

**Authority:** Item 6, Economic Development  
and Planning Committee  
Report: 10-002 (PED10026)  
CM: February 10, 2010

**Bill No. 029**

## **CITY OF HAMILTON**

### **BY-LAW NO. 10-029**

**To Amend Zoning By-law No. 87-57 (Ancaster), respecting lands located at  
465 Springbrook Avenue (Ancaster)**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario 1999 Chap. 14, Schedule 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 City of Hamilton” 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;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> 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 6 of Report 10-002 of the Economic Development and Planning Committee, at its meeting held on the 10<sup>th</sup> day of February, 2010, 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 former Town of Ancaster) in accordance with the provisions of the Planning Act.

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

1. That Map 1 of Schedule "B" of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended as follows:
  - (a) That Block 1 be rezoned from the Agricultural "A" Zone to the Residential "R4-605" Zone, Modified;
  - (b) That Block 2 be rezoned from the Agricultural "A" Zone to the Residential "R4-606" Zone, Modified;
  - (c) That Block 3 be rezoned from the Agricultural "A" Zone to the Residential "R4-563" Zone, Modified;

on the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Section 12: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsections:

**"R4-605"**

That notwithstanding the provisions of Subsections 12.2 (c), (d), and (e)(i) "Regulations" of Section 12: Residential "R4" Zone, the following special provisions shall apply to lands zoned "R4-605":

Regulations:

- |        |                       |   |
|--------|-----------------------|---|
| (c)    | Maximum Lot Coverage: | 45.0%.  |
| (d)    | Minimum Front Yard:   | 6.0 metres.   |
| (e)(i) | Minimum Side Yard:    | Where an attached garage or carport is provided, the minimum side yard on one side shall be 0.6 metres, and the other side yard shall be a minimum of 1.2 metres. |

**"R4-606"**

That notwithstanding the provisions of Subsections 12.2 (a), (b), (c), (d) and (e)(i) "Regulations" of Section 12: Residential "R4" Zone, the following special provisions shall apply to lands zoned "R4-606":

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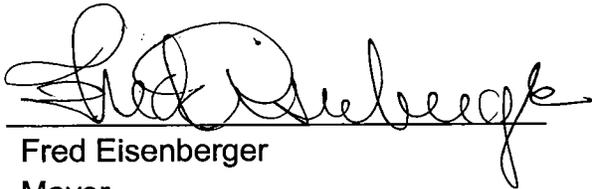
Regulations:

- (a) Minimum Lot Area: 375 square metres.
- (b) Minimum Lot Frontage: 11.30 metres.
- (c) Maximum Lot Coverage: 45%.
- (d) Minimum Front Yard: 3.0 metres to the dwelling and 6.0 metres to a garage.
- (e)(i) Minimum Side Yard: Where an attached garage or carport is provided, the minimum side yard on one side shall be 0.6 metres, and the other side yard shall be a minimum of 1.2 metres.
- (f) An alcove and similar architectural feature shall be permitted to project into any minimum yard a distance of not more than 60 centimeters, except where the side yard is less than 1.2 metres wide.

All other provisions of the Residential "R4" Zone shall continue to apply.

3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law, in accordance with the Planning Act.

**PASSED** this 10<sup>th</sup> day of February, 2010.

  
Fred Eisenberger  
Mayor

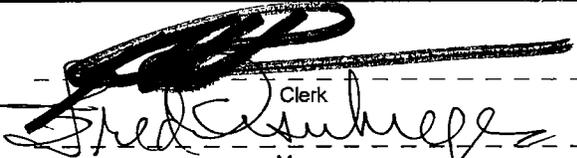
  
Kevin C. Christenson  
City Clerk

ZAC-09-027

**By-law respecting lands located at 465 Springbrook Avenue (Ancaster)**  
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This is Schedule "A" to By-Law No. 10- 029  
 Passed the 10..... day of February....., 2010

  
 Clerk  
 Mayor

**Schedule "A"**

Map Forming Part of  
 By-Law No. 10-029  
 to Amend By-law No.87-57

**Subject Property**

-  Block 1 - Change in Zoning from the Agricultural "A" Zone to the Residential "R4-605" Zone, modified.
-  Block 2 - Change in Zoning from the Agricultural "A" Zone to the Residential "R4-606" Zone, modified.
-  Block 3 - Change in Zoning from the Agricultural "A" Zone to the Residential "R4-563" Zone, modified.

Scale: N.T.S.	File Name/Number: ZAC-09-027	 <b>Hamilton</b>
Date: January 8, 2010	Planner/Technician: TL/KA	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		