

Authority: Item 8, Economic Development
and Planning Committee
Report: 10-007 (PED10083)
CM: April 14, 2010

Bill No. 088

CITY OF HAMILTON

BY-LAW NO. 10-088

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands Located on Part of Lot 5 - Block 5 - Concession 1, Geographic Township of Binbrook and Block 136 - Registered Plan 62M-1033, in the former Township of Glanbrook Owned By Multi-Area Developments Inc.

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 8 of Report 10-007 of the Planning and Economic Development Committee, at its meeting held on the 14th day of April 2010, recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided;

AND WHEREAS this by-law will be in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook) upon approval of Official Plan Amendment No. 79;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to amend Section 44 of By-law No. 464 (Glanbrook), passed on the 16th day of March 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May 1993;

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

1. That Schedule "J" - Rymal Road Planning Area, appended to and forming part of By-law No. 464 (Glanbrook), be amended as follows:
 - (a) by changing from the General Agricultural "A1" Zone to the site-specific General Commercial "C3-249" Zone, the lands comprised of Block "1";
 - (b) by changing from the Residential Multiple "RM4-251" Zone to the Residential Multiple "RM2-250" Zone, the lands comprised of Block "2";

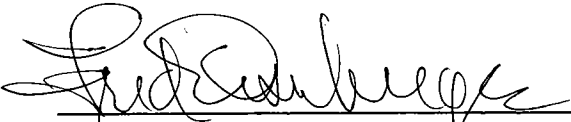
the extent and boundaries of which Blocks "1" to "2", inclusive, are shown on the plan hereto annexed as Schedule "A".

2. That Section 44, "Exceptions to the Provisions of this By-law", of Zoning By-law No. 464, be amended by deleting Subsections (b) (iv) and (v) of Special Exemption "C3-249", and replacing it with the following:

- | | | |
|------|---|--|
| (iv) | Maximum Gross Leasable Floor Area of Any Individual Commercial Establishment: | Not more than ½ of the total gross leasable floor area provided on the site. |
| (v) | Maximum Gross Leasable Floor Area of any Group of Local Commercial Uses: | 2,500 sq. metres |

3. 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 "RM2-250" Zone and "C3-249" Zone, subject to the special requirements referred to in Section 2.
4. 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 28th day of April, 2010

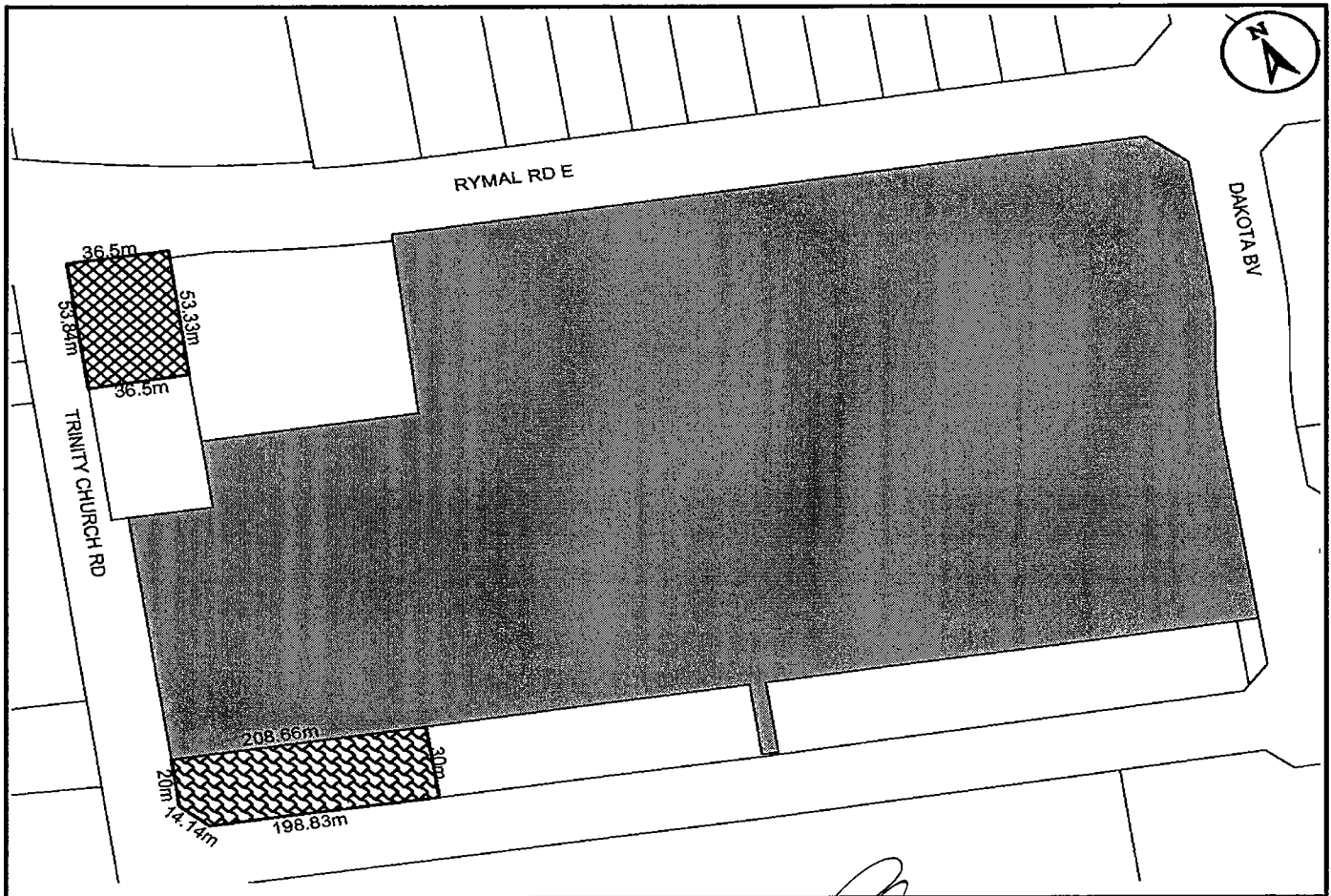


Fred Eisenberger
Mayor



Rose Caterini
City Clerk

By-law respecting Part of Lot 5 - Block 5 - Concession 1, Geographic Township of Binbrook and Block 136 - Registered Plan 62M-1033, former Township of Glanbrook
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This is Schedule "A" to By-Law No. 10-088
 Passed the ...28th... day of April....., 2010

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 10-088
 to Amend By-law No. 464

Subject Property



Block 1: Change in Zoning from the General Agricultural "A1" Zone to the General Commercial "C3-249" Zone



Block 2: Change in Zoning from the Residential Multiple "RM4-251" Zone to the Residential Multiple "RM2-250" Zone



Refer to By-law No. 05-200

Scale: N.T.S.	File Name/Number: ZAC-09-048/OPA-09-012/25T-2007 16(R)
Date: March 11, 2010	Planner/Technician: CB/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

