

Authority: Item 11, Economic Development
and Planning Committee
Report 10- 018 (PED10180)
CM: September 29, 2010

Bill No. 274

CITY OF HAMILTON

BY-LAW NO. 10-274

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands located at 345 Glancaster Road

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 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Municipal Board on the 31st day of May, 1993;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 11 of Report 10-018 of the Economic Development and Planning Committee, at its meeting held on the 29th day of September, 2010, recommended that Zoning By-law No. 464 (Glanbrook) be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook) upon approval of Official Plan Amendment No. 81;

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

1. That Schedule "G", appended to and forming part of By-law No. 464 (Glanbrook) is amended by changing the zoning from the Existing Residential "ER" Zone to the Multiple Residential "RM2-261" Zone (Block 1) and to the Multiple Residential "RM3-262" Zone (Block 2) on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

By-law Respecting 345 Glancaster Road

2. That Section 44, "Exceptions to the Provisions of the By-law", be amended by adding new Special Exemptions, "RM2-261" and RM3-262", as follows:

"RM2-261" 345 Glancaster Road

Notwithstanding the regulations of Subsection 18.2 - **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLINGS)**, of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, Clauses (c), (d), (e), (f), (h) and (k), the following regulations shall apply to the lands zoned "RM2-261";

- (c) Maximum Lot Coverage 55 percent
- (d) Minimum Front Yard..... 6 metres
- (e) Minimum Side Yard
 - (i) End dwelling unit not abutting a flanking street 0.9 metres
 - (ii) End dwelling unit on a corner lot abutting a flanking street 4 metres
 - (iii) Setback to the Hypotenuse of the Daylight Triangle 3.7 metres
- (f) Minimum Rear Yard 7 metres
- (h) Maximum Height one and one half (1.5) storeys and 10 metres
- (k) Dwelling Unit Placement
 - (i) and (ii) Not more than four (4) dwelling units shall be attached in a continuous row.

In addition to the minimum parking requirements under Clause (l) of Subsection 18.2 - **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLINGS)**, of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, each street townhouse unit shall provide and maintain a minimum driveway width of 5.5 metres, and the required two (2) parking spaces shall be provided in an attached garage having a minimum internal dimension of 6 metres wide by 6 metres in length.

Notwithstanding the regulations of Subsection 7.26(b) - **ENCROACHMENT INTO YARDS**, of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, unenclosed porches may project into any required front yard or side yard a distance not more than 1.8 metres.

By-law Respecting 345 Glancaster Road

(Page 3 of 5)

Notwithstanding the regulations of Subsection 7.29 - **DAYLIGHTING TRIANGLES**, of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, a 7 metre x 7 metre triangle at the intersection of Glancaster Road and Kopperfield Lane shall be required.

“RM3-262” 345 Glancaster Road

Notwithstanding the regulations of Subsection 19.2 - **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)**, of **SECTION 19: RESIDENTIAL MULTIPLE “RM3” ZONE**, Clauses (c), (d), (e), (f), (g), (j), and (k), the following regulations shall apply to the lands zoned “RM3-262”;

- (c) Maximum Lot Coverage 35 percent
- (d) Maximum Density 38 units per hectare
- (e) Minimum Front Yard 5.8 metres
- (f) Minimum Side and Rear Yards 7 metres,
except 7.5 metres where
the abutting lands are zoned
Existing Residential” ER” Zone.
- (g) Minimum Separation Distance
 - (i) Between two (2) exterior walls which contain no windows to habitable rooms, a minimum of 2.5 metres shall be provided.
- (j) Minimum Landscaped Area 40 percent of the lot area,
which may include the
required privacy area.
- (k) Planting Strip/Fencing

Where the boundary of a Residential Multiple “RM3” Zone adjoins lands zoned Existing Residential “ER” Zone, a planting strip with a minimum width of 1.5 metres and/or a solid fence with a height of 1.8 metres adjoining such boundary shall be provided and thereafter maintained.

Where the boundary of a Residential Multiple “RM3” Zone adjoins lands zoned Residential “R3” Zone, a planting strip with a minimum width of 2.0 metres and average width of 3.0 metres and/or a solid fence with a height of 1.8 metres adjoining such boundary shall be provided and thereafter maintained.

By-law Respecting 345 Glancaster Road

(Page 4 of 5)

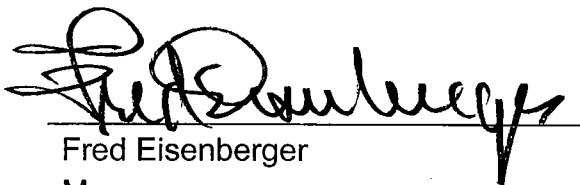
In addition to the regulations of Subsection 19.2 - **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)**, of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE**, no play structure shall be permitted on the lands zoned "RM3-262".


Notwithstanding the regulations of Subsection 7.26(b) - **ENCROACHMENT INTO YARDS**, of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, unenclosed porches may project into any required front yard a distance not more than 1.8 metres.

Notwithstanding the regulations of Subsection 7.35(b) - **MINIMUM PARKING REQUIREMENTS**, of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, a minimum of two (2) parking spaces per dwelling unit shall be provided, plus 0.4 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 "RM2" and "RM3" Zone provisions, subject to the special requirements 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 13th day of October, 2010.


Fred Eisenberger
Mayor


Rose Caterini
City Clerk

ZAC-10-010

By-law Respecting 345 Glancaster Road



This is Schedule "A" to By-Law No. 10-27 4
 Passed the 13th day of October, 2010

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 10-274
 to Amend By-law No. 464

Subject Property
 345 Glancaster Road



Block 1 - Change in Zoning from the Existing Residential "ER" Zone to the Multiple Residential "RM2-261" Zone, Modified



Block 2 - Change in Zoning from the Existing Residential "ER" Zone to the Multiple Residential "RM3-262" Zone, Modified

Scale:
 N.T.S.

File Name/Number:
 OPA-10-004/ZAC-10-010

Date:
 July 5, 2010

Planner/Technician:
 JH/NS



Hamilton