

Authority: Item 14, Planning & Economic
Development Committee
Report 04-012 (PD 04138)
CM: June 30, 2004

Bill No. 160

CITY OF HAMILTON

BY-LAW NO. 04-160

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands located at Part of Lot 5, Concession 5

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 it is intended to change the zoning of the lands hereinafter referred to, and to amend certain exceptions under 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.

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 "F", appended to and forming part of By-law No. 464 (Glanbrook) is amended as follows:
 - (a) by changing from the Public Open Space "OS2" Zone to the Residential "R4" Zone, the land composed of Block ■ ;

- (b) by changing from the Residential Multiple "RM3-146" Zone to the Residential Multiple "RM2-186" Zone, the land comprised of Block 2;
- (c) by changing from the Residential "R4" Zone to the Residential Multiple "RM2-186" Zone, the land comprised of Block 3;
- (d) by changing from the Multiple Residential "RM3-146" Zone to the Residential "R4" Zone, the land comprised of Block 4;
- (e) by changing from the Holding – Residential Multiple "H-RM2-145" Zone to the Residential "R4" Zone, the land comprised of Block 5;
- (f) by changing from the Deferred Development "DD" Zone to the Residential "R4" Zone, the land comprised of Block 6;
- (g) by changing from the Residential Multiple "RM3-146" Zone to the Residential "R4-173(A)" Zone, the land comprised of Block 7;
- (h) by changing from the Deferred Development "DD" Zone to the Residential "R4-173(A)" Zone, the land comprised of Block 8;
- (i) by changing from the Public Open Space "OS2" Zone to the Public "P-184" Zone, the land comprised of Block 9;
- (j) by changing from the Deferred Development "DD" Zone to the Public "P" Zone, the land comprised of Block 10;
- (k) by changing from the Public Open Space "OS2" Zone to the Holding – Residential Multiple "H-RM3-147" Zone, the land comprised of Block 11;
- (l) by changing from the Holding – Residential Multiple "H-RM3-147" Zone to the Public Open Space "OS2" Zone, the land comprised of Block 12;
- (m) by changing from the Residential Multiple "RM2" Zone to the Residential "R4" Zone, the land comprised of Blocks 13 and 14; and,
- (n) by changing from the Deferred Development "DD" Zone to the Residential "R4-185" Zone, the land comprised of Block 15;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

3. 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:

"P-184 173 Thames Way

Notwithstanding the permitted uses and minimum lot frontage, lot area, yard requirements, parking and landscaping regulations of Subsections 40.1 **PERMITTED USES** and 40.2 (a), (b), (d), (f)(iv), and (g) **REGULATIONS FOR USES PERMITTED IN SUBSECTION 40.1** of **SECTION 40: PUBLIC "P" ZONE**, those lands zoned modified "P-184" shall only be used for a sewage treatment pumping station and the following regulations shall apply:

- (a) Minimum Lot Frontage..... 13 metres
- (b) Minimum Lot Area 305 square metres
- (c) Minimum Westerly Side Yard 1 metre
- (d) Minimum Easterly Side Yard..... 1 metre
- (e) Minimum Rear Yard 1 metre
- (f) A parking space may be located 1 metre from the easterly side lot line and 1 metre from the rear lot line.
- (g) A landscaped area in the form of a planting strip having a width of 1 metre shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts any Residential Zone."

"R4-185 Northeast corner of Hampton Brook Way and White Church Road

Notwithstanding the minimum lot frontage of Subsection 16.2(a) **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1** of **SECTION 16: RESIDENTIAL "R4" ZONE**, the minimum lot frontage on a corner lot shall be 14.9 metres. In addition, the driveway shall be setback a maximum of 7.5 metres from the northerly property line, and shall have a maximum width of 4.8 metres, or the distance between the exterior walls of the garage, whichever, is greater."

"RM2-186 East side of Thames Way

Notwithstanding Subsection 18.2(a)(i), (b)(i) and (e)(i) **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1** of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, the following regulations shall apply:

- (a) For a dwelling unit which does not abut a flanking street, the minimum lot frontage shall be 8.2 metres;
- (b) On an end lot which does not abut a flanking street, the minimum lot area shall be 248 square metres;

- (c) The maximum lot coverage shall be 50 percent;
- (d) On an end dwelling unit which does not abut a flanking street, the minimum side yard shall be 1.2 metres; and,
- (e) On an end dwelling unit on a corner lot abutting a flanking street, the minimum side yard shall be 5.5 metres.”

4. 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 30th day of June, 2004.

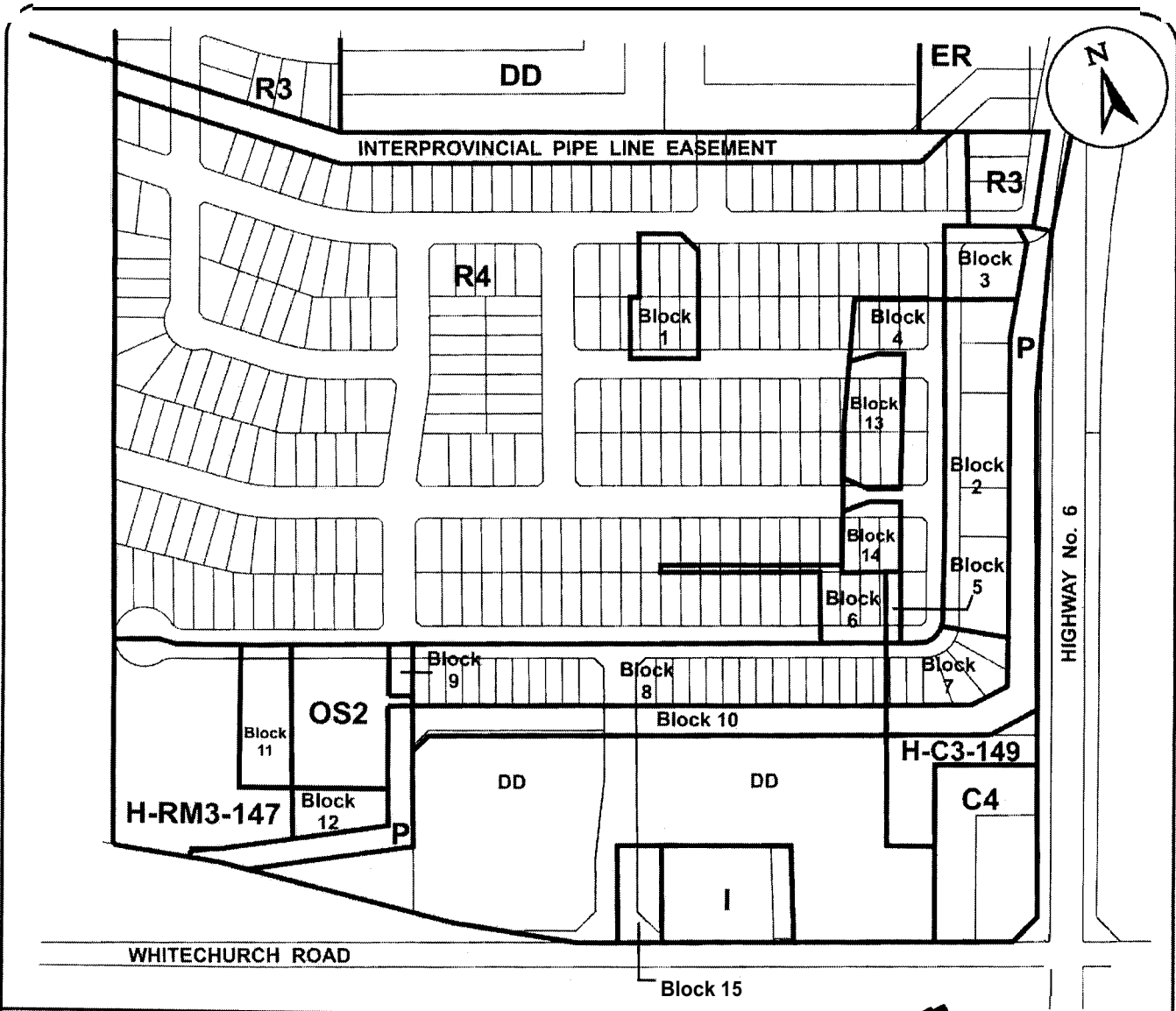


MAYOR



CLERK

CI-04-A, OPA-04-01, ZAC-04-12,
25T-98002(R), and 25T-200301(R)



This is Schedule 'A' to By-Law No. 04-160

Passed the 30th day of June, 2004

[Handwritten Signature]
 Clerk

Schedule "A"

Map Forming Part of
 By-Law No. 04-160
 to Amend By-Law No. 464



Hamilton

Planning and Development Department

Legend

- Block 1: Public Open Space "OS2" Zone to Residential "R4" Zone
- Block 2: Residential Multiple "RM3-146" Zone to Residential Multiple "RM2 186" Zone
- Block 3: Residential "R4" Zone to Residential Multiple "RM2 186" Zone
- Block 4: Residential Multiple "RM3-146" Zone to Residential "R4" Zone
- Block 5: Holding Residential Multiple "H-RM2-145" Zone to Residential "R4" Zone
- Block 6: Deferred Development "DD" Zone to Residential "R4" Zone
- Block 7: Residential Multiple "RM3-146" Zone to Residential "R4-173(A)" Zone
- Block 8: Deferred Development "DD" Zone to Residential "R4-173(A)" Zone
- Block 9: Public Open Space "OS2" Zone to Public "P-184" Zone
- Block 10: Deferred Development "DD" Zone to Public "P" Zone
- Block 11: Public Open Space "OS2" Zone to Holding - Residential Multiple "H-RM3-147" Zone
- Block 12: Holding - Residential Multiple "H-RM3-147" Zone to Public Open Space "OS2" Zone
- Block 13 & 14: Residential Multiple "RM2" Zone to Residential "R4" Zone
- Block 15: Deferred Development "DD" Zone to Residential "R4-185" Zone



Scale
NOT TO SCALE

Date
May 3, 2004

Reference File No.
 CI-04-A / OPA-04-01 / ZAC-04-12

Drawn By
MC