

**Authority:** Item 5, Planning Committee  
Report 16-021 (PED16228)  
CM: December 14, 2016

**Bill No. 330**

## **CITY OF HAMILTON**

### **BY-LAW NO. 16-**

#### **To Amend Zoning By-law No. 05-200, Respecting Lands Located at 120 Binbrook Road, Former Township of 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;

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

**AND WHEREAS** the first stage of the new Zoning By-law, being By-law No. 05-200, came into force on the 25<sup>th</sup> day of May, 2005;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 5 of Report 16-021 of the Planning Committee, at its meeting held on the 14<sup>th</sup> day of December, 2016, which recommended that Zoning By-law No. 05-200 be amended as hereinafter provided;

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

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

1. That Map RU215 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, 482) Zone, Modified and the Conservation / Hazard Land Rural (P6, 482) Zone, Modified, for the lands, the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this By-law.
2. That Schedule "C" of By-law No. 05-200 is amended by adding an additional exception as follows:
  - "482. On those lands zoned Agriculture (A1, 482) Zone, Modified and Conservation / Hazard Lands Rural (P6, 482) Zone, Modified, identified on Map RU215 of Schedule "A" – Zoning Maps, and

described as 120 Binbrook Road, Glanbrook, the following special provisions shall also apply:

- a. Notwithstanding Section 12.1.1 of Zoning By-law No. 05-200, a single detached dwelling and residential care facility shall be prohibited, even as accessory uses to a permitted use; and,
  - b. Notwithstanding Section 7.6.1 of Zoning By-law No. 05-200, a single detached dwelling shall be prohibited, even as accessory uses to a permitted use.”
2. 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*.
  3. That this By-law No. 16-330 shall come into force and be deemed to come into force in accordance with Subsection 34(21) of the *Planning Act*, either upon the date of passage of this By-law or as otherwise provided by the said subsection.

**PASSED** this 14<sup>th</sup> day of December, 2016.

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F. Eisenberger  
Mayor  
ZAA-16-049

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R. Caterini  
Clerk



This is Schedule "A" to By-law No. 16-

Passed the ..... day of ....., 2016

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Mayor

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Clerk

## Schedule "A"

Map Forming Part of  
By-law No. 16-\_\_\_\_\_

to Amend By-law No. 05-200  
Map RU215

### Subject Property

120 Binbrook Road



Change in zoning from Agriculture (A1) Zone to  
Agriculture (A1, 482) Zone, Modified



Change in zoning from Conservation / Hazard Land  
Rural (P6) Zone to Conservation / Hazard Land  
Rural (P6, 482) Zone, Modified



Other lands owned by the applicant

Scale:  
N.T.S.

File Name/Number:  
ZAA-16-049

Date:  
October 18, 2016

Planner/Technician:  
MG/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT