(3,875 square feet),
- (c) Maximum Lot Coverage.....45%
- (f) Minimum Front Yard.....3.0 metres, except 6.0 metres
to an attached garage or
attached carport
- (g) Minimum Side yard
 - (ii) On a corner lot the minimum side yard abutting the flanking
street shall be 1.5 metres (5 feet), except that an attached
garage or attached carport which fronts on the flankage street
shall not be located within 6.0 metres (20 feet) of the flanking
street line.
 - (iii)

“R4-246”

Notwithstanding the regulations of Paragraphs (a), (b), (c), (d), and (e) (ii) of Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLINGS)** of **SECTION 16: RESIDENTIAL “R4” ZONE**, for those lands zoned modified “R4-246”, the following regulations shall apply:

- (b) Minimum Lot Frontage.....12 metres (40 feet),
except on a corner
lot the minimum
frontage shall be
12.9 metres (42 feet)

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- (b) Minimum Lot Area.....360 square metres
(3,875 square feet),
except on a corner
lot the minimum lot
area shall be 370 square
metres (3,982 square feet)
- (c) Maximum Lot Coverage.....45%
- (h) Minimum Front Yard.....4.5 metres, except 6.0 metres
to an attached garage or
attached carport
- (i) Minimum Side yard
 - (ii) On a corner lot the minimum side yard abutting the flanking
street shall be 1.5 metres (5 feet), except that an attached
garage or attached carport which fronts on the flankage street
shall not be located within 6.0 metres (20 feet) of the flanking
street line.
 - (iii)

“R3-247”

Notwithstanding the regulations of Paragraphs (a), (b), (c), (d), and (e) (ii) of Subsection 15.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 15.1 (SINGLE DETACHED DWELLINGS)** of **SECTION 15: RESIDENTIAL “R3” ZONE**, for those lands zoned modified “R3-247”, the following regulations shall apply:

- (b) Minimum Lot Frontage.....14 metres (46 feet)
- (b) Minimum Lot Area.....400 square metres
(4,305 square feet)
- (c) Maximum Lot Coverage.....45%
- (d) Minimum Front Yard.....6.0 metres (20 feet)
- (e)

“R4-248”

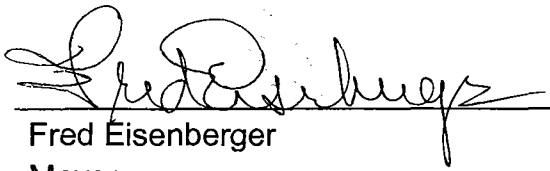
Notwithstanding any Definition in **SECTION 4: DEFINITIONS**, for those lands zoned modified “R4-248”, the following regulation shall apply:

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- (a) On the lands zoned "R4-248", the front lot line shall be the lot line abutting Glancaster Road, and the rear lot line is the lot line opposite the front lot line abutting Glancaster Road.
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 29th day of October, 2008.



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk

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This is Schedule "A" to By-Law No. 08- 253
 Passed the 29th day of October, 2008






[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 08- 253
 to Amend By-law No.464

Subject Property

245, 253, 269, and 295 Glancaster Rd

-  BLOCK 1 - Change in Zoning from the Existing Residential "ER" Zone to the Modified Residential "R4-244" Zone
-  BLOCK 2 - Change in Zoning from the Existing Residential "ER" Zone to the Modified Residential "R4-245" Zone
-  BLOCK 3 - Change in Zoning from the Existing Residential "ER" Zone to the Modified Residential "R4-246" Zone
-  BLOCK 4 - Change in Zoning from the Modified Residential - Holding "R3-141" Zone and the Existing Residential "ER" Zone to the Modified Residential "R3-247" Zone
-  BLOCK 5 - Change in Zoning from Existing Residential "ER" Zone to Modified Residential "R4-248" Zone

Scale:
N.T.S.

File Name/Number:
ZAC-07-075 / 25T-200713

Date:
Aug 21, 2008

Planner/Technician:
DF / AL



Hamilton