

Authority: Item 19, Planning and Economic
Development Committee
Report; 05-014 (PED05005)
CM: June 29, 2005

Bill No. 179

CITY OF HAMILTON

BY-LAW NO. 05-179

To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located within Part Lot 37, Concession 3 413 Shaver Road, 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 and Official Plans of the former area municipalities and the Official Plan of the former Regional Municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 19 of Report 05-014 of the Planning and Economic Development Committee at its meeting held on the 29th day of June, 2005, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided;

By-law Respecting Lands Located within Part Lot 37, Concession 3

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

1. That Map 1 to Schedule “B” of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing from the Residential Multiple “RM5-476-H” Holding Zone to Residential Multiple “RM2-524” Zone, the lands the extent and boundaries of which are more particularly shown on Schedule “A” annexed hereto and forming part of this by-law.
2. That Section 34: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by deleting the Residential Multiple “RM5-476-H” Holding Zone and adding the following subsection:

RM2-524 Notwithstanding any provisions to the contrary of Subsection 15.2 – Regulations of Section 15: Residential Multiple “RM2” Zone of Zoning By-law No. 87-57 (Ancaster), the following special provisions shall apply to the lands zoned “RM2-524”:

Regulations:

- | | | |
|-----|----------------------|---|
| (a) | Minimum Lot Area | 595 square metres of total parcel area per dwelling and 110 square metres per dwelling unit. |
| (b) | Minimum Lot Frontage | 21 metres of total parcel frontage per dwelling, 4.5 metres per dwelling unit (Block 1) and 6 metres per dwelling unit (Block 2) except:

(i) On a corner lot the minimum lot frontage for a dwelling end unit adjacent to Shaver Road shall be 6.2 metres.

(ii) For a dwelling end unit which does not abut a flanking street the minimum lot frontage shall be 6.2 metres. |
| (c) | Minimum Lot Depth | 20.6 metres |
| (d) | Maximum Lot Coverage | 51 percent. |
| (e) | Minimum Front Yard | 4.5 metres to the interior dwelling unit, 4.2 metres for a dwelling unit abutting a flankage street, 5.5 |

By-law Respecting Lands Located within Part Lot 37, Concession 3

metres to the garage and 2.3 metres to the front step or unenclosed porch plus any applicable distance as specified in Schedule "C".

- (f) Minimum Side Yard 1.5 metres, except on an end unit adjacent to Shaver Road the minimum side yard from the Shaver Road allowance to the building face shall be 5.9 metres.
- (g) Maximum Height 11.7 metres.
- (h) Maximum Density 78 units.
- (i) Minimum Landscaping 26 percent of the lot area (including required privacy area).
- (j) Dwelling unit Placement Not more than eight dwelling units shall be attached in a continuous row and no offsetting or staggering of the units is required.
- (k) In addition, to the provisions of Definition 3.132, "Street" a private condominium road shall also be considered to be a highway for the purpose of creating lot frontage.

(l) Privacy Screens:

Notwithstanding Section 9 – General Provisions for Residential Zone, Subsection 9.5 (b) (c) and (d) the minimum distance from a privacy fence to the street line shall be 3 metres and there shall be no minimum distance from a privacy fence to the side and rear lot lines.

(m) Planting Strip:

Notwithstanding Section 7 – General Provision, Subsection 7.14 (xvi) where any parking space or maneuvering space abuts a street line, a landscaped area having a minimum average width of 3 metres, but not less than 1.5 metres in width, shall be provided and maintained along the entire

By-law Respecting Lands Located within Part Lot 37, Concession 3

street line(s) of the lot, except for the area used for ingress and egress.

(d) All other provisions of Zoning By-law No. 87-57 as applicable to the Residential Multiple "RM2" Zone shall apply.

3. 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 29th day of June , 2005.



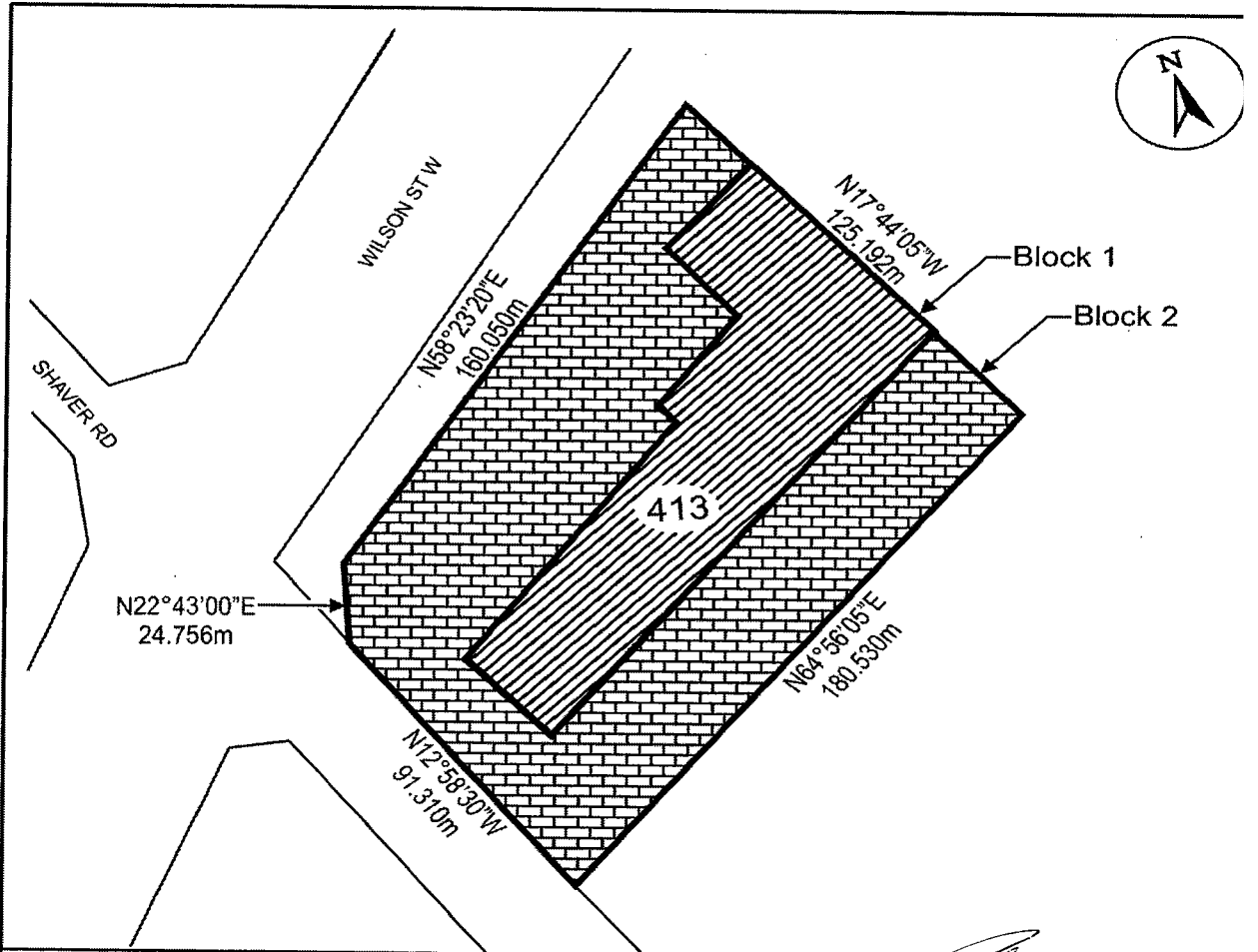
MAYOR



CLERK

ZAC-05-22 & 25T200502

By-law Respecting Lands Located within Part Lot 37, Concession 3



This is Schedule "A" to By-Law No. 05-179

Passed the 29th day of June 2005

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 05-179
 to Amend By-Law No. 87-57

Planning and Economic Development Department
 Hamilton

Subject Property
 413 Shaver Road,
 Part of Lot 37 Concession 3 (Ancaster)



Change in Zoning from Residential Multiple "RM5-476-H" to a Modified Residential Multiple "RM2-524" Zone.

	Scale: Not to Scale	FileName/Number: ZAC-05-22
	Date: May 2005	Planner/Technician: JT/MF

T&C File Name: N:\T&c\Zoning By-Law Amendments\By-Law Schedule_A\2005\May\coref\ZAC-05-22.cd