

**Authority:** Item 5, Planning Committee  
Report: 17-015 (PED17156)  
CM: September 27, 2017  
Ward: 11

**Bill No. 202**

## **CITY OF HAMILTON**

### **BY-LAW NO. 17-202**

#### **To Amend Zoning By-law 05-200 Respecting Lands Located at 5174 Berry 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 25<sup>th</sup> day of May, 2005;

**WHEREAS**, the Council of the City of Hamilton, in adopting Item 5 of Report 17-015 of the Planning Committee, at its meeting held on the 27<sup>th</sup> day of September, 2017, which recommended that Zoning By-law No. 05-200 be amended as hereinafter provided; and.

**WHEREAS**, this By-law amendment is in conformity with the Rural Hamilton Official Plan.

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

1. That Map No. 255 of Schedule "A" to Zoning By-law No. 05-200 is amended by changing the zoning from the Agriculture (A1) Zone and Conservation / Hazard Land – Rural (P6) Zone to the Agriculture (A1, 642) Zone and Conservation / Hazard Land - Rural (P6, 642) Zone, to the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this By-law.
2. That Schedule "C" Special Exceptions, of By-law No. 05-200 is amended by adding an additional exception, 642 as follows:
  642. Within those lands zoned Agriculture (A1) Zone and Conservation/Hazard Land – Rural (P6) Zone, identified on Maps 255, of Schedule "A" – Zoning Maps and described as:

Property address	Map number
5174 Berry Road	255

The following special provisions apply:

To Amend Zoning By-law 05-200 Respecting Lands Located at  
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(Page 2 of 3)

- a) Notwithstanding 7.6.1, the following use shall be prohibited:
    - i) single detached dwelling.
  - b) Notwithstanding 12.1.1, the following uses shall be prohibited:
    - i) single detached dwelling; and,
    - ii) residential care facility.
  - c) Notwithstanding Section 12.2.3.1 a), for the lands located at No. 5174 Berry Road, the minimum lot area shall be 37 hectares.
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*.
4. That this By-law No. 17-202 shall come into force and deemed to come into force in accordance with Subsection 34(21) of the *Planning Act*, either upon the date of passage of the By-law or as otherwise provided by the said subsection.

**PASSED** this 27<sup>th</sup> day of September, 2017.

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F. Eisenberger  
Mayor

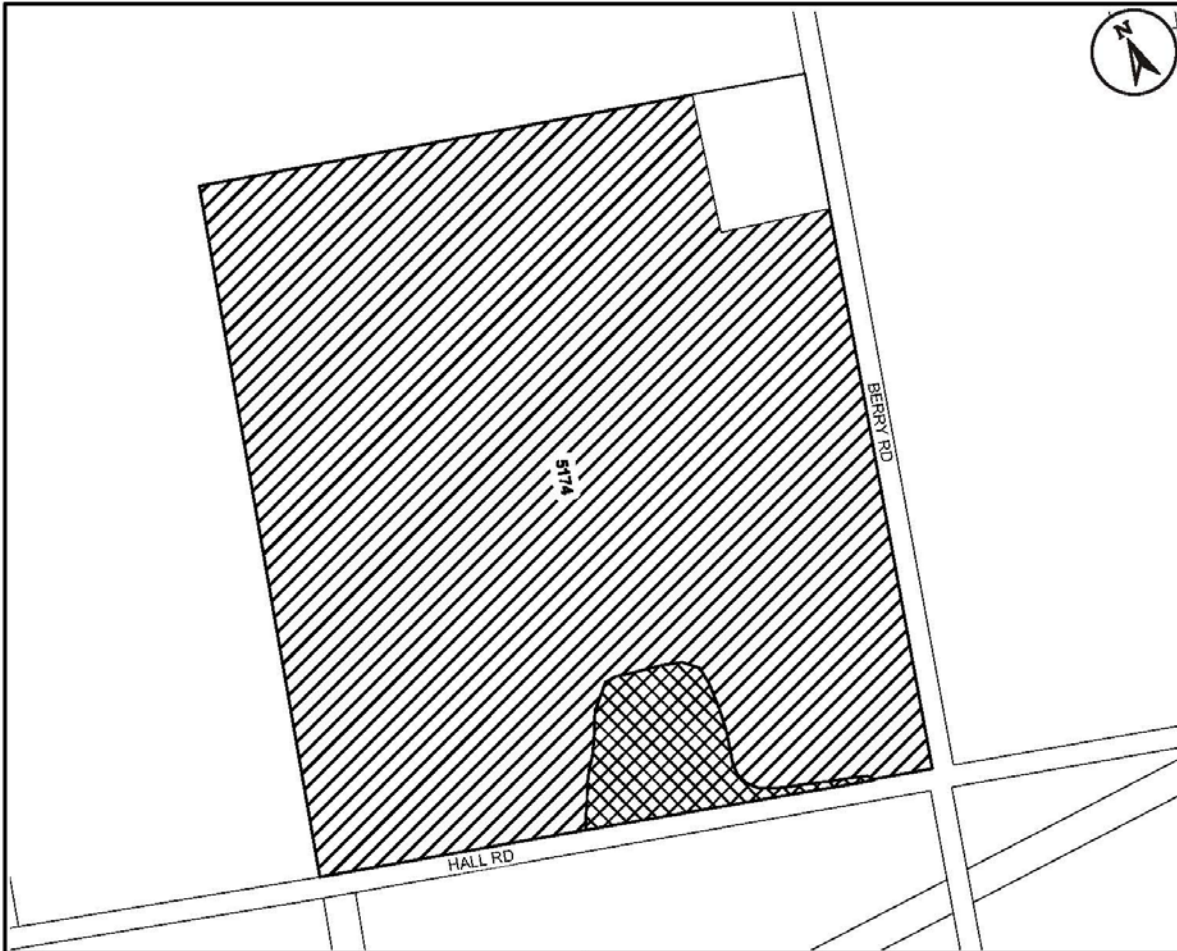
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R. Caterini  
City Clerk

ZAA-17-043

To Amend Zoning By-law 05-200 Respecting Lands Located at  
5174 Berry Road, Glanbrook

(Page 3 of 3)



This is Schedule "A" to By-law No. 17-  Passed the ..... day of ....., 2017	----- Mayor  ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 17-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 05-200 Map 255</p>	<p><b>Subject Property</b> 5174 Berry Road, Glanbrook</p> <p> <b>Block 1</b> - Change in Zoning from Agriculture (A1) Zone to Agriculture (A1, 642) Zone</p> <p> <b>Block 2</b> - Change in Zoning from Conservation / Hazard Land - Rural (P6) Zone to Conservation / Hazard Land - Rural (P6, 642) Zone</p>
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Scale: N.T.S.	File Name/Number: ZAA-17-043
Date: August 4, 2017	Planner/Technician: RF/AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

