WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 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 “The Corporation of the Town of Dundas” 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 3581-86 (Dundas) was enacted on the 22nd day of May, 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 11 of Report 09-006 of the Economic Development and Planning Committee at its meeting held on the 11th day of March, 2009, recommended that Zoning By-law No. 3581-86 (Dundas), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the City Hamilton (the Official Plan of the Town of Dundas), in accordance with the provisions of the Planning Act.

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

1. That Schedule "K-1" of Zoning By-law No. 3581-86 (Dundas) is hereby amended, as follows:

   (a) by changing the zoning from the Rural Zone (RU/S-58) Modified to a Rural Zone (RU/S-111), Modified, the lands comprised of Block “1”; and,
(b) by changing the zoning from the Rural Zone (RU/S-58) Modified to the Open Space - Conservation Zone (OS), the lands comprised of "Block 2";

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 32 - "EXCEPTIONS" of Zoning By-law No. 3581-86 (Dundas), as amended, is hereby further amended by adding the following subsection:

RU/S-111 That Notwithstanding the provisions of the Rural Zone (RU), the following Special Provisions shall apply to the lands known municipally as No. 675 York Road, shown as "RU/S-111" on Schedule "K-1".

1. PERMITTED USES:

   Non Farm Residential Dwelling
   Accessory Structures and/or buildings

2. REGULATIONS FOR EXISTING AND APPROVED NEW DETACHED DWELLINGS

2.1 LOT AREA

   Minimum 0.8 hectares with municipal water supply.

   The required lot area may be larger than 0.8 hectares where deemed necessary by the agency having jurisdiction for the approval of on-site private sewage disposal systems pursuant to the provisions of the Environmental Protection Act, Chapter E.19, R.S.O. 1990, as amended from time to time or pursuant to any successor legislation.

2.2 LOT FRONTAGE

   Minimum 18.0 metres.
2.3 **YARD REQUIREMENTS**

2.3.1 **FRONT YARD**

Minimum 35.0 metres from York Road.

2.3.2 **SIDE YARD**

Minimum 1.5 metres, except

(i) 20.0 metres where the side yard abuts the flankage street (Old Guelph Road) of a corner lot.

(ii) 3.0 metres where the side yard provides access to a parking area or rear yard garage.

(iii) 5.0 metres on one side of an interior lot upon which there is no garage or carport.

2.3.4 **REAR YARD**

Minimum 7.5 metres.

2.3.5 **HEIGHT**

Maximum 2 storeys and shall not exceed 9.7 metres.

2.3.5 **LOT COVERAGE**

Maximum 325 square metres for all buildings.

2.4 **REGULATIONS FOR ACCESSORY BUILDINGS AND STRUCTURES**

2.4.1 **LOCATION**

Rear yard or a non-required side yard.
2.4.2 **SETBACK FROM SIDE LOT LINE**

Minimum 1.0 metre, except 20.0 metres from the flankage street (Old Guelph Road) of a corner lot.

2.4.3 **SETBACK FROM REAR LOT LINE**

Minimum 1.0 metres.

2.4.4 **HEIGHT**

Maximum 4.0 metres.

2.4.5 **LOT COVERAGE**

As specified in Subsection 2.3.5 above.

2.5 **OFF STREET PARKING**

As specified in Section 7.

3. That By-law No. 3581-86 (Dundas) is amended by adding this by-law to Section 32 as Schedule S-111.

4. That Schedule "K-1" of the Zoning Schedule Key Map is amended by marking the lands referred to in Section 1 of this by-law as RU/S-111 and OS.

5. That 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 11th day of March, 2009.

Fred Eisenberger
Mayor

Kevin C. Christenson
City Clerk
By-law Respecting 675 York Road in the former Town of Dundas,

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This is Schedule "A" to By-Law No. 09-044
Passed the ..., day of March, 2009

Schedule "A"

Subject Property
675 York Road, Dundas

Block 1 - Change in Zoning from Rural Zone, Modified (RU/S-58) to Rural Zone Modified (RU/S-111)

Block 2 - Change in Zoning from Rural Zone, Modified (RU/S-58) to Open Space - Conservation Zone (OS)

Portion of subject lands to remain Open Space - Conservation Zone (OS)

File Name/Number: ZAR-08-036
Planner/Technician: AC/AL
Date: February 6, 2009

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT