

**Authority:** Item 4, Economic Development and  
Planning Committee  
Report: 10-10(PED10087)  
CM: May 12, 2010

**Bill No. 137**

**CITY OF HAMILTON**

**BY-LAW NO. 10-137**

**To Adopt:**

**Official Plan Amendment/Modification No. 1 to the  
Urban Hamilton Official Plan**

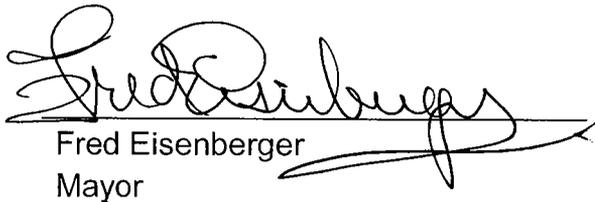
Respecting:

**2660-2668 Binbrook Road East and 2651 Regional Road 56  
(former Town of Glanbrook)**

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

1. Modification/Amendment No. 1 to the Urban Hamilton  
Official Plan consisting of Schedule "1", hereto annexed  
and forming part of this by-law, is hereby adopted.

**PASSED** this 9th day of June, 2010.

  
Fred Eisenberger  
Mayor

  
Rose Caterini  
City Clerk

## **Schedule '1'**

### **Amendment /Modification No. 1 to the Urban Hamilton Official Plan**

The following text, together with Schedule "A" attached hereto, constitutes Official Plan Amendment/Modification No. 1 to the Urban Hamilton Official Plan.

#### **1.0 Purpose:**

The purpose of this Amendment/Modification is to add a site specific policy to the Binbrook Village Secondary Plan for the subject lands allowing one drive-through-facility in association with a restaurant.

The effect of the Amendment/Modification is to permit the development of a restaurant with a drive-through facility in a pedestrian predominant area in the Village of Binbrook.

#### **2.0 Location:**

The lands affected by this Amendment/Modification are located at 2660- 2668 Binbrook Road East and 2651 Regional Road 56 in the former Town of Glanbrook.

#### **3.0 Basis:**

Council has deemed the drive-through facility associated with a restaurant an appropriate use for the subject lands, subject to:

- a) achieving a high quality of design required in the core area of Binbrook, in accordance with the Secondary Plan policies and Binbrook Urban Design Guidelines; and,
- b) that the development of the site shall incorporate the proper traffic control measures, including signage.

#### **4.0 Changes:**

1. Volume 2, Chapter B, Section 5.1 – Binbrook Village Secondary Plan is amended by the addition of a new site specific policy to read as follows:

**"5.1.13.5** Notwithstanding Sections E.4.3.4 d) and E.4.6.6 a) of Volume 1 and Section B.5.1.5.1 i), as it applies to drive-through uses in pedestrian predominant areas, for lands located at 2660-2668 Binbrook Road East and 2651

Regional Road 56, a maximum of one drive-through facility accessory to a restaurant shall be permitted subject to the following:

- a) The development of the building containing a restaurant and drive-through facility shall not precede the development of the principle two storey building.
- b) Prior to the approval of a site plan for the subject lands, an Urban Design Report shall be submitted indicating how the proposed site plan implements the design policies set out in the Binbrook Village Secondary Plan, the Binbrook Urban Design Guidelines and the design provisions contained in Volume 1, Section E.4.3.4. and how the proposed development contributes to a high quality of design in the Binbrook Community Core.
- c) The development of the subject lands shall incorporate proper traffic control measures, including signage; and,
- d) The stacking lanes, order stations and pick up windows shall not be located between the building and the road allowance of the public street. The stacking lanes shall also be appropriately screened from view of the municipal parkette at the north east corner of Regional Road 56 and Binbrook Road East. Drive-through stacking lanes shall not be located to impede pedestrian movement toward the main door.”

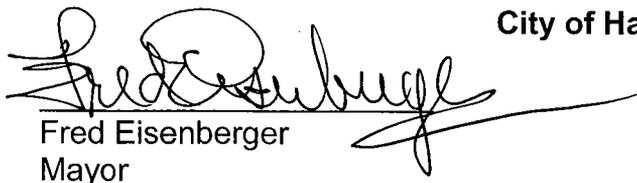
- 2. Map B.5.1-1 - Binbrook Village Secondary Plan – Land Use Plan is amended to indicate the location of Site Specific Policy Area E, as shown on the attached Schedule ‘A’ to this Amendment.

**5.0 Implementation:**

An implementing Zoning By-Law Amendment and site plan will give effect to this Amendment.

This is Schedule “1” to By-law No. 10-137 passed on the 9th day of June, 2010.

The  
City of Hamilton

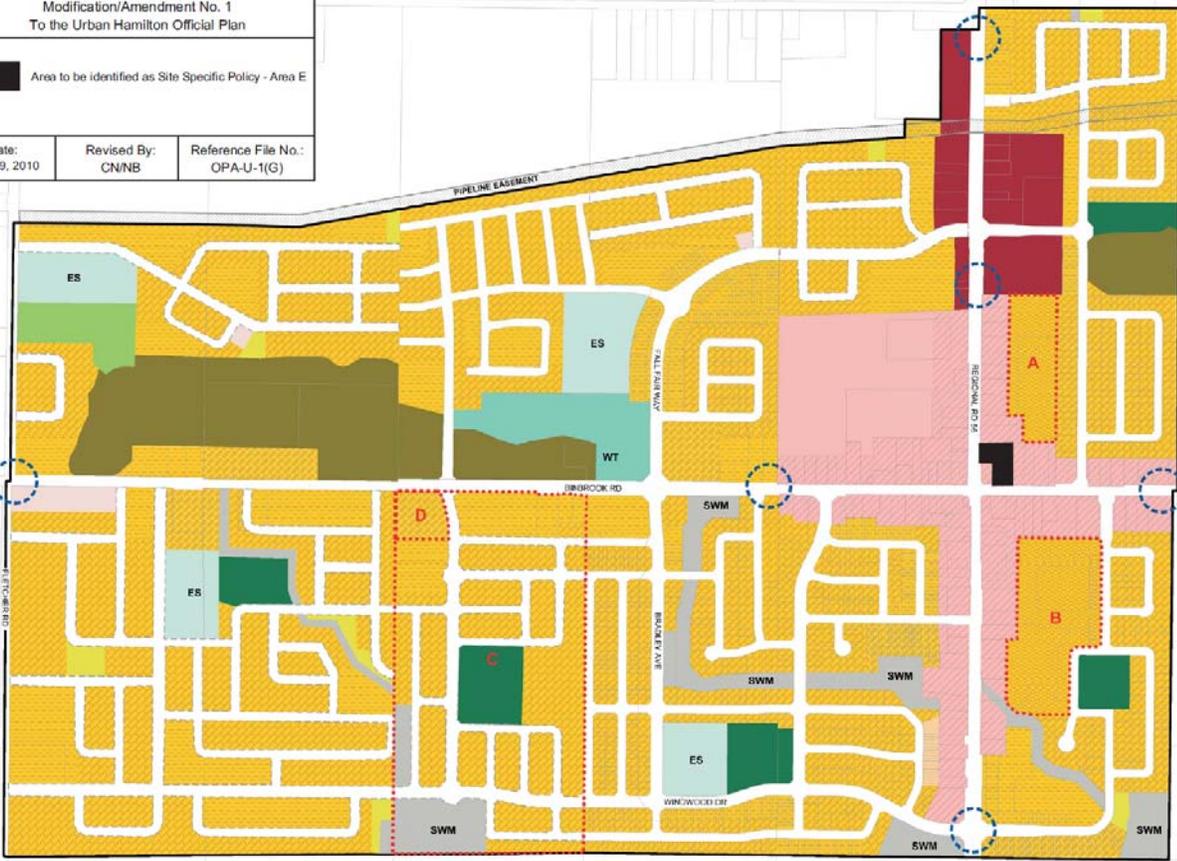
  
Fred Eisenberger  
Mayor

  
Rose Caterini  
City Clerk

Schedule A  
Modification/Amendment No. 1  
To the Urban Hamilton Official Plan

Area to be identified as Site Specific Policy - Area E

Date: May 19, 2010  
Revised By: CNNB  
Reference File No.: OPA-U-1(G)



**Legend**

**Residential Designations**

- Low Density Residential 20
- Low Density Residential 2a
- Low Density Residential 2b
- Low Density Residential 2c

**Commercial and Mixed Use Designations**

- Local Commercial
- Mixed Use - Medium Density
- Mixed Use - Medium Density - Parkettes (Prohibited)
- District Commercial

**Parks and Open Space Designations**

- Parkette
- Neighbourhood Park
- Community Park
- General Open Space
- Natural Open Space

**Other Designations**

- Institutional
- ES Elementary School
- Utility
- SWM Storm Water Management

**Other Features**

- Area or Site Specific Policy
- Gateway
- Water Tower
- Proposed Roads
- Secondary Plan Boundary

**Urban Hamilton Official Plan  
Binbrook Village  
Secondary Plan  
Land Use Plan  
Map B.5-1/1**

Date: July 9, 2009

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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