CITY OF HAMILTON

BY-LAW NO. 06-334

To Adopt:

Official Plan Amendment No. 57 to the Former Township of Glanbrook Official Plan;

Respecting:

1330 Trinity Church Road

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

1. Amendment No. 57 to the Official Plan of the Former Township of Glanbrook Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted and approved.

PASSED AND ENACTED this 25th day of October, 2006.
Amendment
to the

Former Township of Glanbrook Official Plan

The following text together with Schedule “A” - Land Use Plan, attached hereto, constitute Official Plan Amendment No. 57 of the Official Plan of the former Township of Glanbrook.

**Purpose:**

The purpose of the City Initiative is to permit the severance of a surplus farm dwelling for non-abutting farm parcels.

**Location:**

The lands affected by the Amendments are 1330 Trinity Church Road, former Township of Glanbrook.

**Basis:**

The intent of the City Initiative is to permit the severance of a surplus farm dwelling for non-abutting farm parcels. The basis for permitting the proposal is as follows:

- The proposal is consistent with the Hamilton-Wentworth Official Plan and the Provincial Policy Statement; and

- The proposed severance is consistent with the adopted Official Plan for Rural Hamilton.

**Actual Changes**

**Text**

1) Schedule "A" – Land Use Plan – be revised by identifying the subject lands as OPA No. 57, as shown on the attached Schedule “A” of this Amendment.

2) That Section B.1.1.14, Site Specific Policies, be amended by adding the following subsection:
Notwithstanding Section D.2.2.6, for the lands known municipally as 1330 Trinity Church Road an existing farm dwelling that is surplus to a consolidated farm operation may be severed provided that:

(a) The surplus dwelling to be severed shall be at least 25 years old;

(b) A sustainable private water well and sustainable private sewage disposal system shall be provided;

(c) The surplus dwelling lot shall be a minimum of 0.4 hectares (1 acre), or such larger area as may be required to provide sustainable private well water and sustainable private sewage disposal system;

(d) The shape and dimensions of the surplus farm dwelling lot shall not impair agricultural operations on the retained land and shall not exceed 122 metres (400 feet) in depth;

(e) The owner and operator of the farm maintains an existing dwelling on land that is also part of the consolidated farm operation and is located in Rural Hamilton;

(f) The parcels of land comprising the consolidated farm operation shall be a minimum of 38.4 hectares (95 acres) in total;

(g) The parcel of land from which the surplus dwelling is severed shall be a minimum of 16.2 hectares (40 acres) in size;

(h) The parcel of land from which the surplus dwelling is severed shall have been owned and part of the consolidated farm operation for at least one year;

(i) The owner of the retained land shall grant in favour of Hamilton a restrictive covenant prior to the granting of final consent which prohibits the construction of any dwelling unit; and

(j) The land retained as a result of the severance of a surplus dwelling shall be rezoned prior to the granting of final consent to prohibit the construction of any dwelling unit."
Implementation:

An implementing Zoning By-Law Amendment gives effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 06-334, passed on the 25th day of October, 2006.

The City of Hamilton

[Signatures for Mayor and Clerk]
Note: See Township of Glanbrook Official Plan for details on Official Plan Amendments (OPAs).