

Authority: Item 10, Planning and Economic
Development Committee
Report 04-021 (PD04299)
CM: November 24, 2004

Bill No. 326

CITY OF HAMILTON

BY-LAW NO. 04-326

To Amend Zoning By-law No. 87-57, Respecting Lands Located at Part Lot 47, Concession 3, Part 1, Registered Plan 62R-2119 Part 1(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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 23rd 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) in accordance with the provisions of the Planning Act;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 10 of Report 04-021 of the Planning and Economic Development Committee at its meeting held on the 24th day of November, 2004, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided;

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

By-law respecting Southcote Road

1. Map 1 to Schedule “B” of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing from the Agricultural “A-216” Zone to the following:
 - (a) to Residential “R4-514” Exception Zone, for lands comprised in **Block “1”**;
 - (b) to Public “P” Zone, for lands comprised in **Block “2”**;
 - (c) to Public Open Space “02” Zone, for lands comprised in **Block “3”**;
 - (d) to Residential “R4-516” Exception Zone, for lands comprised in **Blocks “4 & 7”**;
 - (e) to Residential “R4-517” Exception Zone, for lands comprised in **Block “6”**; and,
 - (f) to Multiple Residential “RM2-515” Exception Zone, for lands comprised in **Block “5”**;

the extent and boundaries of which are more particularly shown 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 adding the following subsections:

R4-514 Notwithstanding any provisions to the contrary of Subsection 12.2 – Regulations of Section 12.2: Residential “R4” Zone of Zoning By-law No. 87-57 (Ancaster), the following special provisions shall apply to the lands zoned “R4-514”:

Development Regulations:

- | | | |
|-----|----------------------|--|
| (a) | Minimum Lot Area | 450 square metres |
| (b) | Minimum Lot Frontage | 15 metres |
| (c) | Minimum Front Yard | 6.0 metres |
| (d) | Minimum Side Yard | 1.2 metres, except on a corner lot, the minimum side yard abutting a street shall be 4.5 metres except 6.0 metres to an attached garage or attached carport. |

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- (e) All other provisions of Zoning By-law No. 87-57 as applicable to the Residential “R4” Zone shall apply.

RM2-515 Notwithstanding any provisions to the contrary of Subsection 15.2 – Regulations of Section 15: Residential Multiple “RM2-515” Zone of Zoning By-law No. 87-57 (Ancaster), the following special provisions shall apply to the lands zoned “RM2-515”:

Development Regulations:

- (a) Minimum Lot Area 1,380 square metres of total parcel area per dwelling and 210 square metres per dwelling unit.
- (b) Minimum Lot Frontage 46 metres of total parcel frontage per dwelling and 7 metres per dwelling unit except:
 - (i) On a corner lot the minimum lot frontage for a dwelling end unit which does not abut a flanking street the minimum lot frontage shall be 9 metres.
- (c) Maximum Lot Coverage 45 percent
- (d) Minimum Front Yard 6.0 metres
- (e) Minimum Side Yard 2.0 metres for a dwelling end unit which does not abut a flanking street and for a dwelling end unit abutting a flanking street the minimum side yard shall be 7.5 metres.
- (f) Minimum Landscaping 25 percent of the lot area (including required privacy area)

R4-516 Notwithstanding any provisions to the contrary of Subsection 12.2 – Regulations of Section 12.2: Residential “R4” Zone of Zoning By-law No. 87-57 (Ancaster), the following special provisions shall apply to the lands zoned “R4-516”:

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Development Regulations:

- (a) Minimum Lot Area 390 square metres
- (b) Minimum Lot Frontage 12 metres
- (c) Minimum Front Yard 6.0 metres
- (d) Minimum Side Yard 1.2 metres, except on a corner lot, the minimum side yard abutting a street shall be 4.5 metres except 6.0 metres to an attached garage or attached carport.
- (e) All other provisions of Zoning By-law No. 87-57 as applicable to the Residential "R4" Zone shall apply.

R4-517

Notwithstanding any provisions to the contrary of Subsection 12.2 – Regulations of Section 12.2: Residential "R4" Zone of Zoning By-law No. 87-57 (Ancaster), the following special provisions shall apply to the lands zoned "R4-517":

Development Regulations:

- (a) Minimum Lot Area 320 square metres
- (b) Minimum Lot Frontage 10.7metres
- (c) Minimum Front Yard 6.0 metres
- (d) Minimum Side Yard 1.2 metres, except on a corner lot, the minimum side yard abutting a street shall be 4.5 metres except 6.0 metres to an attached garage or attached carport.
- (e) All other provisions of Zoning By-law No. 87-57 as applicable to the Residential "R4" Zone shall apply.

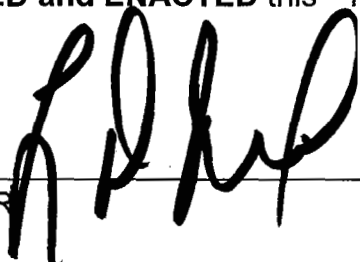
3. That the amending By-law be added to Map 1 to Schedule "B" of Ancaster Zoning By-law No. 87-57.

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4. That By-law No. 04-297 be repealed.
5. 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 and ENACTED this 15th day of December, 2004.

MAYOR

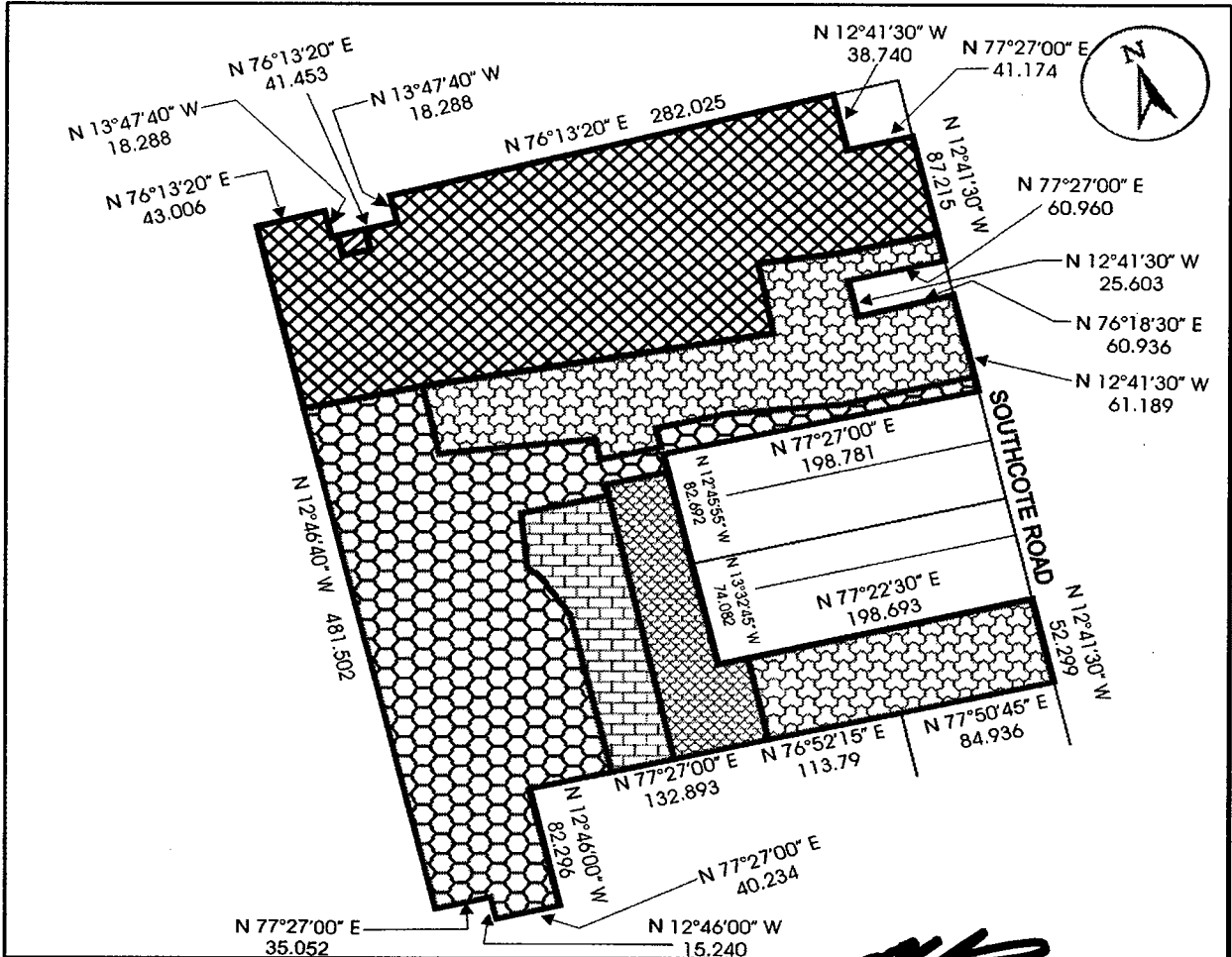


CLERK



ZAC-04-13 & 25T200401

By-law respecting Southcote Road



This is Schedule "A" to By-Law No. 04—326

Passed the 15th day of December, 2004

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 04-~~326~~
to Amend By-Law No. 87-57



Subject Property

Southcote Woodlands- Part of Lot 47 Concession
3 Part 1, R P 62R-2119

Change in Zoning from Agricultural 'A-216' to

- Block 1- Site Specific Residential "R4-514" Zone
- Block 2 - Public "P" Zone.
- Block 3 - Public Open Space "O2" Zone.
- Block 4 & 7 - Site Specific Residential "R4-516" Zone.
- Block 5 - Site Specific Multiple Residential "RM2-515" Zone
- Block 6 - Site Specific Residential "R4-517" Zone.

North



Scale:
Not to Scale

Date:
October 27, 2004

File Name/Number:
ZAC-04-13

Planner/Technician:
HB/LMM

&C File Name:zac-04-13 schedule cdr