

**Authority:** Item 14, Planning Committee  
Report: 17-013  
CM: August 18, 2017  
Ward: 12

**Bill No. 181**

## **CITY OF HAMILTON**

### **BY-LAW NO. 17-181**

#### **To Amend Zoning By-law No. 87-57 Respecting Lands Located at 121 Fiddler's Green Road (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";

**WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

**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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**WHEREAS** the Council of the City of Hamilton, in adopting Item 14 of Report 17-013 of the Planning Committee at its meeting held on the 18<sup>th</sup> day of August 2017, which recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided; and,

**WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan;

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

1. That Map No. 1 to Schedule "B", appended to and forming part of By-law No. 87-57 (Ancaster) is amended as follows:
  - (a) by changing the zoning from the Existing Residential "ER-538" Zone, Modified to the Residential "R5-688" Zone, Modified (Block 1);
  - (b) by changing the zoning from the Existing Residential "ER-539" Zone, Modified to the Residential "R5-688" Zone, Modified (Block 2);
  - (c) by changing the zoning from the Existing Residential "ER-540" Zone, Modified to the Residential "R5-688" Zone, Modified (Block 3);

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

2. For the purposes of this by-law the boundaries of 121 Fiddler's Green Road (Ancaster) shall be deemed to be the lot lines, and regulations including but not limited to lot area, lot frontage, lot coverage, and building setbacks, landscaped areas, parking requirements, and accessory buildings, shall be from the exterior boundaries of 121 Fiddler's Green Road (Ancaster) and not from individual properties or boundaries created by registration of a condominium plan or created by a Planning Act application.
3. The Section 34: Exceptions, to Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following Sub-sections:

**R5-688**

That notwithstanding Sections (d), (e), and (f) of Section 13. Residential "R5" Zone, the following regulations shall apply:

REGULATIONS

- (d) Minimum Front Yard to Fiddler's Green Road:
- i) 4.13 metres;
- (e) Minimum Side Yard:
- i) Northerly Side Yard:
    - a) 1.27 metres for the unit which has frontage on Fiddler's Green Road.
    - b) 6.03 metres for all other units
  - ii) Southerly Side Yard: 11.07 metres
  - iii) Setbacks between buildings: 2.50 metres
- (f) Maximum Rear Yard: 1.26 metres
- (k) For the purposes of this by-law a maximum of five (5) single detached dwelling units shall be permitted on the subject lands.
- (l) For the purposes of this by-law Section 7.13 (a) shall not apply to those units that do not have frontage on Fiddler's Green Road.
- (m) For the purposes of this by-law Section 13.2 (c) shall not apply.
- (n) For the purposes of this by-law Section 13.2 (a) and (b) shall apply to each individual unit on the subject lands.

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3. 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 "R5" Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.
7. 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 18<sup>th</sup> day of August, 2017.

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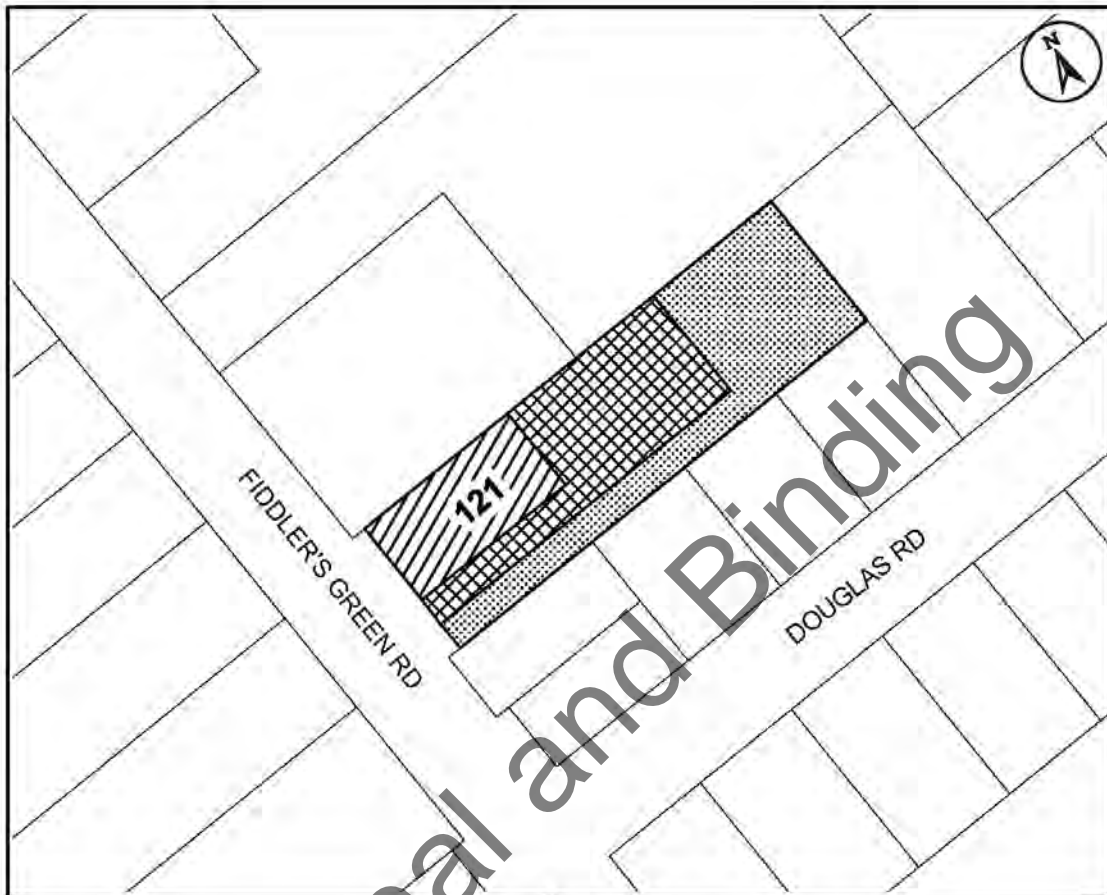
J. Farr  
Deputy Mayor

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R. Caterini  
City Clerk





ZAR-17-011

Not Final and Binding



This is Schedule "A" to By-law No. 17-  
 Passed the ..... day of ....., 2017

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 Mayor  
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 Clerk

<p><b>Schedule "A"</b></p> <p>Map Forming Part of                  By-law No. 17-_____</p> <p>to Amend By-law No. 87-57</p>		<p><b>Subject Property</b>                  121 Fiddler's Green Road</p> <p> <b>Block 1</b> - Change in zoning from Existing Residential "ER-538", Modified to the Residential "R5-688" Zone, Modified</p> <p> <b>Block 2</b> - Change in zoning from Existing Residential "ER-539", Modified to the Residential "R5-688" Zone, Modified</p> <p> <b>Block 3</b> - Change in zoning from Existing Residential "ER-540", Modified to the Residential "R5-688" Zone, Modified</p>
<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAR-17-011</p>	
<p>Date: June 13, 2017</p>	<p>Planner/Technician: RC/VS</p>	 Hamilton
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		