

**Authority:** Item 16, Planning and Economic  
Development Committee  
Report 04-012 (PD04 156)  
CM: June 30, 04

**Bill No. 173**

## **CITY OF HAMILTON**

### **BY-LAW NO. 04-173**

#### **To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located at 478 Glover Road**

**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 City of Stoney Creek" 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 3692-92 (Stoney Creek) was enacted on the 8<sup>th</sup> day of December, 1992, and approved by the Ontario Municipal Board on the 31<sup>st</sup> day of May, 1994;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

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

- - Map No. 3 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended, with regard to the lands composed of 478 Glover Road, the extent of boundaries of which are shown on a plan hereto annexed as Schedule "A", on the following basis:
  - (i) That Block "1" be rezoned from the Neighbourhood Development "ND" Zone to the site-specific Single Residential "R4-11" Zone.
  - (ii) That Block "2" be rezoned from the Neighbourhood Development "ND" Zone to the site-specific Multiple Residential "RM2-10" Zone.

- (iii) That Block “3” be rezoned from the Neighbourhood Development “ND” Zone to the site-specific Multiple Residential “RM3-26” Zone.
  - (iv) That Block “4” be rezoned from the Neighbourhood Development “ND” Zone to the Open Space “OS” Zone.
2. That Sub-section 6.5.7, “Special Exemptions” of Section 6.5, Single Residential “R4” Zone, of Zoning By-law No. 3692-92, be amended by adding a new special provision, “R4-11”, to include the following:

**“R4-11 478 Glover Road, Schedule “A”, Map No. 3**

Notwithstanding the provisions of Paragraphs (a), (c), (d), (f) and (g) of Section 6.5.3 of the Single Residential “R4” Zone, for those lands zoned “R4-11” by this By-law, the following shall apply:

- (a) Minimum Lot Area  
Corner Lot - 375 square metres
- (c) Minimum Front Yard - 3 metres, except 5.8 metres to an attached garage or an attached carport.
- (d) Minimum Side Yard – No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except as provided in Clauses (i), (ii) and (iii) below:
  - (i) The minimum side yard on the side of the dwelling containing an attached garage or attached carport may be 0.6 metres except for a side yard which abuts a flankage street.
  - (ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be **2.4** metres.
  - (iii) On a corner lot, the minimum side yard abutting a flankage lot line shall be 2.4 metres, except that an attached garage or attached carport, which fronts on the flankage street, shall not be located within 5.8 metres of the flankage lot line.
- (9) Maximum Building Height - 12.6 metres
- (g) Maximum Lot Coverage - None

In addition to the regulations of Section 4.19 “Yard Encroachments”, porches, including porch foundation walls, may project 1.5 metres into the required flankage yard.”

3. That Sub-section 6.9.6, "Special Exemptions" of Section 6.9, Multiple Residential "RM2" Zone, of Zoning By-law No. 3692-92, be amended by adding a new special provision, "RM2-10", to include the following:

**"RM2-10 478 Glover Road, Schedule "A", Map No. 3**

Notwithstanding the provisions of Paragraph (e) of Section 6.9.3 of the Multiple Residential "RM2" Zone, for those lands zoned "RM2-10" by this By-law, the minimum rear yard shall be 21 metres.

4. That Sub-section 6.10.7, "Special Exemptions" of Section 6.10, Multiple Residential "RM3" Zone, of Zoning By-law No. 3692-92, be amended by adding a new special provision, "RM3-26", to include the following:

**"RM3-26 478 Glover Road, Schedule "A", Map No. 3**

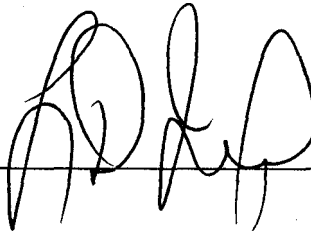
Notwithstanding the provisions of Paragraphs (b), (c), (d) and (9) of Section 6.10.3 of the Multiple Residential "RM3" Zone, for those lands zoned "RM3-26" by this By-law, the following shall apply:

- (b) Minimum Lot Frontage - 10.2 metres
- (c) Minimum Front Yard shall be 7.5 metres to the front lot line and 6 metres from the internal private road.
- (d) Minimum Side Yard for Townhouses shall be 6 metres, except for 3 metres abutting a zone for single detached dwellings and 21 metres abutting North Service Road.
- (9) Minimum Rear Yard for Townhouses shall be 6 metres

5. The City 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.

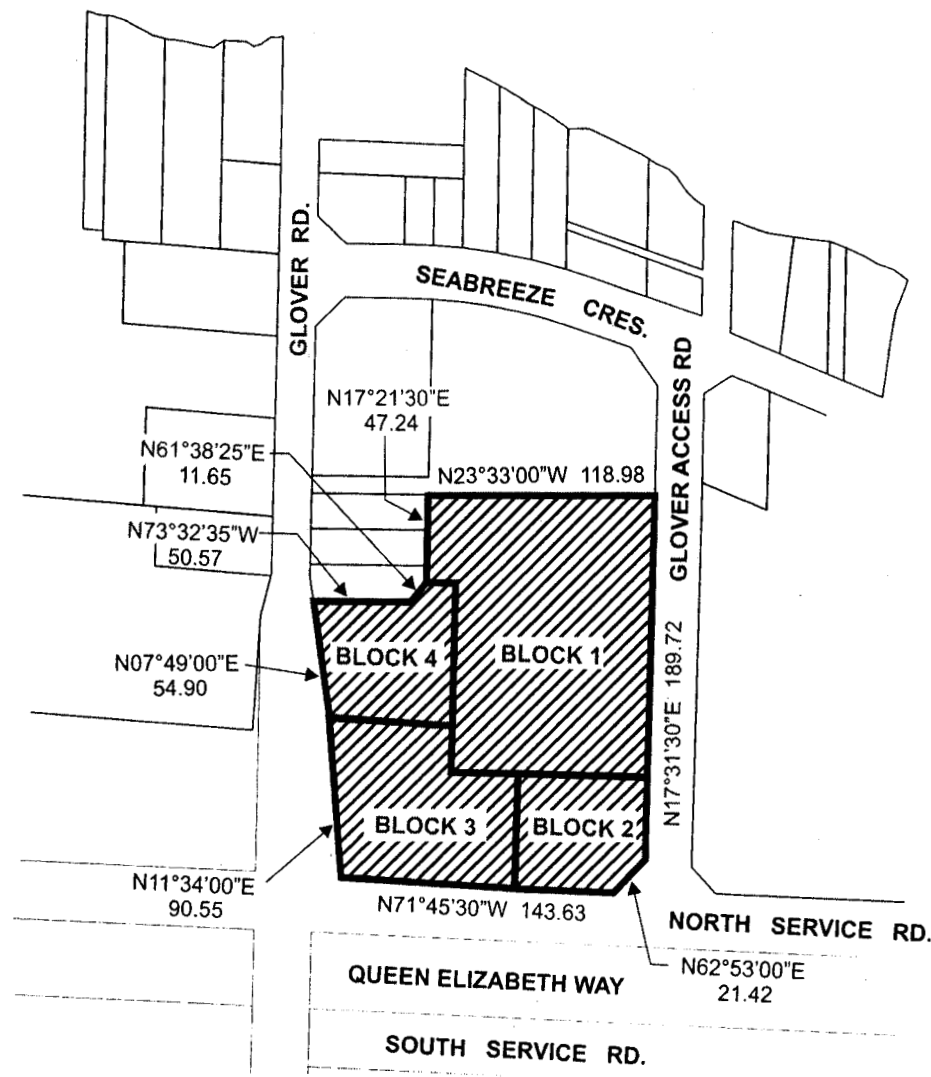
**PASSED and ENACTED** this 14th day of July, 2004.

MAYOR



CLERK





This is Schedule "A" to By-Law No. 04-173

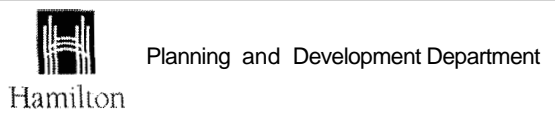
Passed the 14th day of July, 2004

*[Signature]*  
Clerk

*[Signature]*  
Mayor

# Schedule "A"


Map Forming Part of  
By-Law No. 04-173  
to Amend By-Law No. 3692-92



## Legend

 **Subject Property**  
478 Glover Road

- Block 1 - To be rezoned from the Neighbourhood Development "ND" Zone to the Site Specific Single Residential "R4-11" Zone
- Block 2 - To be rezoned from the Neighbourhood Development "ND" Zone to the Multiple Residential "RM2-10" Zone
- Block 3 - To be rezoned from the Neighbourhood Development "ND" Zone to the Site-Specific Multiple Residential "RM3-26" Zone
- Block 4 - To be rezoned from the Neighbourhood Development "ND" Zone to the Open Space "OS" Zone

North 	Scale <b>NOT TO SCALE</b>	Reference File No <b>ZAC-03-89</b>
	Date <b>July 12, 2004</b>	Drawn By <b>CL</b>