

Authority: Item 9 to Planning Committee
Report 18-001 (PED18017)
CM: January 24, 2018
Ward: 11

Bill No. 014

CITY OF HAMILTON

BY-LAW NO. 18-014

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands located at 9255 Airport Road West (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 City of Hamilton" 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Municipal Board on the 31st day of May, 1993;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 9 of Report 18-001 of the Planning Committee at its meeting held on the 24th day of January, 2018, which 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 and Rural Hamilton Official Plan, upon finalization of Official Plan Amendment No. 90;

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

1. That Schedule "F" – Mount Hope Urban Settlement Area Land Use Plan, appended to and forming part of By-law No. 464 (Glanbrook), be amended as follows:
 - (a) by changing the zoning from the Deferred Development "DD" Zone and General Agricultural "A1" Zone to the Residential "R4-218(A)" Zone, Modified, the lands comprised in "Block 1";
 - (b) by changing the zoning from the Deferred Development "DD" Zone and General Agricultural "A1" Zone to the Residential Multiple "RM2-194(A)" Zone, Modified, the lands comprised in "Block 2";

- (c) by changing the zoning from the Deferred Development "DD" Zone and General Agriculture "A1" Zone to the Residential Multiple "RM3-284(A)" Zone, Modified the lands comprised in "Block 3";
- (d) by changing the zoning from the Deferred Development "DD" Zone and, General Agriculture "A1" Zone to the Residential Multiple "RM3-284(B)" Zone, Modified, the lands comprised in "Block 4"; and,
- (e) by changing the zoning from the Deferred Development "DD" Zone and General Agriculture "A1" Zone to the Shopping Centre Commercial "C2-309" Zone, Modified, the lands comprised in "Block 5";

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 the By-law", as amended, of Zoning By-law No. 464, is hereby further amended by modifying the "R4-218" Zone provisions (a) and (e) (i) as follows:

R4-218(A)

- 16.2 (a) Minimum Lot Frontage 9.0 metres, except on a corner lot the minimum frontage shall be 10.8 metres.
- (e) Minimum Side Yard
- (i) On a corner lot, the minimum side yard abutting the flanking street shall be 3.0 metres.
 - (ii) On a lot flanking an open space block, the minimum side yard abutting the opens space shall be 2.4 metres;
 - (iii) The minimum setback for any building or structure to a daylight triangle or visibility triangle shall be 0.3 metres.
- (j) Notwithstanding Section 7.25, all principle buildings shall be setback a minimum distance of 7.0 metres from the boundary of a transmission pipeline right-of-way. No landscaping, development, or the erection of any buildings or permanent structures including but not limited to fences, decks, swimming pools, over, under or upon the pipeline lands shall be permitted within this setback.

All other regulations of the Residential "R4-218" Zone shall apply.

3. That Section 44, "Exceptions to the Provisions of the By-law", as amended, of Zoning By-law No. 464, is hereby further amended by modifying the "RM2-194" Zone provisions (c) (d), and (e) as follows:

RM2-194(A)

- 18.2 (c) Minimum Front Yard Street townhouse lots fronting Airport Road shall have a minimum setback of 8.0 metres.
- (d) Minimum Side Yard 0.0 metres, except:
- (i) For an end unit not abutting a flanking street, the minimum side yard shall be 1.2 metres;
 - (ii) For a corner unit abutting a flanking street, the minimum side yard shall be 3.0 metres;
 - (iii) For an end unit abutting an open space area, the minimum side yard shall be 2.4 metres;
 - (iv) The minimum setback for any building or structure to a daylight triangle or visibility triangle shall be 0.3 metres.
- (m) Maximum Lot Coverage 55 %

All other regulations of the Residential Multiple "RM2-194" Zone shall apply.

4. That Section 44, "Exceptions to the Provisions of the By-law", as amended, of Zoning By-law No. 464, is hereby further amended by modifying the "RM3-284" Zone provisions (d), and (f) as follows:

RM3-284(A)

- 19.2 (d) Maximum Density 100 dwelling units per hectare
- (f) Minimum Side Yards 3.5 metres from the northerly block boundary to the front façade of a townhouse dwelling;
- 4.5 metres from the westerly block boundary to the side façade of a townhouse dwelling; and,
- 3.0 metres from the southerly block boundary to the side façade of a townhouse dwelling.
- (i) Maximum Height 14.0 metres

- (o) For the purpose of this by-law, a *Dwelling, Townhouse* shall be defined as: a dwelling divided vertically and / or horizontally, with each unit separated by a common or party wall or walls and having two or more private entrances at grade.

All other regulations of the Residential Multiple "RM3-284" Zone shall apply.

- 5. That Section 44, "Exceptions to the Provisions of the By-law", as amended, of Zoning By-law No. 464, is hereby further amended by modifying the "RM3-284" Zone and "RM3-284(A)" Zone provisions as follows:

RM3-284(B)

- 19.1 (a) In addition to the uses permitted in Section 19.1, a Public or Separate Elementary School shall also be permitted.
- (p) For the purpose of this by-law, the regulations of Section 39.2 shall apply to a Public or Separate Elementary School.

All other regulations of the Residential Multiple "RM3-284" Zone and "RM3-284(A)" Zone shall apply.

- 6. That Section 44, "Exceptions to the Provisions of the By-law", of Zoning By-law No. 464, be amended by adding new Exceptions "C2-309", modified, as follows:

C2-309

Notwithstanding the provisions of Paragraphs (e) and (f) of Subsection 24.2, "REGULATIONS FOR USES PERMITTED IN SUBSECTION 24.1 (SHOPPING CENTRE COMMERCIAL)", of Section 24, Shopping Centre Commercial "C2" Zone of Zoning By-law 464, the following shall apply:

- (e) Minimum Front Yard 6.0 metres
- (f) Minimum Side and Rear Yard 5.0 metres

All other regulations of the Shopping Centre Commercial "C2" Zone shall apply.

- 7. 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 "R4", Residential "RM2" Zone, Residential Multiple "RM3" Zone, or Community Institutional "C2" Zone provisions, subject to the special requirements as referred to in Section 2, 3, 4, 5, and 6 of this By-law.

8. 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 24th day of January, 2018.

F. Eisenberger
Mayor

R. Caterini
City Clerk

ZAC-07-111/UHOPA-15-03/25T-200723



This is Schedule "A" to By-law No. 18- Passed the day of, 2018	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0;">Map Forming Part of By-law No. 18-_____</p> <p style="margin: 10px 0;">to Amend By-law No. 464</p>		<p>Subject Property 9255 Airport Road West, Glanbrook</p> <ul style="list-style-type: none"> Block 1 - Lands to be rezoned from the Deferred Development "DD" & General Agriculture "A1" Zones to Residential "R4-218(A)" Zone Block 2 - Lands to be rezoned from the Deferred Development "DD" & General Agriculture "A1" Zones to Multiple Residential "RM2-194(A)" Zone Block 3 - Lands to be rezoned from the Deferred Development "DD" & General Agriculture "A1" Zones to Multiple Residential "RM3-284(A)" Zone Block 4 - Lands to be rezoned from the Deferred Development "DD" & General Agriculture "A1" Zones to Multiple Residential "RM3-284(B)" Zone Block 5 - Lands to be rezoned from the Deferred Development "DD" & General Agriculture "A1" Zones to Shopping Centre Commercial "C2-309" Zone Block 6 - Lands to remain Agricultural "A1" Zone Block 7 - Refer to By-law No. 05-200
Scale: N.T.S.	File Name/Number: ZAC-07-111 / UHOPA-15-03 / 25T-200723	<p>Hamilton</p>
Date: Nov. 22, 2017	Planner/Technician: RC/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		