

Authority: Item 20, Economic Development
and Planning Committee
Report: 09-026 (PED09312)
CM: December 9, 2009

Bill No. 249

CITY OF HAMILTON

BY-LAW NO. 09-249

To Amend Zoning By-law No. 87-57 Respecting Lands Located at Stonehenge Drive between Meadowlands Boulevard and Raymond 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 20 of Report 09-026 of the Economic Development and Planning Committee at its meeting held on the 9th day of December, 2009, recommended that Zoning By-law No. 87-57, be amended as hereinafter provided;

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.

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

By-law Respecting Stonehenge Drive between Meadowlands Boulevard and
Raymond Road, Ancaster (Page 2 of 6)

1. That Map 1 to Schedule “B” of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing the zoning as follows:
 - (a) from the Agricultural “A” Zone to the Modified Residential Multiple “RM4-596” Zone, on the lands shown as Block 2; and,
 - (b) from the Agricultural “A” Zone to the Modified Residential Multiple “RM2-518” Zone, on the lands shown as Block 3; and,
 - (c) from the Agricultural “A” Zone to the Modified Residential “R4-597” Zone, on the lands shown as Block 4; and,
 - (d) for a further modification to the Modified Residential Multiple “RM2-518” Zone, on the lands shown as Block 5; and,
 - (e) from the Modified Residential “R4-519” Zone to the Modified Residential “R4-597” Zone, on the lands shown as Blocks 6 and 7;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. That Section 34: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsections:

RM4-596 That notwithstanding the provisions of Subsection 3.79 and 3.82 “Definitions”, Subsection 17.1 “Permitted Uses” and Subsection 17.2 “Regulations” of Zoning By-law No. 87-57 (Ancaster), the following special provisions shall apply to the lands zoned “RM4-596”:

Definitions:

“Lot Frontage”

Shall mean the length of a straight line connecting the side lot lines measured from points located 7.5 metres from the intersection of the side and front lot lines.

“Lot Line, Front”

Shall mean any lot line(s) along Stonehenge Drive.

Permitted Uses:

Block townhouse dwellings and uses, buildings and structures accessory thereto; and,

By-law Respecting Stonehenge Drive between Meadowlands Boulevard and
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Street townhouse dwellings and uses, buildings and structures accessory thereto as permitted under the Residential Multiple "RM2-518" Zone of this By-law.

Development Regulations:

- b) Maximum Density: 29 units per hectare (u.p.h.).
- e) Maximum Lot Coverage: 40%.
- f) Minimum Front Yard: 6.0 metres.
- i) Minimum Landscaping: 40% (including required privacy area).
- j) Planting Strip: A planting strip of a minimum 2.25 metres in width or a combination of a 1.83 high metre privacy fence, with a minimum 1.5 metre wide planting strip, shall be provided and maintained along any lot line abutting a parking area.
- q) Access: Separate access for individual dwellings onto the extension of Stonehenge Drive shall be prohibited.
- r) Any applicable distance as specified in Schedule "C" - Setback Standards, to the Town of Ancaster By-law 87-57 shall not apply.

All other provisions of the Residential Multiple "RM4" Zone shall continue to apply.

RM2-518 That notwithstanding the provisions of Subsection 3.132 "Definitions" and Subsection 34.2 "Lands Affected on Schedule "B" of Zoning By-law No. 87-57 (Ancaster), the following special provisions shall replace the current provisions for lands zoned "RM2-518":

Definitions:

Street:

In addition to the provisions of Definition 3.132, "Street", a private condominium road shall also be considered to be a highway for the purposes of creating lot frontage.

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Raymond Road, Ancaster (Page 4 of 6)

Development Regulations:

- a) Minimum Lot Area: 780 square metres of total parcel area per dwelling and 210 square metres per dwelling unit.
- b) Lot Frontage: 7.0 metres per dwelling unit; except:
 - (i) On a corner lot the minimum lot frontage for a dwelling end unit abutting a flankage street shall be 6.8m;
 - (ii) For a dwelling end unit which is not adjacent to a flankage street, the minimum lot frontage shall be 6m.
- d) Maximum Lot Coverage: No Maximum.
- e) Minimum Front Yard: 4.5 metres to the dwelling unit and 6.0 metres to the garage.
- f) Side Yard Setback: 2.0 metres for a dwelling end unit which is not adjacent to a flankage street, and for a dwelling end unit adjacent to a flankage street the minimum side yard shall be 5.0 metres.
- i) Minimum Landscaping: 25 percent of the lot area (including required privacy area).
- n) Visual Barrier: A 1.8m high visual barrier comprised of a board on board fence shall be provided along the rear lot line adjoining a Residential "R4" Zone.
- o) Any applicable distance as specified in Schedule "C" - Setback Standards, to the Town of Ancaster By-law 87-57 shall not apply.

All other provisions of the Residential Multiple "RM2" Zone shall continue to apply.

R4-597

That notwithstanding the provisions of Subsection 7.12 "Yard Encroachments" and Subsection 12.2 "Regulations" of Zoning By-law No. 87-57 (Ancaster), the following special provisions shall apply to the lands zoned "R4-597":

By-law Respecting Stonehenge Drive between Meadowlands Boulevard and
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Development Regulations:

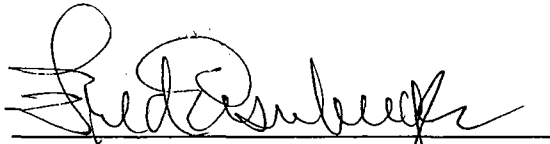
- a) Minimum Lot Area: 390 m², except on a corner lot the minimum lot area shall be 480 m².
- c) Maximum Lot Coverage: 45%.
- d) Minimum Front Yard: 3.0 metres to the dwelling and 6.0 metres to a garage.
- e) Minimum Side Yard: 1.2m except:
 - (ii) on a corner lot, the minimum side yard abutting a street shall be 2.4 metres.
- j) Any applicable distance, as specified in Schedule "C" - Setback Standards, to the Town of Ancaster By-law 87-57 shall not apply.

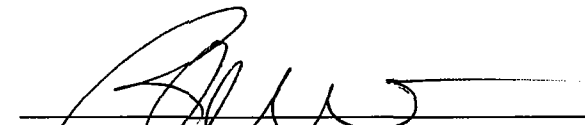
In addition to the Provisions of Section 7.12, Yard Encroachments, an alcove for pantries and hutches etc., shall be permitted to project into any minimum yard a distance of not more than 0.60 metres.

All other provisions of the Residential "R4" 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.

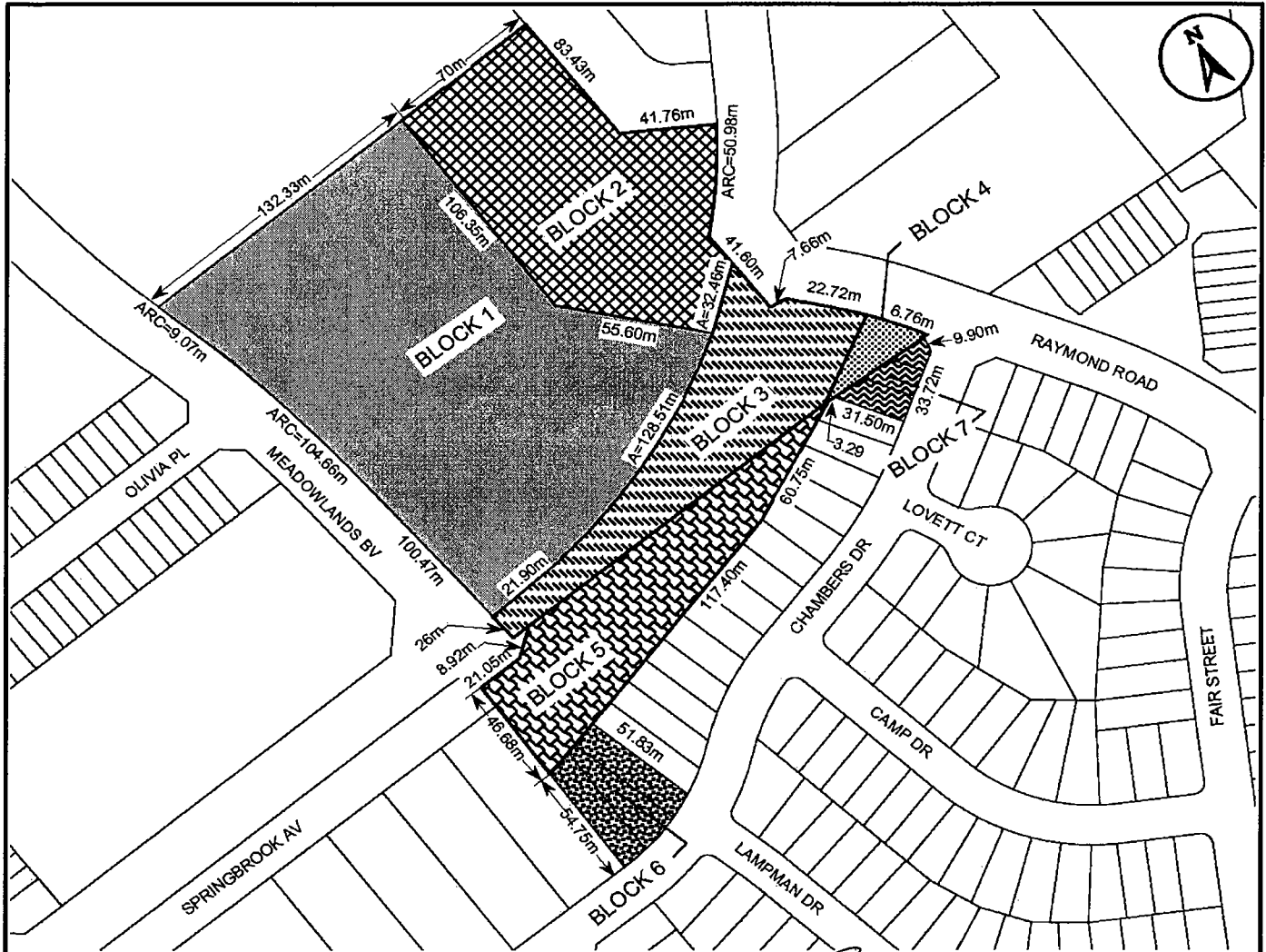
PASSED and ENACTED this 9th day of December, 2009.


Fred Eisenberger
Mayor


Rose Caterini
Acting City Clerk

ZAC-09-008

By-law Respecting Stonehenge Drive between Meadowlands Boulevard and Raymond Road, Ancaster (Page 6 of 6)



This is Schedule "A" to By-Law No. 09- 249
 Passed the .9th..... day of ..December....., 2009








[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 09- 249
 to Amend By-law No.87-57

Subject Property

Stonehenge Drive, Ancaster

-  Block 1 - Refer to By-law No. 05-200
-  Block 2 - Lands to be rezoned from Agricultural "A" Zone to a Modified - Residential Multiple "RM4-596" Zone
-  Block 3 - Lands to be rezoned from Agricultural "A" Zone to a Modified - Residential Multiple "RM2-518" Zone
-  Block 4 - Lands to be rezoned from Agricultural "A" Zone to a Modified - Residential "R4-597" Zone
-  Block 5 - Lands to be further modified under the Modified - Residential Multiple "RM2-518" Zone
-  Block 6 - Lands to be rezoned from Modified - Residential "R4-519" Zone to a Modified - Residential "R4-597" Zone
-  Block 7 - Lands to be rezoned from Modified - Residential "R4-519" Zone to a Modified - Residential "R4-597" Zone

Scale: N.T.S.	File Name/Number: ZAC-09-008/25T200902
Date: October 21, 2009	Planner/Technician: AC/NB
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

