

Authority: Item 7, Planning Committee
Report 14-011 (PED14135)
CM: September 10, 2014

Bill No. 243

CITY OF HAMILTON

BY-LAW NO. 14-243

To Amend Zoning By-law No. 464 (Glanbrook), Respecting Lands Located at 365 Glancaster 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 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 7 of Report 14-011 of the Planning Committee, at its meeting held on the 15th day of August, 2014, recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan upon the approval of Official Plan Amendment No. 27.

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

1. That Schedule "E", appended to and forming part of By-law No. 464 (Glanbrook), is amended by changing the zoning from:

(a) the Existing Residential "ER" Zone to the Residential Multiple "RM2-283" Zone, the lands comprised of Block 1; and,

(b) the Existing Residential "ER" Zone to the Residential Multiple "RM3-284" Zone, the lands comprised of Block 2;

on the lands, 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", of Zoning By-law No. 464, be amended by adding new Special Exception "RM2-283", as follows:

"RM2-283"

365 Glancaster Road

Notwithstanding the regulations of Subsection 18.2 – **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING)**, of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, Clauses (b), (c), (d), (e), and (f), the following regulations shall apply to the lands zoned "RM2-283":

- | | |
|---------------------------|---|
| (b) Minimum Lot Area: | 210 square metres per dwelling unit except 245 square metres for a dwelling end unit which does not abut a flanking street and 340 square metres for a dwelling end unit which abuts a flanking street. |
| (c) Maximum Lot Coverage: | 53% |
| (d) Minimum Front Yard: | 6 metres but 2.8m from the hypotenuse of a daylight triangle |

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(i) OF THIS SUB-SECTION


- (c) Maximum Lot Coverage: 35%
- (d) Maximum Density: 63 dwelling units per hectare
- (e) Minimum Front Yard: 3.5 metres but 0 metres from a daylight triangle
- (f) Minimum Side and Rear Yards: 1.5 metres for a westerly side yard; 5m for an easterly side yard from the side façade of a townhouse; 7.5m for an easterly side yard from the rear façade of a townhouse; and, 6m for a rear yard
- (g) Minimum Separation Distance: 2.4 metres between two exterior walls
- (h) Minimum Floor Area Per Dwelling Unit: 88 square metres
- (j) Minimum Landscaped Area: 30%
- (l) Minimum Privacy Area: Does not apply
- (m) Minimum Amenity Area: Does not apply
- (n)(ii) No parking space or area shall be located closer to a street line than 1.5 metres and not be closer than 2.5 metres to any Residential Zone (except 0.0m from the northerly lot line), unless such parking space is located within a below-grade communal parking structure.

Notwithstanding the regulations of Subsection 7.35(a) (iv) and (vii) **GENERAL PROVISIONS**, of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, tandem parking is permitted for maisonette dwellings and surface parking spaces are permitted to have a minimum width of 2.6 metres and length of 5.5 metres while garage parking spaces must have a minimum width of 3.0 metres and a length of 6.0m.

Notwithstanding any of the regulations of **ZONING BY-LAW NO. 464**, as amended by this By-law, sidewalks or other such walkways are permitted to be located in any required yard; within any required minimum separation distance between buildings; within any required landscaped area(s), planting or landscaped strips; and, for the purposes of calculating minimum landscaped area shall count as landscaped area.

4. 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 "RM2" Zone and Residential Multiple "RM3" Zone provisions, subject to the special requirements referred to in Sections 2 and 3 of this By-law.
5. 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 10th day of September, 2014.

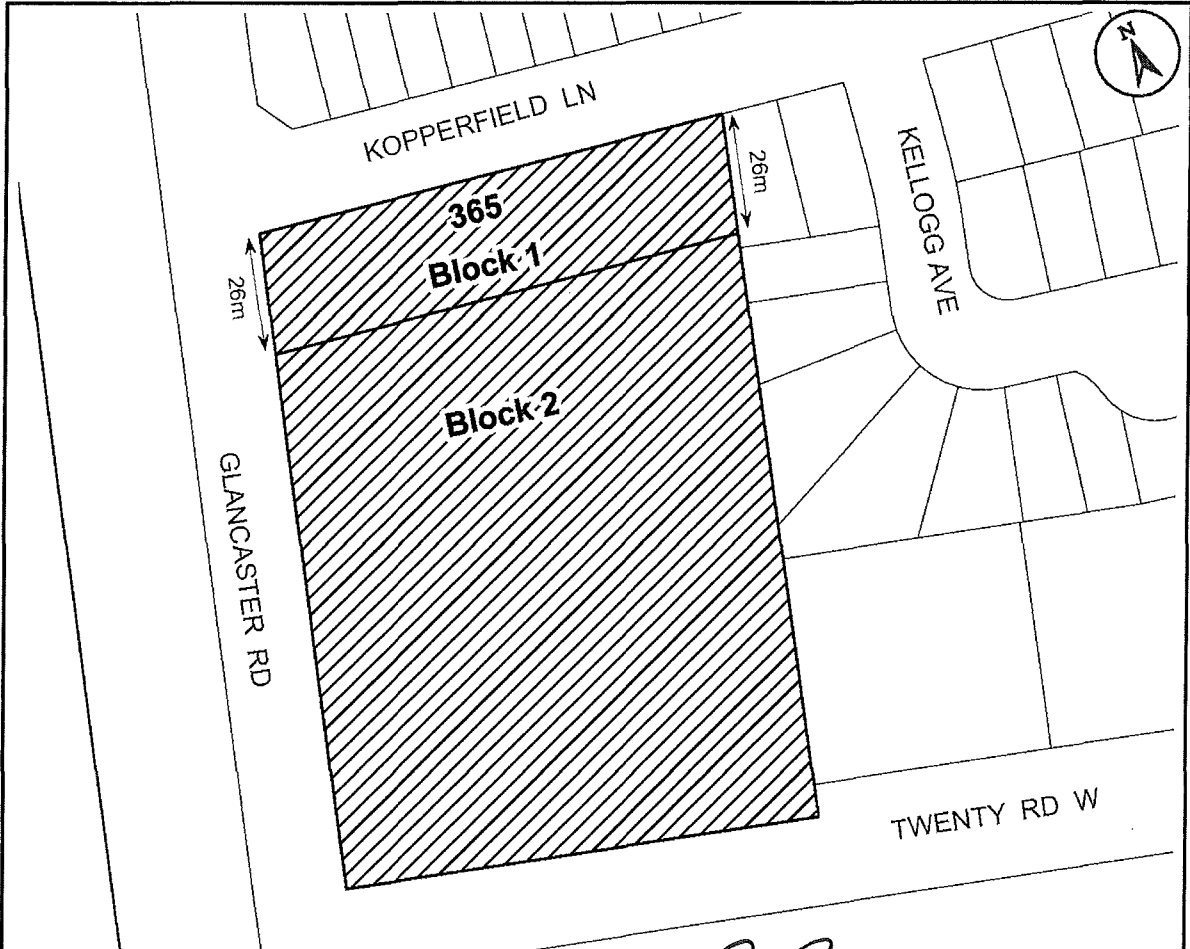


R. Bratina
Mayor



R. Caterini
City Clerk

ZAC-12-024
OPA-12-009



This is Schedule "A" to By-Law No. 14-243

Passed the .10.th.. day of .September, 2014


R. Regina
Mayor
[Signature]
Clerk

Schedule "A"

Map Forming Part of
By-Law No. 14-243

to Amend By-law No. 464

Subject Property

 Change in Zoning from the Existing Residential "ER" Zone to the;

Block 1 : Residential Multiple "RM2-283" Zone, Modified

Block 2 : Residential Multiple "RM3-284" Zone, Modified

Scale:
N.T.S.

File Name/Number:
ZAC-12-024_OPA-12-009

Date:
May 13, 2014

Planner/Technician:
GM/VS



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT