

Authority: Item 8, Planning Committee
Report 23-011 (PED23117)
CM: July 14, 2023
Ward: 11
Written approval of this by-law was given
by Mayoral Decision MDE-2023-01 dated
August 18, 2023

Bill No. 148

CITY OF HAMILTON

BY-LAW NO. 23-

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands Located at 3479 Binbrook Road, 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 lawful successor to certain area municipalities, including the former area municipality known as “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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Land Tribunal on the 31st day of May 1993;

AND WHEREAS Council, in adopting Item 8 of Report 23-011 of the Planning Committee at its meeting held on the 14th day of July, 2023, recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided; and,

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No. 186.

NOW THEREFORE the Council of the City of Hamilton amends Zoning By-law No. 464 (Glanbrook) as follows:

1. That Schedule “H”, appended to and forming part of By-law No. 464 (Glanbrook), be amended by changing the zoning from Restricted Agricultural “A2” Zone to Residential Multiple “RM3-326” Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. That SECTION 44: EXCEPTIONS TO THE PROVISIONS OF THIS BY-LAW, be amended as follows:

RM3-326 3479 Binbrook Road

1. In addition to SECTION 4: DEFINITIONS, that for the purposes of the RM3-326 Zone, the following definitions shall also apply:
 - (a) Stacked townhouses – shall mean a townhouse that is divided vertically and horizontally into a minimum of three and a maximum of 15 dwelling units and with each dwelling unit having one or more private entrances at grade.
 - (b) Back-to-back townhouses (Maisonettes) – Shall mean a building containing a minimum of 12 and no more than 32 dwelling units that is divided vertically and where each unit is divided by common walls, including a common rear wall without a rear yard setback, and whereby each unit has an independent entrance to the unit at grade.
 - (c) For those lands zoned “RM3-326”, Zone, Modified, the lot line along Gowland Drive is deemed to be the Front Lot line.
 - (d) For those lands zoned “RM3-326”, Zone, Modified, the easterly lot line of Block 2 measuring 64.77 metres and the westerly lot line of Block 3 measuring 64.62 metres on Draft Approved Plan of Subdivision 25T-202201, are deemed to be the Flankage Lot lines.
 - (e) For those lands zoned “RM3-326”, Zone, Modified, the lot line along Binbrook Road is deemed to be the Rear Lot line.
2. Notwithstanding SECTION 19: RESIDENTIAL MULTIPLE “RM3” ZONE, Subsection 19.1 PERMITTED USES for those lands zoned “RM3-326”, Zone, Modified, by this By-law, only the following uses shall be permitted:
 - (a) Apartment buildings
 - (b) Stacked Townhouses
 - (c) Back-to-back townhouses (Maisonettes)
3. Notwithstanding SECTION 19: RESIDENTIAL MULTIPLE “RM3” Zone, Subsection 19.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1, Clauses (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (l), and (n), the following regulations shall apply for uses listed in subsection 2 above, for the lands zoned “RM3-326”:
 - (a) Minimum Lot Frontage.....30 metres

- (b) Minimum Lot Area.....0.3 hectare
- (c) Maximum Lot Coverage.....50 percent
- (d) Maximum Density.....60 dwelling units per hectare
- (e) Minimum Front Yard:.....3 metres,
except 6 metres
to attached garage
- (f) Minimum Side and Rear Yards
 - (i) Side Yard.....1.2 metres,
except 3 metres
on a flanking street
 - (ii) Rear Yard.....3 metres
- (g) Minimum Separation Distance.....N/A
- (h) Minimum Floor Area Per Dwelling Unit.....N/A
- (i) Maximum Height.....12.5 metres
- (j) Minimum Landscaped Area.....25 percent of
the lot area
- (l) Minimum Privacy Area.....N/A
- (n) Minimum Parking Requirements

Notwithstanding SECTION 7: GENERAL PROVISIONS FOR ALL ZONES, Sub-section 7.35 – MINIMUM PARKING REQUIREMENTS FOR ALL ZONES, each parking space shall be 2.7 metres x 5.8 metres and each dwelling unit shall have two spaces plus 0.25 visitor parking spaces for each dwelling unit.

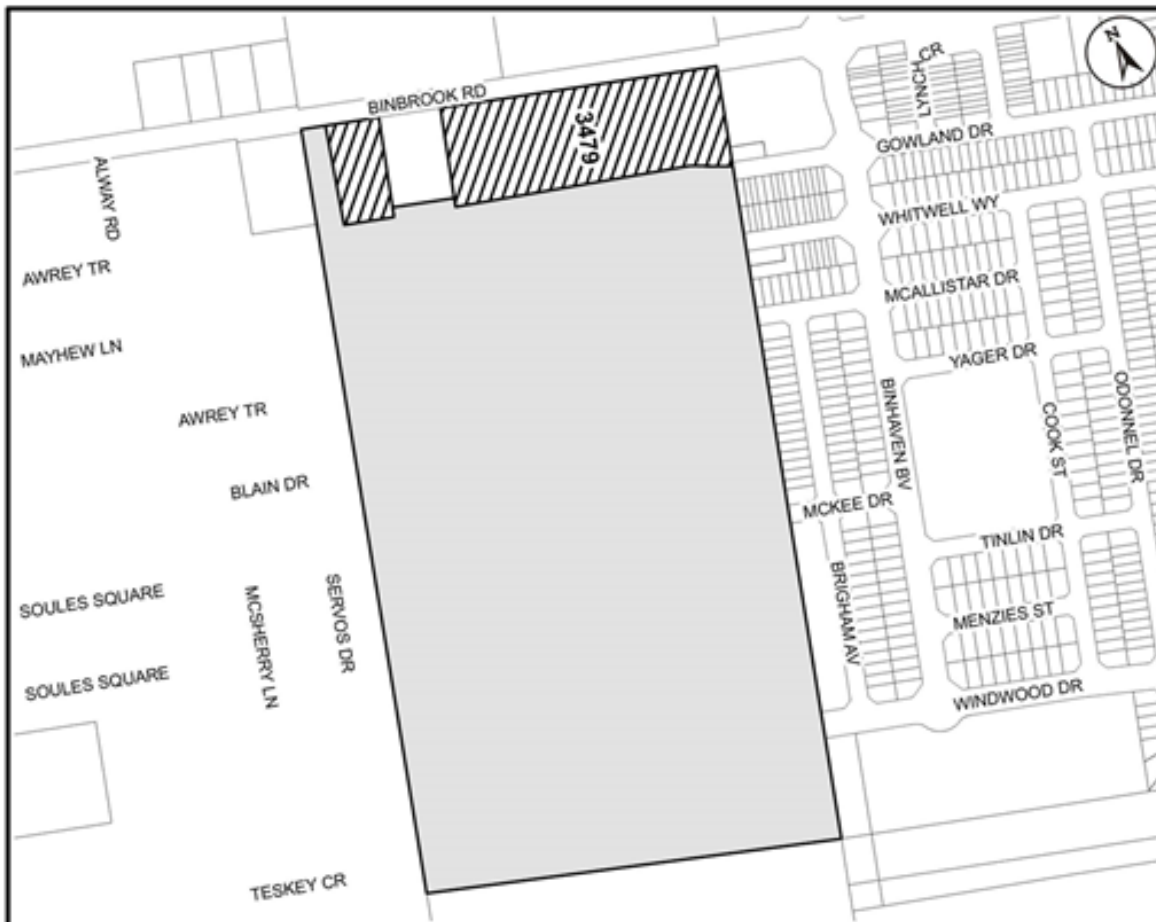
- 3. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential Multiple “RM3” Zone provisions, subject to the special requirements as referred to in Section 2 of this By-law.
- 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 18th day of August, 2023.

A. Horwath
Mayor

A. Holland
City Clerk

UHOPA-23-015
ZAC-22-008
25T-202201



<p>This is Schedule "A" to By-law No. 23-</p> <p>Passed the day of, 2023</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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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. 23-_____</p> <p style="margin: 0 0 0 0;">to Amend By-law No. 464</p>	<p>Subject Property 3479 Binbrook Road</p> <p> Blocks 1 & 2 – Change in Zoning from the Restricted Agricultural "A2" Zone to the Residential Multiple "RM3-328" Zone, Modified</p> <p> Refer to By-law No. 05-200</p>
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Scale: N.T.S	File Name/Number: ZAC-22-008/25T-202201A/HOPA-23-015	
Date: June 27, 2023	Planner/Technician: JV/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		