

Authority: Item 21, Economic Development
and Planning Committee
Report: 07-005(PED07094)
CM: March 28, 2007

Bill No. 094

CITY OF HAMILTON

BY-LAW NO. 07-094

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands located at 3079 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Item 21 of Report 07-005 of the Economic Development and Planning Committee at its meeting held on the 28th day of March, 2007, 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:

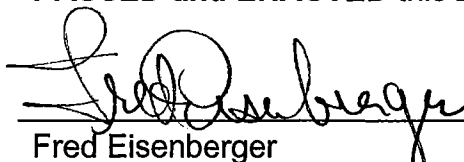
1. Schedule "H", appended to and forming part of By-law No. 464 (Glanbrook) is amended by further modifying the Existing Residential "ER-36" Zone, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That the "ER-36" zone provisions as set out under Section 44, "Exceptions to the Provisions of this By-law", of Zoning By-law No. 464, be deleted and replaced as follows:

ER-36 3079 HIGHWAY NO. 56

1. Notwithstanding the uses permitted in **SECTION 12: EXISTING RESIDENTIAL "ER" ZONE**, Subsection 12.1 – **PERMITTED USES** of Zoning By-law No. 464, a Commercial School shall also be permitted on the lands zoned "ER-36".
 2. Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsections 7.35 (a)(iv), (a)(vi)(a), (a)(xii), (a)(xiv) – **MINIMUM PARKING REQUIREMENTS**, the following regulations shall apply for lands zoned "ER-36":
 - (a) Tandem parking shall be permitted for a Commercial School.
 - (b) A minimum driveway width of 5.3 metres shall be permitted.
 - (c) Sections 7.35(a)(xii) and 7.35(a)(xiv) shall not apply to the buildings or structures existing on the date of passing of this By-law, being March 28, 2007.
 3. Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Subsections 7.13(b)(ii), (b)(iii), (b)(iv) – **ACCESSORY BUILDINGS**, the following regulations shall apply for lands zoned "ER-36",
 - (a) The Accessory building shall not be located less than 0.76 metres from any lot line.
 - (b) Section 7.12(b)(iii) shall not apply to the buildings or structures existing on the date of passing of this By-law, being March 28, 2007.
 - (c) The maximum gross floor area for the accessory building shall be 185.0 square metres.
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.

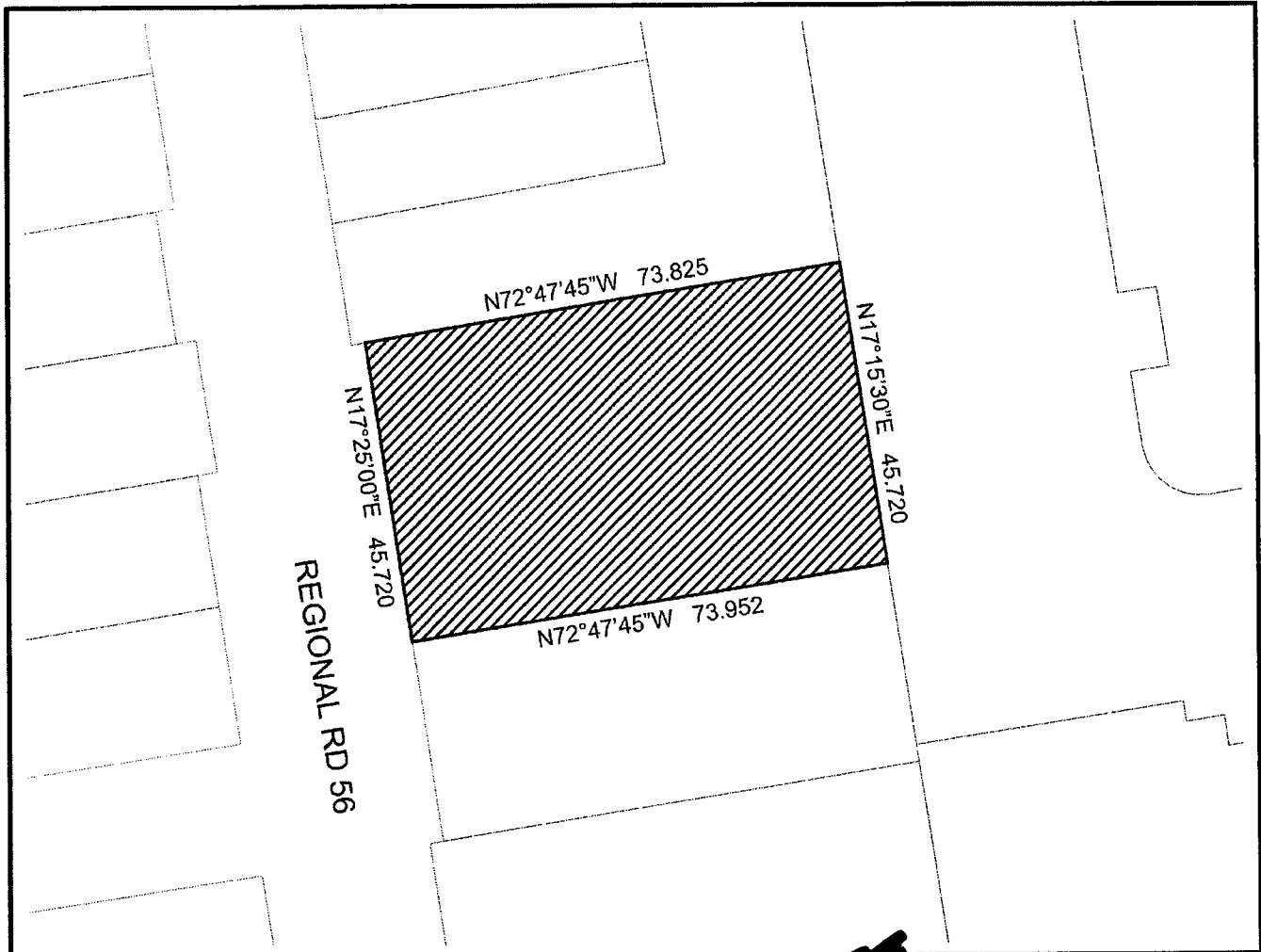
PASSED and ENACTED this 28th day of March, 2007.



Fred Eisenberger
Mayor

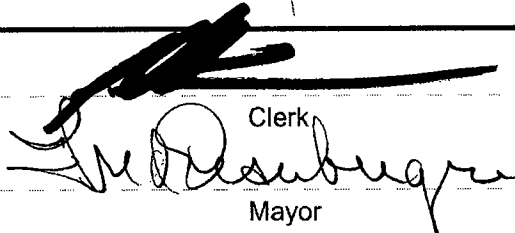


Kevin C. Christenson
City Clerk



This is Schedule "A" to By-Law No. 07- 094

Passed the .28th.. day of .March....., 2007


 Clerk
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 07- 094

to Amend By-law No. 464

Subject Property

3079 Highway 56, Glanbrook



Further modification to the Existing Residential
 "ER-036" Zone

Scale:
 N.T.S.

File Name/Number:
 ZAR-06-61

Date:
 Feb 05, 2007

Planner/Technician:
 SH/MC



Hamilton