

Authority: Item 18, Economic Development
and Planning Committee
Report: 09-026 (PED09296)
CM: December 9, 2009

Bill No. 248

CITY OF HAMILTON

BY-LAW NO. 09-248

To Amend Zoning By-law No. 464 Respecting the Lands Located at 9862 Twenty Road W. (Glanbrook)

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 municipality known as the "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 and Official Plans of the former area municipalities, and the Official Plan of the former regional municipality, continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 18 of Report 09-026 of the Economic Development and Planning Committee at its meeting held on the 9th day of December, 2009, 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:

By-law Respecting the Lands Located at 9862 Twenty Road W. (Glanbrook)
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1. That Schedule "E", appended to and forming part of By-law No. 464 (Glanbrook), is amended by changing the zoning from the Existing Residential "ER" Zone to the Residential "R4-258" Zone, on the lands comprised of Block 1; and by changing the zoning from the Existing Residential "ER" Zone to the Residential "H-R4-258" Holding Zone on the lands comprised of Block 2, the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this by-law.
2. That Section 44, "Exceptions to the Provisions of this By-law", of Zoning By-law No. 464, be amended by adding the following:

"R4-258 and H-R4-258

Notwithstanding the minimum lot frontage, minimum lot area, front yard setback and maximum lot coverage regulations of Subsection 16.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) of SUBSECTION 16.1 (SINGLE DETACHED DWELLING) of SECTION 16: RESIDENTIAL "R4" ZONE, the following regulations shall apply to those lands zoned site-specific Residential "R4-258":

REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)

- | | | |
|-------|-----------------------|---------------------|
| (i) | Minimum Lot Frontage: | 11.7 metres |
| (ii) | Minimum Lot Area: | 350.0 square metres |
| (iii) | Minimum Front Yard | 6.0 metres |
| (iv) | Maximum Lot Coverage | 45 percent |

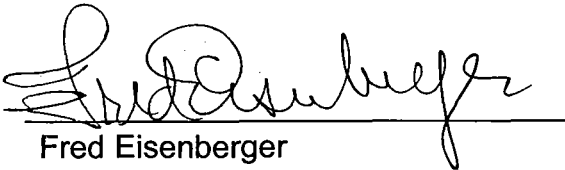
That the 'H' symbol applicable to the lands zoned "H-R4-258" may be removed by further amendment to this By-law at such time as the following matters have been completed:

- (a) That the extension of Kellogg Avenue has been completed, to the satisfaction of the Director of Development Engineering.
 - (b) That the provision of adequate servicing has been allocated for the proposed development along both Kellogg Avenue and Twenty Road West, to the satisfaction of the Director of Development Engineering.
3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential "R4" Zone provisions, subject to the special requirements referred to in Section 2.

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4. 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 9th day of December, 2009.



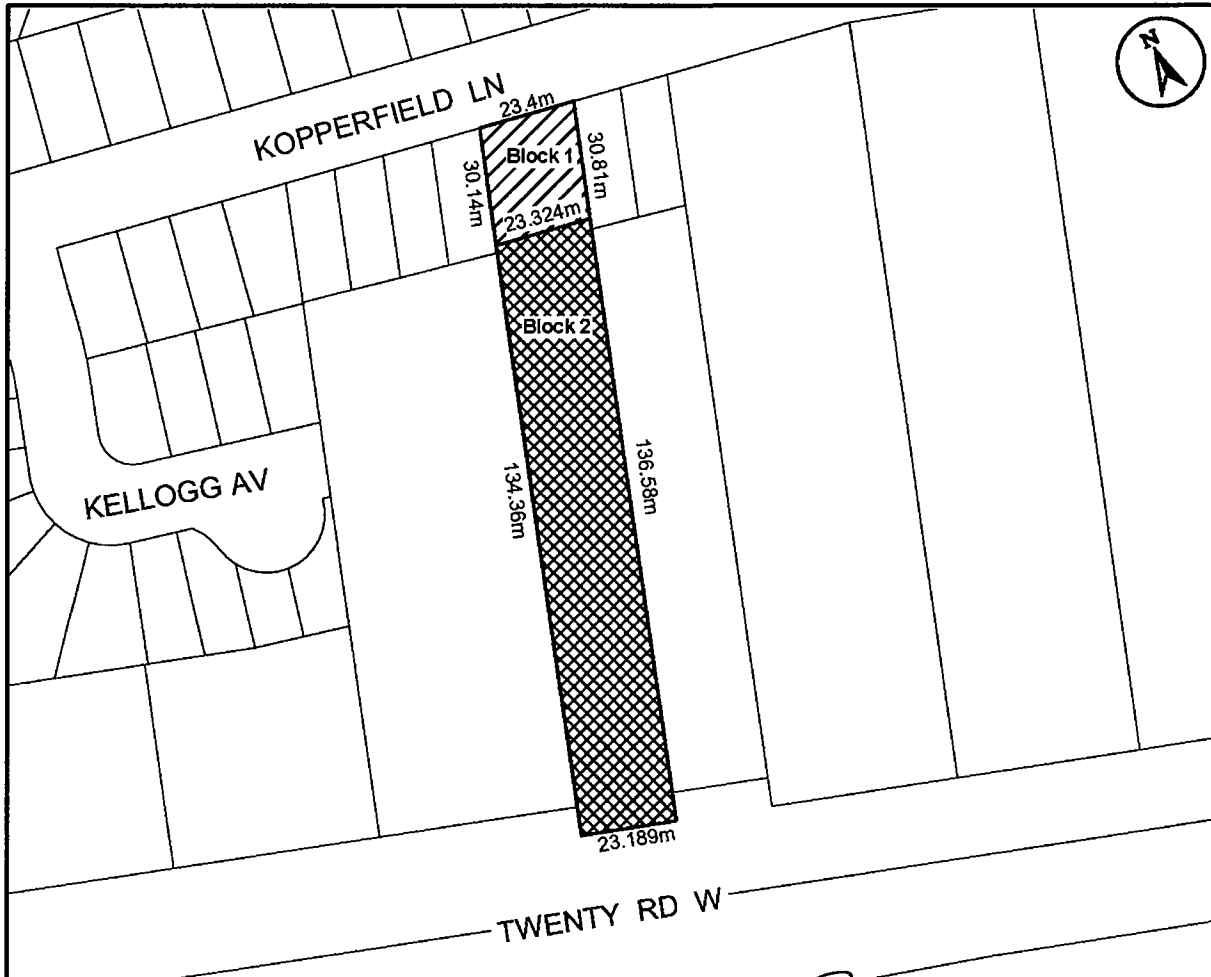
Fred Eisenberger
Mayor



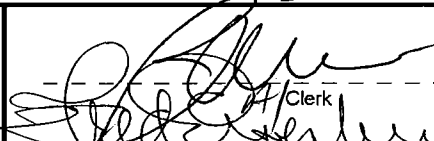
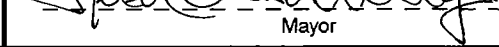
Rose Caterini
Acting City Clerk

ZAC-08-081

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This is Schedule "A" to By-Law No. 09- 248
 Passed the 9th..... day of ..December....., 2009




 Clerk

 Mayor


Schedule "A"

 Map Forming Part of
 By-Law No. 09- 248

 to Amend By-law No.464

Subject Property
 9862 Twenty Road West, Mount Hope

 **Block 1** - Lands to be rezoned from the Existing Residential "ER" Zone to the Residential "R4-258" Zone.
 **Block 2** - Lands to be rezoned from the Existing Residential "ER" Zone to the Residential "H-R4-258" Holding Zone.

Scale: N.T.S.	File Name/Number: ZAR-08-081	 Hamilton
Date: November 3, 2009	Planner/Technician: MB / AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		