

**Authority:** Item 13, Planning & Economic  
Development Committee  
Report: 04-016 (PD04253)  
CM:September 29, 2004

**Bill No. 269**

## **CITY OF HAMILTON**

### **BY-LAW NO. 04-269**

#### **To Amend Zoning By-law No. 87-57 (Ancaster), as amended Respecting 95 Wilson Street West**

**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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 22<sup>nd</sup> day 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 13 of Report 04-016 of the Planning and Economic Development Committee at its meeting held on 21<sup>st</sup> day of September, 2004, 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) as amended by Official Plan Amendment No. 100 proposed by the City of Hamilton as By-law No. 04-270 but not yet approved in accordance with the provisions of the Planning Act.

**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 95 Wilson Street West from the General Commercial "C3-457" Zone to the Residential Multiple "RM6-457" Zone,

the extent and boundaries of which are more particularly identified on Schedule “A” annexed hereto and forming part of this By-law.

2. Section 34: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by deleting Section “C3-457” as incorporated into Zoning By-law No. 87-57, and replacing it with the following:

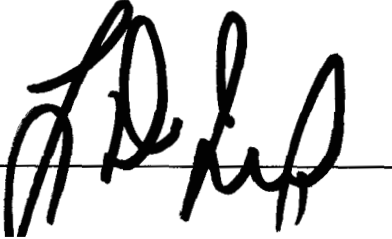
“RM6-457 (i) Notwithstanding any provisions of Sub-section 19.2 – Regulations of Section 19: Residential Multiple “RM6” Zone of Zoning By-law No. 87-57 (Ancaster), the following shall apply:

- |     |                              |                                                                            |
|-----|------------------------------|----------------------------------------------------------------------------|
| (a) | Minimum Lot Area             | 0.25 hectares                                                              |
| (c) | Maximum Density              | 131 units per hectare                                                      |
| (f) | Maximum Lot Coverage         | 45%                                                                        |
| (g) | Minimum Front Yard           | 3 metres, <u>plus</u> any applicable distance as specified in Schedule “C” |
| (h) | Minimum Side Yard            | 2 metres from the east property line and 3 metres abutting Dunham Drive    |
| (i) | Parking                      | 48 spaces, exclusively for the use of the elderly                          |
| (j) | Children’s Outside Play Area | not required                                                               |
| (k) | Maximum Height               | 14.6 metres (3-storeys along Wilson Street)                                |
| (l) | Minimum Landscaping          | 34%, which includes a minimum 180 square metre roof-top amenity area       |
| (m) | Planting Strip               | 3 metres, except 2 metres between the parking area and Dunham Drive        |
- (ii) All other provisions of the Residential Multiple “RM6” Zone shall continue to apply.
- (iii) Notwithstanding Sub-section 7.12(d) – Yard Encroachments, the maximum side yard encroachment of an unenclosed porch shall be 60 centimetres.”

notice of the passing of this By-law, in accordance with the Planning Act.

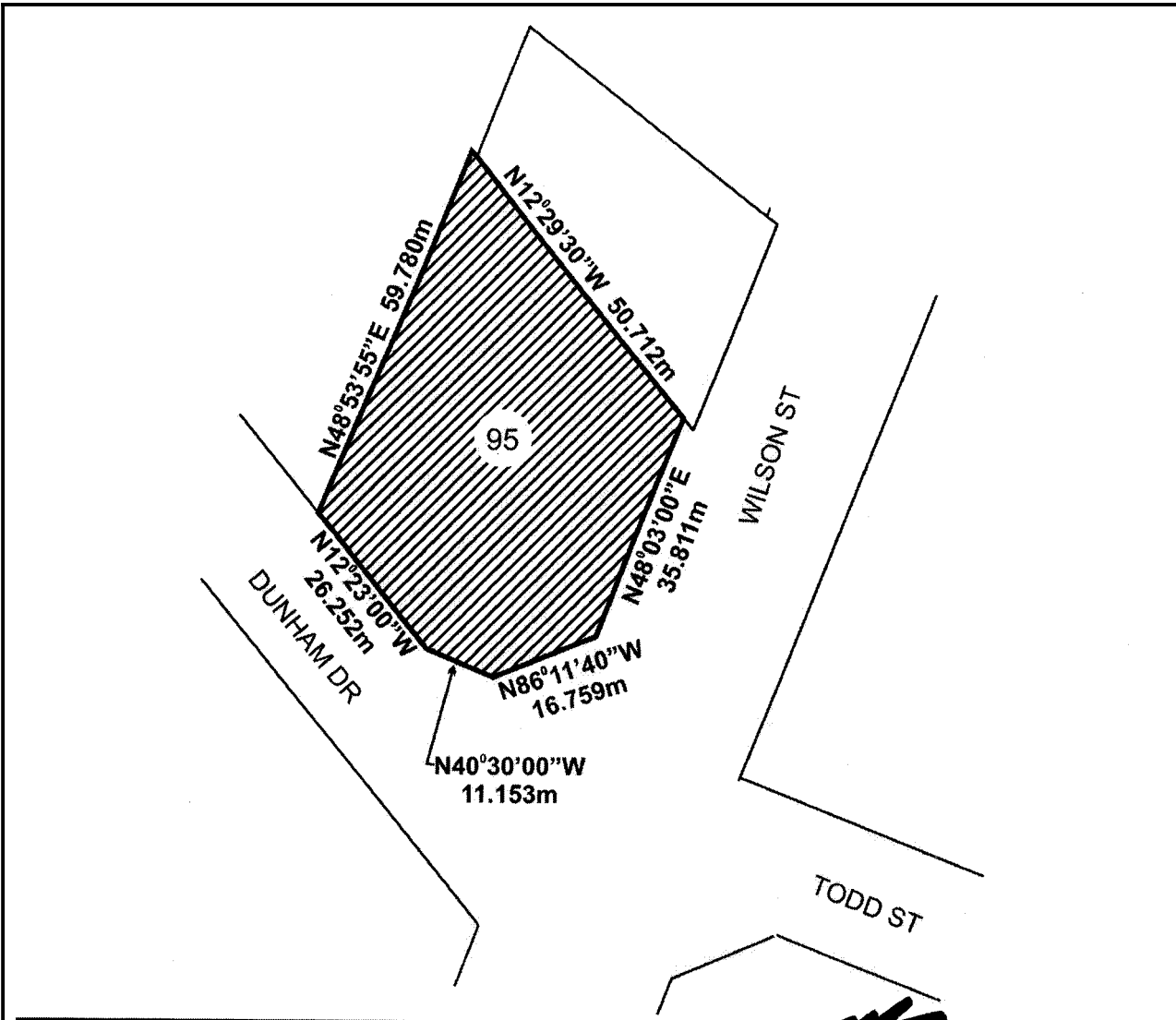
**PASSED and ENACTED** this 27<sup>th</sup> day of October, 2004.

MAYOR

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CLERK

A handwritten signature in black ink, consisting of several overlapping strokes, written over a horizontal line.



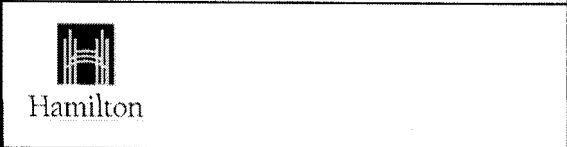
This is Schedule "A" to By-Law No. 04-269

Passed the 27th day of October, 2004


~~\_\_\_\_\_~~  
 \_\_\_\_\_ Clerk  
 \_\_\_\_\_ Mayor


**Schedule "A"**

Map Forming Part of  
 By-Law No. 04-269  
 to Amend By-Law No 87-57



**Subject Property** ✓  
**95 Wilson Street West**

 Change in zoning from the Site-Specific General Commercial "C3-457" Zone to the Site-Specific Residential Multiple "RM6-457" Zone

	Scale: Not to Scale	File Name/Number: <b>ZAC-04-45/OPA-04-10</b>
	Date: <b>October 04, 2004</b>	Planner/Technician: <b>HP/NB</b>

&C File Name: