

Authority: Item 5, Planning Committee
Report 21-001 (PED21002)
CM: January 20, 2021
Ward: 12

Bill No. 006

**CITY OF HAMILTON
BY-LAW NO. 21-006**

**To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 1031
Highway No. 52 North, Ancaster**

WHEREAS Council approved Item 5 of Report 21-001 of the Planning Committee, at its meeting held on 20th day of January, 2021;

AND WHEREAS this By-law conforms to the Rural Hamilton Official Plan;

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Map Nos. 1022 and 1068 of Schedule “A” – Zoning Maps is amended by changing the zoning from the Settlement Residential (S1) Zone to the Settlement Residential (S1, 738) Zone and the Settlement Residential (S1, 738, H119) Zone, for the lands shown on Schedule “A” annexed hereto and forming part of this By-law.
2. That Schedule “C”: Special Exceptions is amended by adding the following new Special Exception:
 - “738. Within the lands zoned Settlement Residential (S1) Zone, identified on Map Nos. 1022 and 1068 of Schedule “A” – Zoning Maps and described as 1031 Highway No. 52 North, Ancaster, the following special provisions shall apply:
 - a) For the purposes of Special Exception No. 738, Finished Floor Area shall mean the aggregate horizontal area measured from the exterior faces of the exterior walls of all floors of a building that are finished with flooring, wall covering (trimmed), and ceiling.
 - b) In addition to Section 12.3.3, the following regulation shall apply:
 - i) Maximum Finished Floor Area for Single Detached Dwelling or Residential Care Facility. 306.5 square metres”
3. That Schedule “D” – Holding Provisions be amended by adding the additional Holding Provision as follows:

“119. Notwithstanding Section 12.3 of this By-law, within lands zoned Settlement Residential (S1, 738) Zone, identified on Map Nos. 1022 and 1068 of Schedule A – Zoning Maps and described as 1031 Highway No. 52 North, a Single Detached Dwelling or a Residential Care Facility shall not be permitted until such time as:

- i) The applicant/owner enters into a ground water monitoring agreement with the City of Hamilton to the satisfaction of the Director of Hamilton Water to support the construction of a single detached dwelling or residential care facility on the lands identified as Part 3 through Consent application AN/B-18:12; executes the terms of the ground water monitoring agreement, with monitoring occurring on the single detached dwellings or residential care facilities constructed on both Part 1 and Part 2 identified through Consent application AN/B-18:12, with monitoring beginning on the first date of occupancy for the single detached dwelling or residential care facility on the second lot to be developed and continuing for a minimum period of one year, to the satisfaction of the Director of Hamilton Water; and, provides satisfactory demonstration that long-term water takings are sustainable and that there are no significant impacts to ground water resources to the satisfaction of the Director of Hamilton Water.”

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*.
5. That this By-law No. 21-006 shall come into force and deemed to come into force in accordance with Subsection 34(21) of the Planning Act, either upon the date of passage of the By-law or as otherwise provided by the said subsection.

PASSED this 20th day of January, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk



<p>This is Schedule "A" to By-law No. 21-</p> <p>Passed the day of, 2021</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<p>Schedule "A"</p> <p>Map forming Part of By-law No. 21- _____</p> <p>to Amend By-law No. 05-200 Maps 1022 & 1068</p>	<p>Subject Property</p> <p>1031 Highway No. 52</p> <p> Change in zoning from Settlement Residential (S1) Zone to Settlement Residential (S1, 738, H119) Zone</p> <p> Change in zoning from Settlement Residential (S1) Zone to Settlement Residential (S1, 738) Zone</p>
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<p>Scale: N.T.S</p>	<p>File Name/Number: ZAR-20-032</p>	
<p>Date: November 24, 2020</p>	<p>Planner/Technician: AB/VS</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		<p>Hamilton</p>