

**Authority:** Item 3 , Planning & Economic  
Development Committee  
Report 04-003 (PD04040)  
CM: Date February 11, 2004

**Bill No. 024**

## **CITY OF HAMILTON**

### **BY-LAW NO. 04-024**

#### **To Amend Zoning By-law No. 87-57 (Ancaster) Respecting Lands Located at 47 Wilson Street East (Ancaster)**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 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 Town of Ancaster" and is the successor to 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987 and approved by the Ontario Municipal Board on the 23<sup>rd</sup> day of January, 1989;

**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).

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

1. Schedule "B", Map 1 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing the zoning of the lands that are municipally known as 47 Wilson Street East and identified as **Block "1"** from the "Existing Residential "ER-224" to the Existing Residential "ER-505" Zone, and as **Block "2"** from the "Existing Residential "ER-224" to the Existing Residential "ER-506" Zone those lands being Part of Lot 43, Concession 3, former geographic Township of Ancaster and more particularly shown on Schedule "A" annexed hereto and forming part of this by-law.

## By-law Respecting 47 Wilson Street East (Ancaster)

2. Section 33: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsections:

**ER-505** Notwithstanding any provision to the contrary of Subsection 10.1 – Permitted Uses of Section 10: Existing Residential “ER” Zone or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned “ER-505” described as part of lot 34, concession 3, shall be subject to the following additional use:

Permitted Use:

These lands may also be used for a medical or dental office subject to the following provisions:

1. the area of such office shall not exceed 25 per cent of the floor area of the dwelling;
2. such office shall be used only for consultation and emergency or minor treatment and not a private clinic or hospital;
3. a minimum number of four (4) parking spaces shall be provided and maintained on the lot containing such office;
4. a sign indicating the name of a qualified medical practitioner shall be permitted; and,
5. enlargement or replacement of the existing residential buildings on such lands with new offices or buildings is prohibited.

Notwithstanding any provision to the contrary of Subsection 10.2 – Regulations of Section 10: Existing Residential “ER” Zone or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned “ER-505” described as part of lot 34, concession 3, shall be subject to the following:

Regulations:

- |    |                      |                   |
|----|----------------------|-------------------|
| 1. | Minimum Lot Area     | 650 square metres |
| 2. | Minimum Lot Frontage | 16.5 metres       |

By-law Respecting 47 Wilson Street East (Ancaster)

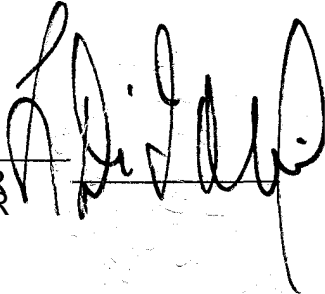
**ER-506** Notwithstanding any provision to the contrary of Subsection 10.2 – Regulations of Section 10: Existing Residential “ER” Zone or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned “ER-506” described as part of lot 34, concession 3, shall be subject to the following:

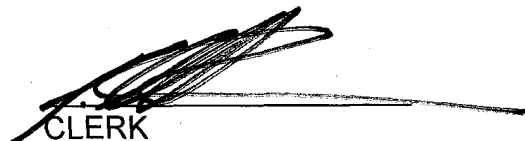
Regulations:

- 1. Minimum Lot Area 600 square metres
- 2. Minimum Lot Frontage 16.5 metres

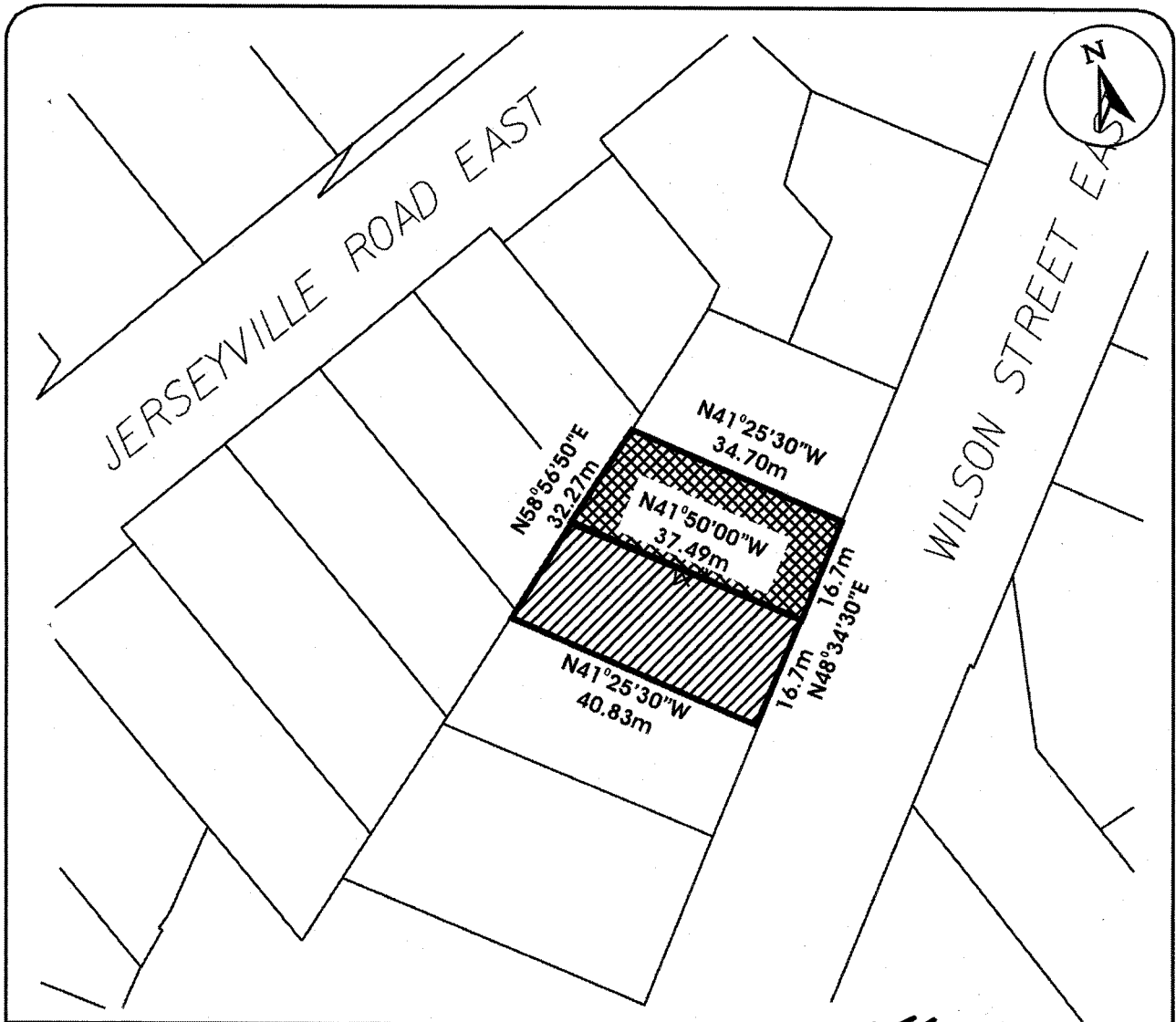
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 11<sup>th</sup> day of February, 2004

  
 \_\_\_\_\_  
 MAYOR  
 MAYOR

  
 \_\_\_\_\_  
 CLERK

Krystyna Jaworski – Owner  
ZAR-03-105 (former Town of Ancaster)



This is Schedule "A" to By-Law No. 04—024

Passed the 11<sup>th</sup> day of February, 2004

*[Signature]*  
 Clerk  
*[Signature]*  
 Mayor

# Schedule "A"

Map Forming Part of  
 By-Law No. 04-024  
 to Amend By-Law No 87-57



Planning and Development Department

Hamilton

## Subject Property

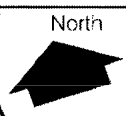
47 Wilson Street East (Ancaster)



**BLOCK 1:** Change in zoning from Residential "ER-224" Zone to Existing Residential "ER-505 Zone



**BLOCK 2:** Change in zoning from Residential "ER-224" Zone to Existing Residential "ER-506 Zone



Scale  
**NOTTOSCALE**

Date  
**January 12, 2004.**

Reference File No.  
**ZAR-03-105**

Drawn By  
**NB**