

Authority: Item 11, Economic Development
and Planning Committee
Report: 09-012 (PED09149)
CM: June 24, 2009

Bill No. 141

CITY OF HAMILTON

BY-LAW NO. 09-141

To Amend Zoning By-law No. 87-57 Respecting Lands Located at 886 Golf Links Road, in the former Town of Ancaster, now in the City of Hamilton

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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 the Council of the City of Hamilton, in adopting Item 11 of Report 09-012 of the Economic Development and Planning Committee at its meeting held on the 10th day of June, 2009, recommended that Zoning By-law No. 87-57, be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster), upon approval of Official Plan Amendment No. 127, proposed by the City of Hamilton, 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:

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1. That Map 1 of Schedule “B” of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing the zoning from the Residential Multiple “RM4-512” Zone to the Residential Multiple “RM6-587” Zone, on 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 adding the following subsection:

RM6-587

- (1) That notwithstanding the provisions of Subsection 19.2 “Regulations” and the provisions of Paragraph (c) of Subsection 7.12 “Yard Encroachments”; and Subsection 7.14 “Parking and Loading” of Zoning By-law No. 87-57 (Ancaster), the following special provisions shall apply to the lands zoned “RM6-587”:

Development Regulations:

- a) Minimum Lot Area: 0.15 ha
- b) Maximum Density: 24 units
- c) Minimum Lot Depth: 38.0 metres
- d) Minimum Side Yard: 3.0 metres, except an open stairway may project into any minimum side yard a distance of not more than 1.5 metres.
- e) Minimum Rear Yard: 8.0 metres
- f) A Children’s Outside Play Area shall not be required.
- g) Maximum Building Height: 13.3 metres, and shall not exceed 3 storeys
- h) Parking: 1.25 spaces per unit
- i) Above-Grade Communal Parking Structure:

Any above-grade communal parking structure shall provide a minimum rear yard setback of 0.3 metres, and minimum side yard setback of 1.3 metres.

- j) Below-Grade Communal Parking Structure:

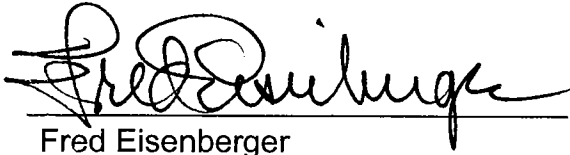
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Any below-grade communal parking structure shall provide a minimum rear yard setback of 0.3 metres, and a minimum side yard setback of 1.3 metres.

k) All other provisions of the Residential Multiple "RM6" Zone shall continue to apply.

3. 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 24th day of June, 2009.

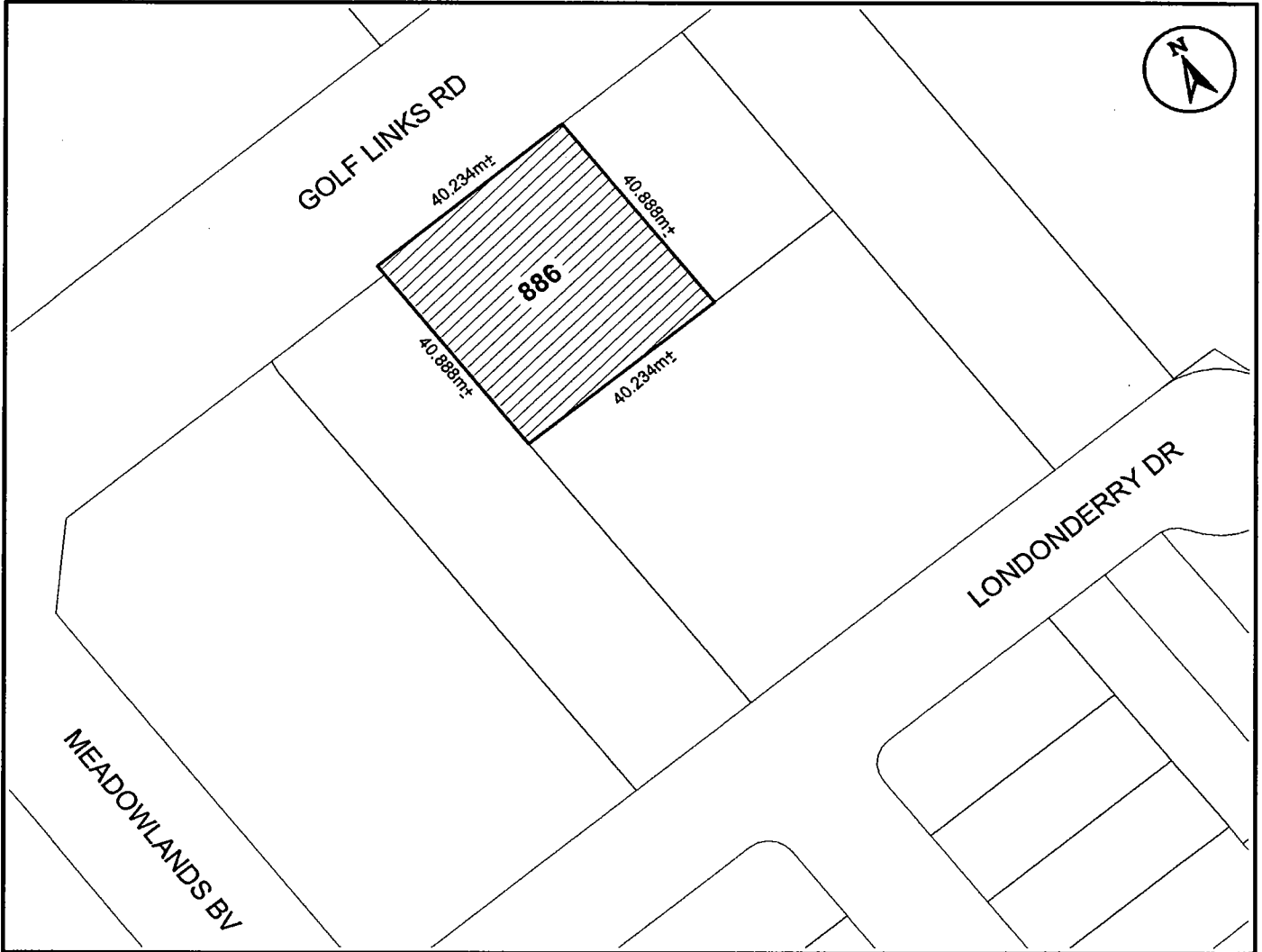


Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk

ZAC-08-084



This is Schedule "A" to By-Law No. 09- 141

Passed the .24th... day ofJune....., 2009

[Signature]
 Clerk
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 09- 141

to Amend By-law No. 87-57

Subject Property

886 Golf Links Road



Change in Zoning from the Residential Multiple "RM4-512" Zone to a Residential Multiple "RM6-587" Zone.

Scale:
 N.T.S.

File Name/Number:
 OPA-08-020 / ZAC-08-084

Date:
 May 6, 2009

Planner/Technician:
 AC / NH



Hamilton