

**Authority:** Item 8, Planning and Economic  
Development Committee  
Report 06-017 (PED06390).  
CM; October 11, 2007

**Bill No. 303**

## **CITY OF HAMILTON**

### **BY-LAW NO. 06-303**

#### **To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands located at 5 and 9 Hampton Brook Way**

**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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 8 of Report 06-017 of the Planning and Economic Development Committee at its meeting held on the 11<sup>th</sup> day of October, 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 "F", appended to and forming part of By-law No. 464 (Glanbrook) is amended by changing from the Deferred Development "DD" Zone to the Residential Multiple-Holding "H-RM3-215" Zone, the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

**Zoning By-law No. 464 (Glanbrook) Respecting 5 and 9 Hampton Brook Way**

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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, "H-RM3-215", to include the following:

**"H-RM3-215 5 and 9 Hampton Brook Way**

1. In addition to the uses permitted in Subsection 19.1 **PERMITTED USES** of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, an apartment building shall also be permitted on the lands zoned "H-RM3-215", subject to regulations (h) through (m), of Subsection 20.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 20.1 (APARTMENT BUILDING)** of **SECTION 20: RESIDENTIAL MULTIPLE "RM4" Zone** and the following regulations.

Notwithstanding the regulations of paragraphs (d), (e), (f), and (n)(ii) of Subsection 19.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)**, as amended above, the following regulations shall apply to the lands zoned "H-RM3-215":

- |         |                                                                                                                                       |                      |
|---------|---------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| (d)(i)  | Minimum Density                                                                                                                       | 40 units per hectare |
| (d)(ii) | Maximum Density                                                                                                                       | 60 units per hectare |
| (e)     | Minimum Front Yard                                                                                                                    |                      |
|         | (i) Block Townhouse Dwellings                                                                                                         | 4.6 metres           |
|         | (ii) Apartment Buildings                                                                                                              | 6.0 metres           |
| (f)     | Minimum Side and Rear Yards                                                                                                           | 4.5 metres           |
| (n)     | Minimum Parking Requirements                                                                                                          |                      |
|         | (ii) No parking space or area shall be located closer to a front lot line than 4.6 metres or closer to a side lot line than 3 metres. |                      |
| (o)     | Minimum Setback from the hypotenuse of the Daylight Triangle                                                                          | 4.3 metres           |

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- (ii) The 'H' symbol may be removed by a further amendment to this By-law, at such time as an acoustical report prepared by a qualified Professional Engineer containing the recommended control measures has been approved by the City of Hamilton, Director of Development and Real Estate.
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 11<sup>th</sup> day of October, 2006.

MAYOR

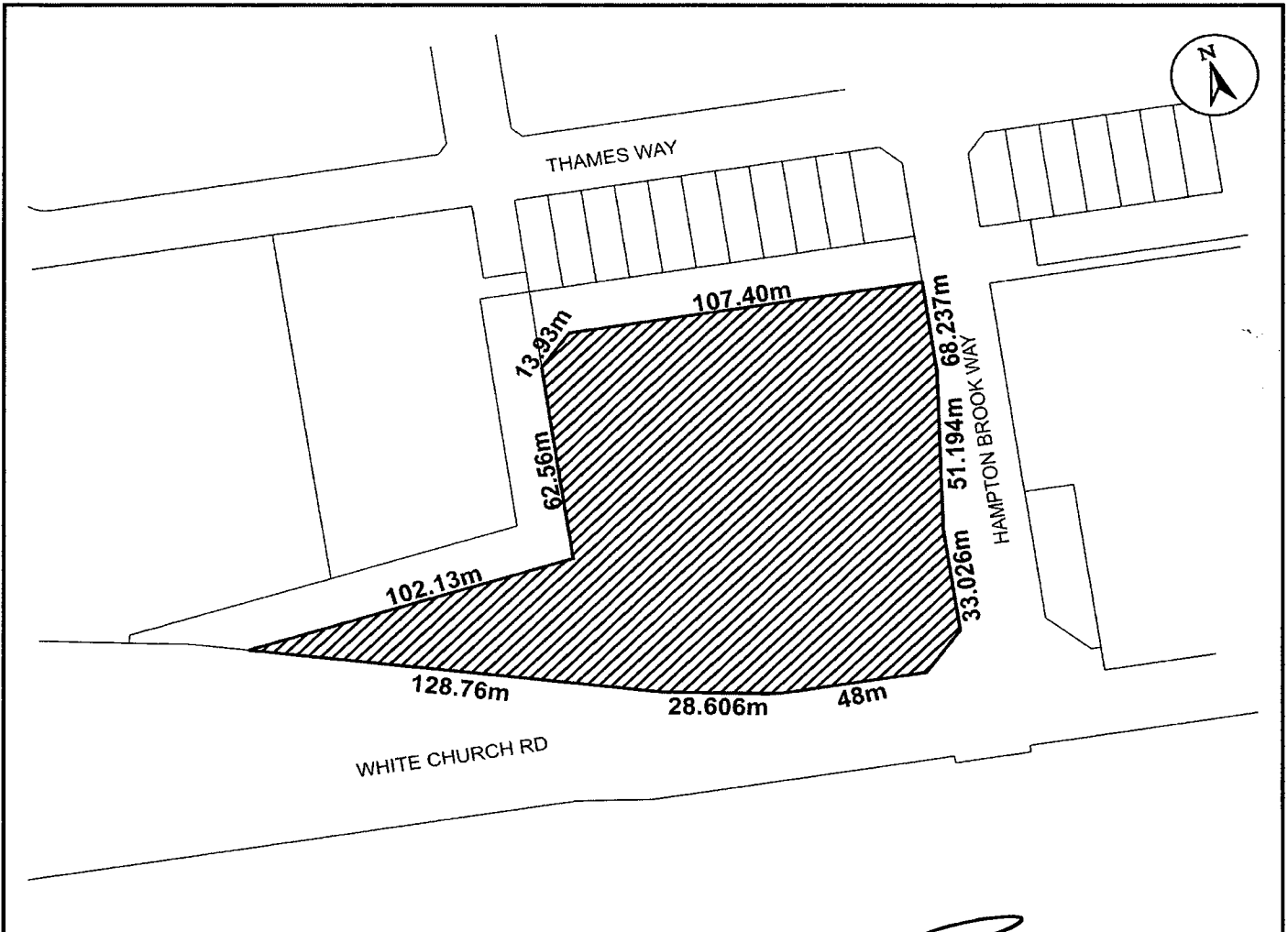


CLERK



ZAC-06-53

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This is Schedule "A" to By-Law No. 06-303  
 Passed the 11th day of October, 2006

\_\_\_\_\_ Clerk  
 \_\_\_\_\_ Mayor

**Schedule "A"**  
 Map Forming Part of  
 By-law No. 06-303  
 to Amend By-law No. 464

**Subject Property**

 Change in Zoning from Deferred Development "DD" Zone to the Holding - Residential Multiple "H-RM3-215" Zone

Scale: <b>Not to Scale</b>	File Name/Number: <b>ZAC-06-53</b>
Date: <b>June 30, 2006</b>	Planner/Technician: <b>KW/NB</b>

