

**Authority:** Item 11, Planning Committee  
Report: 12-002 (PED11209(a))  
CM: February 8, 2012

**Bill No. 048**

## **CITY OF HAMILTON**

### **BY-LAW NO. 12-048**

#### **To Amend Zoning By-law No. 464 Respecting the Lands Located at 2674 Upper James Street (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Plan of the former regional municipality, continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 11 of Report 12-002 of the Planning Committee, at its meeting held on the 8th day of February, 2012, 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. That Schedule "A", appended to and forming part of By-law No. 464 (Glanbrook), is amended:
  - a) by changing the zoning from the Deferred Development "DD" Zone to the Airport-Related Business "M5-270" Zone, Modified, the lands identified as Block "1"; and,

- b) by changing the zoning from the Deferred Development “DD” Zone to the Airport-Related Business - Holding “H-M5-270” Zone, Modified, the lands identified as 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:

**“M5-270” & “H-M5-270”**

Notwithstanding Sub-section 34.1 **Permitted Uses** of **Section 34: Airport-Related Business “M5” Zone**. The following uses shall only be permitted on those lands zoned site-specific Airport-Related Business “M5-270”:

- a) Airport-related industrial uses, including, airport transportation and cargo services, light manufacturing or assembly, wholesale and distribution warehouses, and communication and utility activities, which benefit from proximity to airport services;
- (b) High technology industrial uses;
- (c) Professional and business offices;
- (d) Airport-related commercial uses, including automobile rental, leasing and servicing, taxi terminals, and financial institutions;
- (e) Transportation Depot; and,
- (f) Uses, buildings, and structures accessory to the permitted uses in Paragraphs (a), (b), (c), (d), and (e) of this Sub-section including, but not restricted to, a driver’s lounge.

Notwithstanding the minimum lot frontage, minimum lot area, side yard setback and landscaping regulations of Sub-section 34.3 **REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) to (f), INCLUSIVE, OF SUB-SECTION 34.1 of SECTION 34: AIRPORT-RELATED BUSINESS “M5” ZONE**, the following regulations shall apply to those lands zoned site-specific Residential “M5-270”:

1. **REGULATIONS FOR USES PERMITTED IN PARAGRAPHS (a) to (f), INCLUSIVE, OF SUB-SECTION 34.1**

- |                           |               |
|---------------------------|---------------|
| (a) Minimum Lot Frontage: | 30.0 metres.  |
| (c) Minimum Lot Area:     | 0.3 hectares. |

- (d) Minimum Building Size: 400 square metres.
- (g) Minimum Side Yard: 3.0 metres, except: a northerly Side Yard setback of 6.0m.
- (k) Minimum Loading Requirements: Notwithstanding Sub-section 7.36 of this By-law, no loading space is required for a Transportation Depot.
- (l) Minimum Landscaping Requirements:
  - (i) A landscaped area having a minimum width of 3.0 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street line (except driveways), and a landscaped area having a minimum width of 6.0 metres shall be provided and thereafter maintained adjacent to every portion of any lot line, exclusive of driveways and parking areas, that abuts any Residential or Institutional Zone or any Zone where the adjoining land is used for residential or institutional purposes.

## 2. SPECIFIC DEFINITIONS

Specific definitions in this Exception shall be as follows:

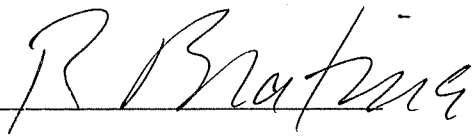
- (a) Transportation Depot - Shall mean the use of land where commercial motor vehicles pick up and discharge fare-paying passengers or dispatch vehicles for such purpose and shall include, but not be limited to, courier service facilities.

That the 'H' symbol applicable to the lands zoned "H-M5-270" may be removed by further amendment to this By-law at such time as the following matters have been completed:

- (a) That a Site Plan Control application has been approved by the Manager of Development Planning.
- (b) That an Archaeological Assessment has been completed and any identified impacts mitigated, to the satisfaction of the Manager of Community Planning and Design.

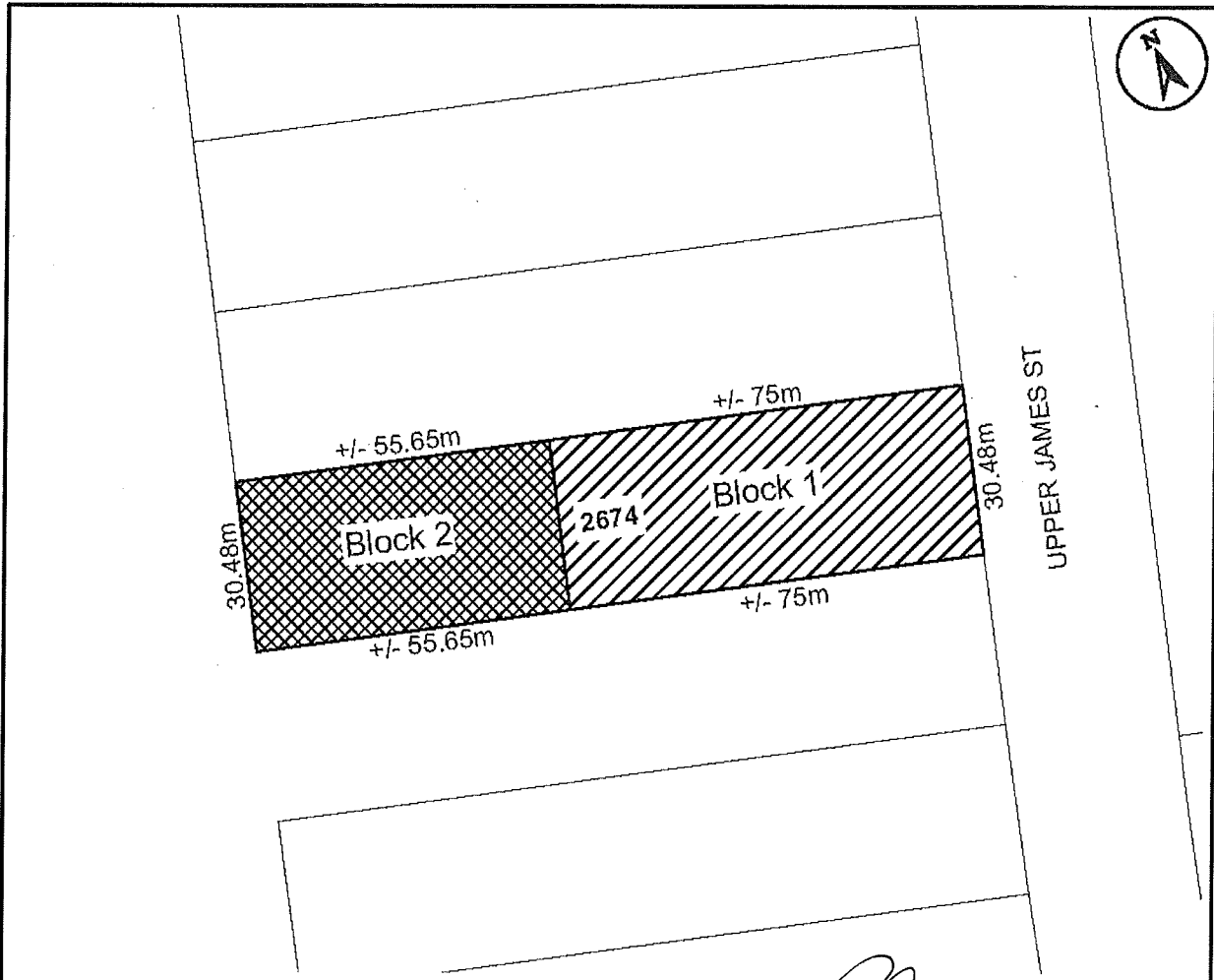
3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Airport-Related Business "M5" Zone provisions, subject to the special requirements referred to in Section 2.
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** this 22<sup>nd</sup> day of February, 2012.

  
\_\_\_\_\_  
R. Bratina  
Mayor

  
\_\_\_\_\_  
R. Caterini  
City Clerk

ZAC-10-051



This is Schedule "A" to By-Law No. 12- 048  
 Passed the 22..... day of ...February..., 2012



*Ally*  
 Clerk  
*R. Spatino*  
 Mayor

### Schedule "A"

Map Forming Part of  
 By-Law No. 12-048  
 to Amend By-law No. 464

#### Subject Property

2674 Upper James Street

-  Block 1: Change in Zoning from the Deferred Development "DD" Zone to the Airport-Related Business "M5-270" Zone
-  Block 2: Change in Zoning from the Deferred Development "DD" Zone to the Airport-Related Business-Holding "H-M5-270" Zone

<b>Scale:</b> N.T.S.	<b>File Name/Number:</b> ZAC-10-051
<b>Date:</b> January 11, 2012	<b>Planner/Technician:</b> PD / NB

