

**Authority:** Item 14  
Economic Development and  
Planning Committee  
Report 09-009 (PED09101)  
CM: April 29, 2009

**Bill No.104**

## **CITY OF HAMILTON**

### **BY-LAW NO. 09-104**

#### **To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands located at 1441 Guyatt Road**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 14 of Report 09-009 of the Economic Development and Planning Committee at its meeting held on the 21<sup>st</sup> day of April, 2009, recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided;

**AND WHEREAS** this by-law will be in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook) upon the approval of Official Plan Amendment No.72;

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

**By-law Respecting 1441 Guyatt Road**

(Page 2 of 3)

1. That Schedule "D", appended to and forming part of By-law No. 464 (Glanbrook) is amended by changing the zoning from the General Agricultural "A1" Zone to the General Agricultural "A1-238" Zone, on the lands 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 the By-law", of Zoning By-law No. 464, be amended by adding a new special provision, "A1-238", as follows:

**"A1-238" 1441 Guyatt Road**

Notwithstanding **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.1 - **PERMITTED USES**, the following uses shall be prohibited on the lands zoned "A1-238":


- (a) A single detached dwelling; and,
- (b) The use of the barns, existing on the date of passing of this amending By-law, being the 13<sup>th</sup> day of May, 2009, for the housing of livestock.


Notwithstanding the regulations of **SECTION 8: GENERAL AGRICULTURAL "A1" ZONE**, Subsection 8.2 - **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 8.1 (AGRICULTURAL USES)**, Clause (a), the following regulation shall apply to lands zoned "A1-238";

- (a) Minimum Lot Frontage ..... 94.0 metres

3. That 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 13<sup>th</sup> day of May, 2009.

  
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Fred Eisenberger  
Mayor

  
\_\_\_\_\_  
Kevin C. Christenson  
City Clerk

# By-law Respecting 1441 Guyatt Road



This is Schedule "A" to By-Law No. 09-104

Passed the 13th day of May, 2009

*[Signature]*  
 Clerk  
 Mayor

## Schedule "A"

Map Forming Part of  
 By-Law No. 09-104

to Amend By-law No. 464

### Subject Property

1441 Guyatt Road



Change in Zoning from the General Agricultural "A1" Zone to the General Agricultural "A1-238" Zone.

Scale:  
 N.T.S.

File Name/Number:  
 ZAR-08-018 / OPA-09-002

Date:  
 February 24, 2009

Planner/Technician:  
 JH / NH



Hamilton