

Authority: Item 12, Planning and Economic
Development Committee Report
06-019 (PED06205)
CM: October 25, 2006

Bill No. 319

CITY OF HAMILTON

BY-LAW NO. 06-319

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands located at 2474 Highway No. 56

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Section 12 of Report 06-019 of the Planning and Economic Development Committee at its meeting held on the 25th 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 "H", appended to and forming part of By-law No. 464 (Glanbrook) is amended by changing from the Existing Residential "ER" Zone to the General Commercial-Holding "H-C3-213" Zone, the land comprised of 2474 Highway No. 56, 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 a new special provision, "H-C3-213", to include the following:

H-C3-213 2474 Highway No. 56

Notwithstanding the regulations of **SUBSECTION 25.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) SUBSECTION 25.1** of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, clauses (g)(i), (j)(ii), and (k), the following special regulations shall apply only to the buildings existing on the date of the passing of this by-law being October 25 , 2006 on the lands zoned "H-C3-212";

- (g) Minimum Side Yard
 - (i) 7.4 metres for the southerly side yard, 7.5 metres for the northerly side yard.
- (j) Minimum Parking Requirements
 - (ii) The minimum number of parking spaces for the used motor vehicle dealership within the existing building shall be six (6) spaces, and the minimum number of parking spaces for the automotive repair shop within the existing frame garage shall be five (5) spaces.
- (k) No loading spaces shall be required for the uses within the existing buildings.

Notwithstanding the regulations of **SUBSECTION 25.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) SUBSECTION 25.1** of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, clause (l)(i), the following regulation shall apply to lands zoned "H-C3-212"

- (l) Minimum Landscaping Requirements
 - (i) A landscaped area in the form of a planting strip having a minimum width of 4.5 metres and a solid fence having a height of 1.8 metres shall be provided and thereafter maintained for every portion of any lot line abutting a Residential or Institutional Use or Zone, except for the eleven (11) metre deep Right-of-Way Easement located along the Highway No. 56 frontage abutting the northerly lot line.

Notwithstanding the regulations of **SUBSECTION 25.4 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (c) SUBSECTION 25.1** of **SECTION 25: GENERAL COMMERCIAL "C3" ZONE**, clauses (h), (j), and (k) shall not apply to the buildings existing on the date of the passing of this by-law being October 25, 2006 on the lands zoned "H-C3-212";

The "H" symbol may be removed by a further amendment to this By-law, at such time as the subject lands are serviced by municipal sanitary and storm water services.

The use of these lands while zoned "H-C3-212" shall be restricted to a used motor vehicle dealership and an accessory automotive repair shop within the existing buildings.

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 25th day of October, 2006.

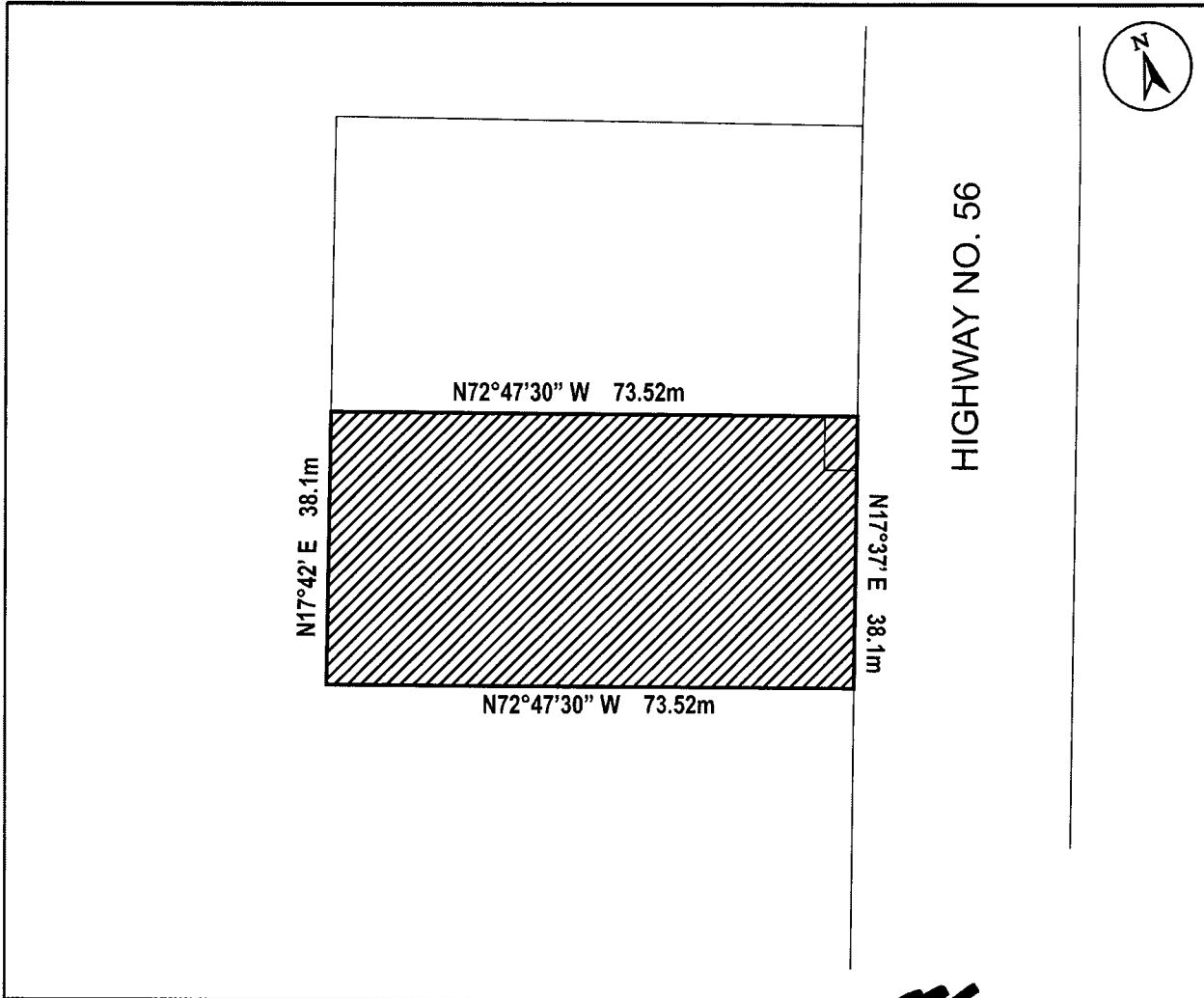
MAYOR



CLERK



ZAC-06-19



This is Schedule "A" to By-Law No. 06 — 319

Passed the 25th day of October, 2006

[Handwritten signature]
 Clerk
 Mayor

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Schedule "A"

Map Forming Part of
 By-law No. 06- 319

to Amend By-law No. 464

Subject Property
 2474 Highway No. 56



**Change from Existing Residential
 "ER" Zone to General Commercial-
 Holding "H-C3-212" Zone**

Scale: Not to Scale	File Name/Number: ZAC-06-19	
Date: April 2006	Planner/Technician: KW/LC	