

**Authority:** Item 7, Planning and Economic Development Committee Report; 05-005 (PD05042)  
CM: March 9, 05

**Bill No. 054**

**CITY OF HAMILTON**

**BY-LAW NO. 05-054**

**To Amend Zoning By-law No. 87-57 (Ancaster)  
Respecting Lands Located within Part of Lot 51, Concession 3 (Ancaster)**

**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 Town of Ancaster" 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23<sup>rd</sup> day of January, 1989;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 7 of Report 05-005 of the Planning and Economic Development Committee at its meeting held on the 9<sup>th</sup> day of March, 2005, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the Town of Ancaster) in accordance with the provisions of the Planning Act;

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

1. Schedule "B" of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing from the Agricultural "A" Zone to the:

- (a) Residential Multiple "RM2-518" Zone, for the lands composed of **Block "1"**;
- (b) Public Open Space "O2" Zone, for the lands composed of **Block "2"**;
- (c) Multiple Residential "RM3" Zone, for the lands composed of **Block "3"**;
- (d) Residential "R4-519" Zone, for the lands composed of **Block "4"**.

the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this by-law.

2. Section 34: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsections:

**"RM2-518"**

Notwithstanding the provisions of paragraphs (a), (b), (d), (e) and (f) of Subsection 15.2 "Regulations" of Section 15: Residential Multiple "RM2" Zone, the following special provisions shall apply to the lands zoned "RM2-518":

Regulations:

- (a) Minimum Lot Area                      780 square metres of total parcel area per dwelling and 210 square metres per dwelling unit.
  
- (b) Minimum Lot Frontage                26 metres of total parcel frontage per dwelling and 7.0 metres per dwelling unit except:
  - (i) On a corner lot the minimum lot frontage for a dwelling end unit adjacent to the flankage street shall be 12 metres.
  - (ii) For a dwelling end unit which is not adjacent to a flankage street the minimum lot frontage shall be 9.5 metres.
  
- (d) Maximum Lot Coverage                45%
- (e) Minimum Front Yard                    4.5 metres to the dwelling unit and 6.0 metres to the garage plus any applicable distance as specified in Schedule "C".

- (f) Minimum Side Yard 2.5 metres for a dwelling end unit which is not adjacent to a flankage street and for a dwelling end unit adjacent to a flankage street the minimum side yard shall be 5.0 metres plus any applicable distance as specified in Schedule "C".
- (g) In addition to the provisions of Definition 3.132, "Street", a private condominium road shall also be considered to be a highway for the purposes of creating lot frontage.

**"R4-519"**

Notwithstanding the provisions of paragraphs (c), (d) and (e)(ii) of Subsection 12.2 "Regulations" of Section 12: Residential "R4" Zone, the following special provisions shall apply to the lands zoned "R4-519"

Regulations:

- (c) Maximum Lot Coverage 45% for one storey and back split single detached dwellings and 40% for 2 storey single detached dwellings.
- (d) Minimum Front Yard 3.0 metres to the dwelling and 6.0 metres to a garage plus any applicable distance specified in Schedule "C".
- (e)(ii) Minimum Side Yard On a corner lot, the minimum side yard abutting a street shall be 3.0 metres plus any applicable distance specified in Schedule "C".

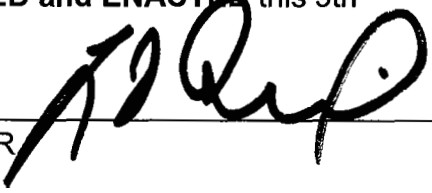
In addition to the Provisions of Section 7.12, Yard Encroachments, an alcove for pantries and hutches etc., shall be permitted to project into any minimum yard a distance of not more than 60 centimetres.

3. That the amending By-law be added to Map B of the Ancaster Zoning By-law No. 87-57.
4. 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 and ENACTED** this 9th

day of March, 2005.

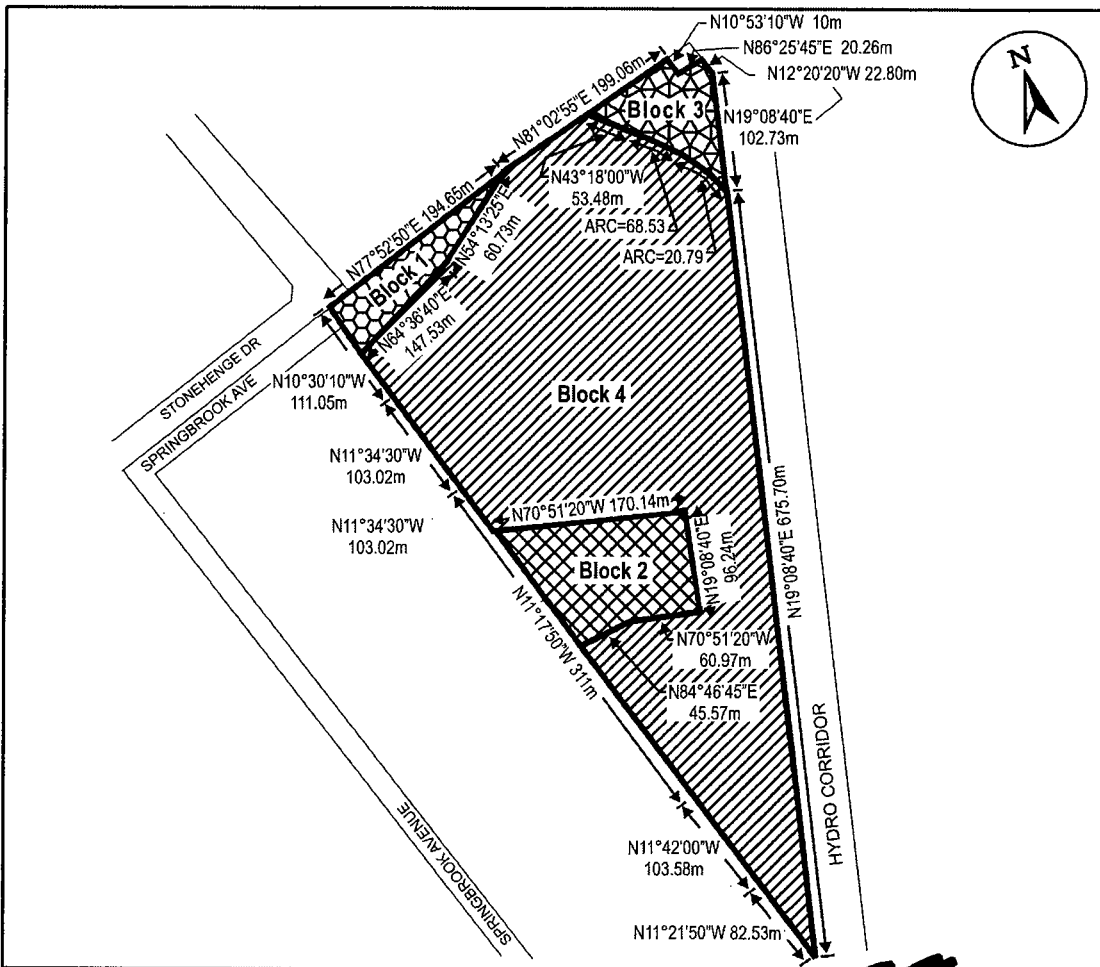
\_\_\_\_\_  
MAYOR



\_\_\_\_\_  
CLERK



ZAC-04-65



This is Schedule "A" to By-Law No. 05-054

Passed the 9th day of March, 2005





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Clerk  
*[Handwritten signature]*  
Mayor


# Schedule "A"

Map Forming Part of  
By-Law No. 05-054  
to Amend By-Law No. 87-57



## Subject Property Part of Lot 51 - Concession 3

-  **Block 1** - Change from the Agricultural "A" Zone to the Residential Multiple "RM2-518" Zone
-  **Block 2** - Change from the Agricultural "A" Zone to the Public Open Space "02" Zone
-  **Block 3** - Change from the Agricultural "A" Zone to the Residential Multiple "RM3" Zone
-  **Block 4** - Change from the Agricultural "A" Zone to the Residential "R4-519" Zone

|  |                        |                                       |
|--|------------------------|---------------------------------------|
| North<br> | Scale:<br>Not to Scale | File Name/Number:<br><b>ZAC-04-65</b> |
|  | Date:<br>January, 2005 | Planner/Technician:<br>PM/LMM         |
| T&C File Name:   |                        |                                       |