

Authority: Item 11, Planning and Economic
Development Committee
Report; 05-026 (PED05175)
CM: November 23, 2005

Bill No. 351

CITY OF HAMILTON

BY-LAW NO. 05-351

**To Amend Zoning By-law No. 87-57 (Ancaster) , as amended,
respecting lands located at 195-201 Wilson Street West (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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 conforms 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 11 of Report 05-026 of the Planning and Economic Development Committee at its meeting held on the 23rd day of November, 2005, 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:

1. Map 1 to Schedule “B” of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing from the Residential “R2” Zone to the Residential Holding “R2-541-H” Zone, Modified, the lands the extent and boundaries of which are 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 subsection:

“R2- 541-H” A. Notwithstanding Section 7.14(b)(i)(A): Parking and Loading, Required Parking Spaces, Residential and Section 11: Residential “R1”, “R2” AND “R3” Zones of By-law No. 87-57 (Ancaster), the following special provisions shall apply to the lands zoned “R2-541-H”:

Permitted Uses

Single detached dwellings, and uses, buildings, and structures accessory thereto.

Development Regulations

(a) Minimum Lot Area	5,600 square metres.
(b) Minimum Lot Frontage	33 metres.
(c) Maximum Number of Dwelling Units	12 dwelling units.
(d) Maximum Lot Coverage	25 percent.
(e) Minimum Front Yard	Minimum 8.0 metres
(f) Minimum Side Yard and Rear Yard	Minimum 8.5 metres between the rear facade of a dwelling and the easterly lot line, and 7.5 metres between the rear facade of a dwelling and all other side and rear lot lines, and 3.0 metres in all other cases.
(g) Maximum Height	8.4 metres, maximum 2 storeys

(h) Planting Strip

A minimum 2.0 metre wide planting strip shall be provided and maintained along all side and rear lot lines, except a planting strip having a minimum width of 1.7 metres shall be provided and maintained along the westerly lot line within 46.5 metres of Wilson Street West, and a planting strip having a minimum width of 1.9 metres shall be provided and maintained between a turnaround for a visitor parking area and a lot line.

(i) Minimum Parking

4 parking spaces per dwelling unit and 6 visitor parking spaces.

B. The 'H' symbol may be removed conditional upon an archaeological assessment being granted final approval by the Ministry of Culture. Upon removal of the 'H' symbol, the lands may be used in accordance with the "R2-541" provisions above.

3. All other provisions of Zoning By-law No. 87-57 (Ancaster) as applicable shall continue to apply.
4. 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 23rd day of November, 2005.


MAYOR


CLERK

ZAC-03-95