

**Authority:** Item 4, Planning Committee  
Report: 17-017 (PED17170)  
CM: October 25, 2017  
Ward: 12

**Bill No. 221**

## **CITY OF HAMILTON**

### **BY-LAW NO. 17-221**

#### **To Amend Zoning By-law No. 87-57 Respecting Lands Located at 245 Appleby 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 4 of Report 17-017 of the Planning Committee at its meeting held on the 25<sup>th</sup> day of October 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-B to Schedule "B", appended to and forming part of By-law No. 87-57 (Ancaster) is amended by changing the zoning from the Deferred Development "D" Zone to the Residential "R3-689" Zone, Modified on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. The Section 34: Exceptions, to Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following Sub-sections:

"R3-689"

REGULATIONS

- i) That notwithstanding the provisions of Subsection 11.1.2, (d), (e) and (f), and Subsection 11.3.2 (a), the following special provisions shall apply to lands zoned “R3-689”:
- (a) Minimum Lot Area - 560 square metres
  - (d) Minimum Front Yard - 6.4 metres
  - (e) Minimum Southerly Side Yard - 9.0 metres  
Minimum Northerly Side Yard - 2.5 metres
  - (f) Minimum Rear Yard - 2.2 metres
- ii) That notwithstanding the provisions of Subsections 7.12 (c) and (d) and 9.10 (a), the following special provisions shall apply to lands zoned “R3-689”:
- (a) Balconies or open stairways or unenclosed porches and decks shall not be permitted within the northerly side yard.
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 “R3” Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.
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*.

**PASSED** this 25<sup>th</sup> day of October, 2017.

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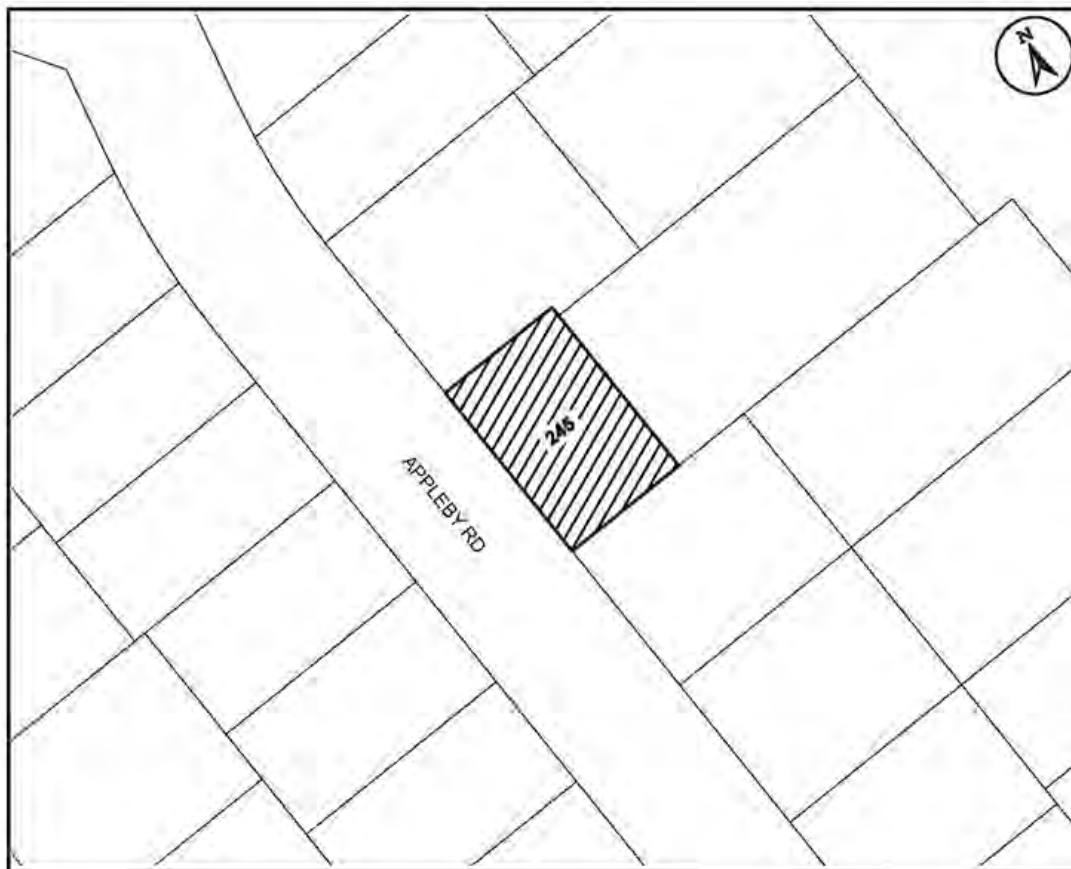
F. Eisenberger  
Mayor

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R. Caterini  
City Clerk

ZAR-17-045

To Amend Zoning By-law No. 87-57  
 Respecting Lands Located at 245 Appleby Road (Ancaster)



This is Schedule "A" to By-law No. 17-  Passed the ..... day of ....., 2017	_____ Mayor  _____ Clerk
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<h2>Schedule "A"</h2>  Map Forming Part of By-law No. 17-_____  to Amend By-law No. 87-57	<b>Subject Property</b> 245 Appleby Road, Ancaster Change in zoning from Deferred Development "D" Zone to Residential "R3-689" Zone, Modified
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Scale: N.T.S.	File Name/Number: ZAR-17-045	
Date: Sept. 1, 2017	Planner/Technician: MS/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		