

Authority: Item 4, Planning Committee
Report 22-010 (PED22121)
CM: June 22, 2022
Ward: 11

Bill No. 166

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 5015 and 5020 Tyneside Road, Glanbrook

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999 S.O. 1999, Chap. 14;

WHEREAS, THE City of Hamilton is the lawful successor of the former Municipalities identified in Section 1.7 of By-law No. 05-200;

WHEREAS, the first stage of Zoning By-law, being By-law No. 05-200 came into force and effect on the 25th day of May 2005; and

WHEREAS, the Council of the City of Hamilton, in adopting Item 4 of Report 22-010 of the Planning Committee, at its meeting held on the 22nd day of June, 2022, which recommended that Zoning By-law No. 05-200 be amended as hereinafter provided; and

AND WHEREAS this By-law conforms with the Rural Hamilton Official Plan upon adoption of Official Plan Amendment No. 35.

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

1. That Map No. 210 and No. 211 of Schedule "A" – Zoning Maps of Zoning By-law No. 05-200, is amended by changing the zoning from Agriculture (A1) Zone, Conservation/Hazard Land-Rural (P7) Zone and Conservation/Hazard Land-Rural (P8) Zone to Agriculture (A1, 118) Zone, Conservation/Hazard Land-Rural (P7, 118) Zone, Conservation/Hazard Land-Rural (P8, 118) Zone, Agriculture (A1, 777) Zone, and Conservation/Hazard Land-Rural (P7, 777) Zone the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" to the By-law.
2. That Schedule "C": Special Exceptions is amended by adding the following new Special Exception:

- a) Adding reference to “5015 Tyneside Road” and “Map 210, 211” to the Property Address and Map Number table as follows:

Property Address	Map Numbers
5015 Tyneside Road	210, 211

- b) Adding subsection f) as follows:

The following regulations shall also apply for the property located at 5015 Tyneside Road:

- i) Notwithstanding Subsection 12.1.1, a Single Detached Dwelling and Residential Care Facility shall be prohibited on the subject lands.

3. That Schedule “C” Special Exceptions of By-law No. 05-200 is amended by adding an additional exception, as follows:

“777. Within the lands zoned Agriculture (A1, 777) Zone and Conservation/Hazard Land (P7, 777), and identified on Map Nos. 210 and 211 of Schedule “A” Zoning Maps and described as 5020 Tyneside Road, the following special provisions shall apply:

- i) Notwithstanding Section 4.3 a), frontage on a street shall not be required;
- ii) Notwithstanding Subsection 12.1.3.3 b), the minimum lot width shall be 0.0 metres;
- iii) Notwithstanding Section 3 of this By-law, for purposes of the definition of the Interior Lot shall mean a lot with no frontage on a street excluding a corner lot;
- iv) Notwithstanding Section 3 of this By-law, for the purposes of the definition of the Front Lot Line shall mean the easterly lot line shall be considered the front lot line of the subject lands;
- v) Notwithstanding Section 7.7.2.2 a), new accessory buildings to an existing single detached dwelling shall be permitted. Sections 4.8 and 4.8.1.2 shall apply for new accessory buildings;
- vi) The maximum gross floor area for an expansion to an existing building or structure, including an existing accessory building, shall not exceed 10% of the gross floor area of the existing building or structure including an existing accessory building and may include a deck within the permitted maximum; and,

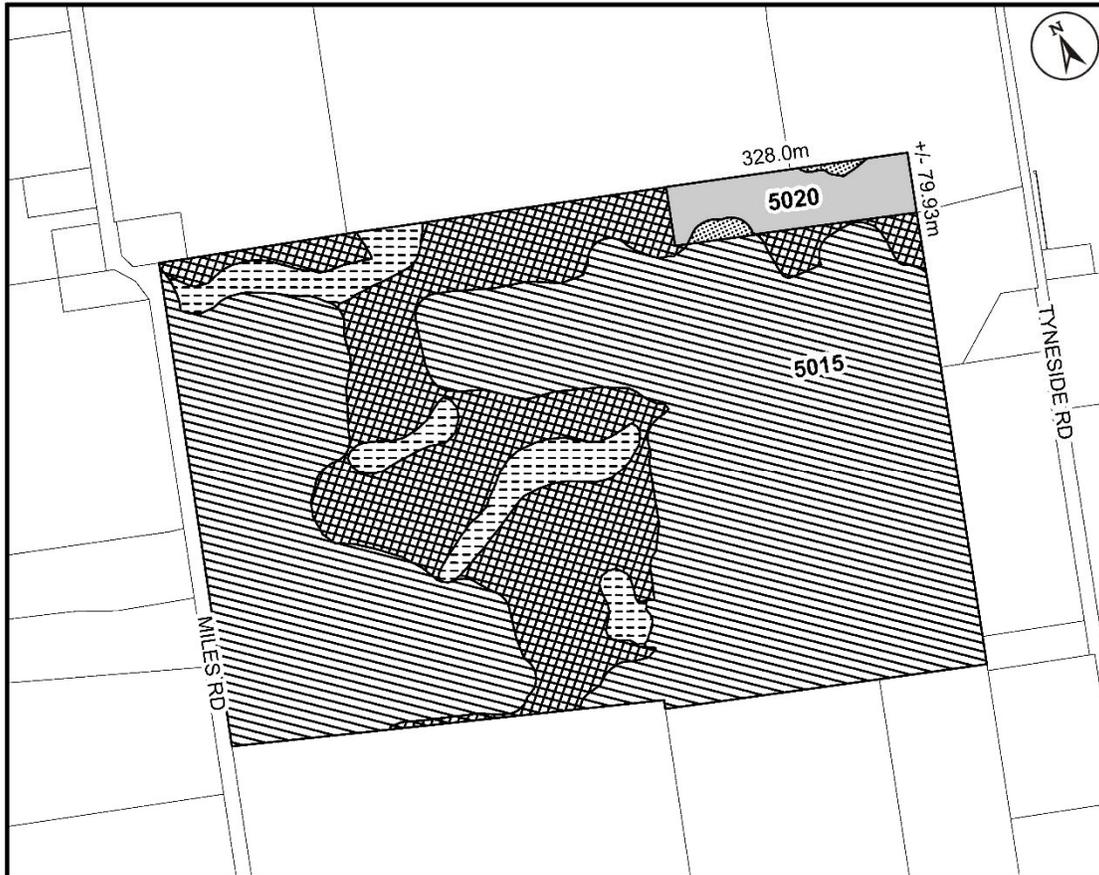
- vii) Notwithstanding Sections 7.7.2.3 i), 7.7.2.3 ii) and 7.7.2.3 iv), an existing single detached dwelling and existing accessory buildings or structures which are demolished in whole or in part may be rebuilt on a lot created subsequent to the effective date of By-law 22-166. Sections 12.1.3.3 a), c), d) e), f) shall apply for a single detached dwelling and Sections 4.8 and 4.8.1.2 shall apply for accessory buildings.

- viii) In addition to Section 7.7.2.2 b) ii), for purposes of the existing single detached dwelling, Section 12.1.3.3 c), d) e) and f) and for purposes of existing accessory buildings Sections 4.8 and 4.8.1.2 shall apply.

PASSED this 8th day of July, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk



This is Schedule "A" to By-law No. 22-
 Passed the day of, 2022

 Mayor

 Clerk

Schedule "A"
 Map forming Part of
 By-law No. 22-_____
 to Amend By-law No. 05-200
 Map 210 & 211

- Subject Property**
 5015 and 5020 Tyneside Road, Glanbrook
-  Change in Zoning from Agriculture (A1) Zone to Agriculture (A1,118) Zone
 -  Change in Zoning from Conservation/Hazard Land Rural (P7) Zone to Conservation/Hazard Land Rural (P7,118) Zone
 -  Change in Zoning from Conservation/Hazard Land Rural (P8) Zone to Conservation/Hazard Land Rural (P8,118) Zone
 -  Change in Zoning from Agriculture (A1) Zone to Agriculture (A1, 777) Zone
 -  Change in Zoning from Conservation/Hazard Land Rural (P7) Zone to Conservation/Hazard Land Rural (P7, 777) Zone

Scale: N.T.S	File Name/Number: ZAC-21-032/RHOPA-21-015	 Hamilton
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PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		