

**Authority:** Item 13, Economic Development  
and Planning Committee  
Report: 08-014 PED08153  
CM: July 10, 2008,

**Bill No. 196**

**CITY OF HAMILTON**

**BY-LAW NO. 08-196**

**To Amend Zoning By-law No. 87-57 (Ancaster),  
respecting lands located at 124 Wilson Street West,  
in the former Town of Ancaster, now in the City of  
Hamilton**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1<sup>st</sup>, 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 Ancaster" and is the successor of 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 87-57 (Ancaster) was enacted on the 22<sup>nd</sup> 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 13 of Report 08-014 of the Economic Development and Planning Committee, at its meeting held on the 10<sup>th</sup> day of July, 2008, recommended that Zoning By-law No. 87-57 (Ancaster) 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 Town of Ancaster), upon approval of Official Plan Amendment No. 123 proposed by the City of Hamilton but not yet approved in accordance with the provisions of the Planning Act.

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

1. Map 1 to Schedule "B" of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing from the Residential "R3-294" Zone to the Residential "R3-567" Zone, the lands 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 deleting the existing Special Provisions of the Modified Residential "R3-294" Zone and adding the following special provisions, on those lands outlined on the attached map, designated Schedule "A", which is hereby declared to form part of the By-law:

**"R3-567"** That notwithstanding any provisions to the contrary of Subsection 11.3, Residential "R3" Zone, the following uses and special provisions shall apply to the lands zoned "R3-567":

Permitted Uses

Dwelling unit

A business and professional office only within the main floor of the building existing on the date of the passing of this By-law, being the 7<sup>th</sup> day of August , 2008.

Development Regulations

Parking

(a) Business and Professional Office – 1 parking space for every 31 square metres of ground floor area.

Residential Unit - 2 parking spaces for a single detached dwelling or a dwelling unit.

Landscaping

(b) A minimum 3.0m wide landscaping strip shall be provided and maintained between the boundary of the parking area and the southerly lot line.

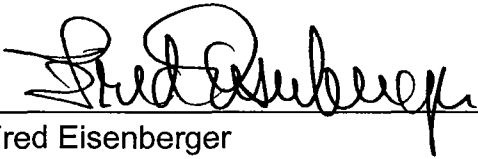
A minimum 0.8m wide landscaping strip shall be provided and maintained along and the northerly lot line.

Gravel  
Surface  
(c)

Notwithstanding Section 7.14 (xiii), of Zoning By-law 87-57, parking spaces and a driveway, consisting of gravel or crushed stone, shall be permitted for the accommodation of a maximum of 4 parking spaces in the front yard, and shall be maintained in a dust-free condition. Where 5 or more parking spaces are provided in the front yard, the requirements of Section 7.14 (xiii) shall apply.

3. 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 7<sup>th</sup> day of August, 2008.

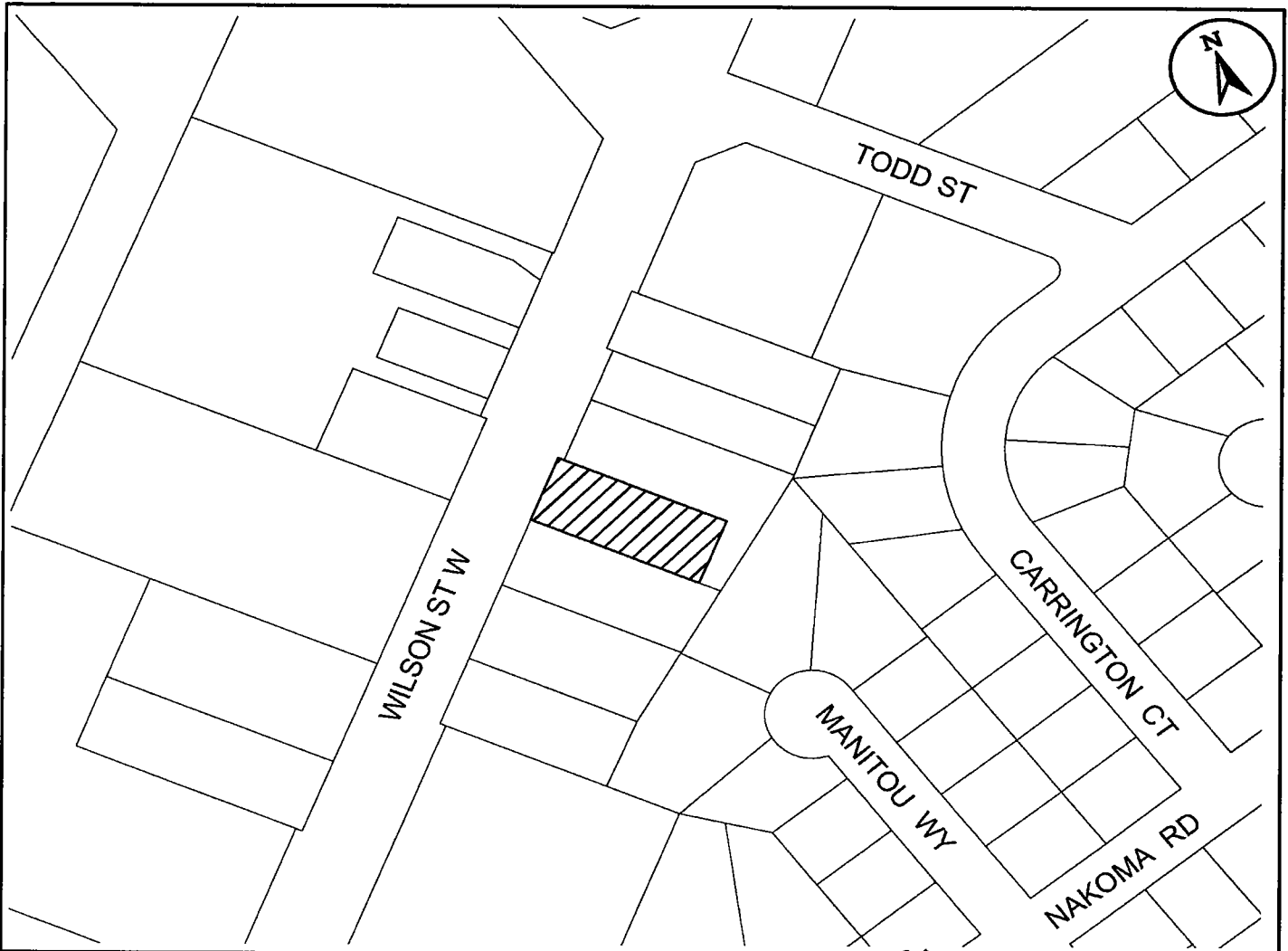


Fred Eisenberger  
Mayor



Kevin C. Christenson  
Clerk

OPA-07-030 & ZAR-07-103




This is Schedule "A" to By-Law No. 08- 196  
 Passed the ...7.th... day of .....August....., 2008

*[Signature]*  
 Clerk  
 Mayor

**Schedule "A"**  
 Map Forming Part of  
 By-Law No. 08- 196  
 to Amend By-law No.87-57

**Subject Property**  
 124 Wilson Street West

 Change in Zoning from Residential "R3-294" Zone, to Residential "R3-567" Zone.

Scale: N.T.S.	File Name/Number: ZAR-07-103_OPA-07-030
Date: Mar.3, 2008	Planner/Technician: CT/BR

