

Authority: Item 26, Planning Committee
Report: 10-001 (PED10176)
CM: December 15, 2010

Bill No. 014

CITY OF HAMILTON

BY-LAW NO. 11-014

**To Amend Zoning By-law No. 87-57 (Ancaster),
Respecting Lands Located at 1169 Garner Road
East, 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 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 Township of Ancaster" and is the successor of 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;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 26 of Report 10-001 of the Planning Committee, at its meeting held on the 15th day of December, 2010, recommended that Zoning By-law No. 87-57 (Ancaster) be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Regional Official Plan and with the Ancaster Official Plan, upon approval of Regional Official Plan Amendment No. 39 and Official Plan Amendment No. 132, 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:

Zoning By-law Respecting 1169 Garner Road East (Ancaster)
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1. That Map 1 to Schedule “B”, appended to and forming part of By-law No. 87-57 (Ancaster), as amended, is hereby amended:
 - (a) by changing the zoning of the lands shown as Block 1 from the Agricultural “A” Zone to the Residential Multiple “RM6-611” Zone;
 - (b) by changing the zoning of the lands shown as Block 2 from the Agricultural “A” Zone to the Residential “R4” Zone; and,
 - (c) modified by changing the zoning of the lands shown as Block 3 from the Agricultural “A” Zone to the Residential “R4-612” 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. That Section 34, Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsection:

“RM6-611”

Notwithstanding any provisions to the contrary of Section 19.1 Permitted Uses, and Section 19.2, Regulations, of Section 19 Residential Multiple “RM6” Zone, of By-law 87-57 (Ancaster), the following special provisions shall apply to the lands zoned “RM6-611”:

- (a) Maximum Lot Area: 1.67 ha.
- (b) Children’s Play Area: Notwithstanding Subsection 19.2(j), a children’s play area shall not be required.
- (c) Minimum Side Yard: In accordance with Subsection 19.2(h), except that a 4.5m side yard shall be permitted adjacent to the westerly property line.
- (d) All other zone provisions of Section 19 and Section 7 shall apply.

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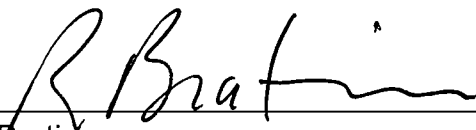
R4-612”

Notwithstanding any provisions to the contrary of Section 12.1 Permitted Uses, and Section 12.2, Regulations, of Section 12 Residential Multiple “RM6” Zone, of By-law 87-57 (Ancaster), the following special provisions shall apply to the lands zoned “R4-612”:

- (a) Front Yard: 4.5m to a dwelling and 6m to an attached garage.
- (b) All other zone provisions of Subsection 12.2, Residential “R4”Zone, and Section 7 shall 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 this 12th day of January, 2011.



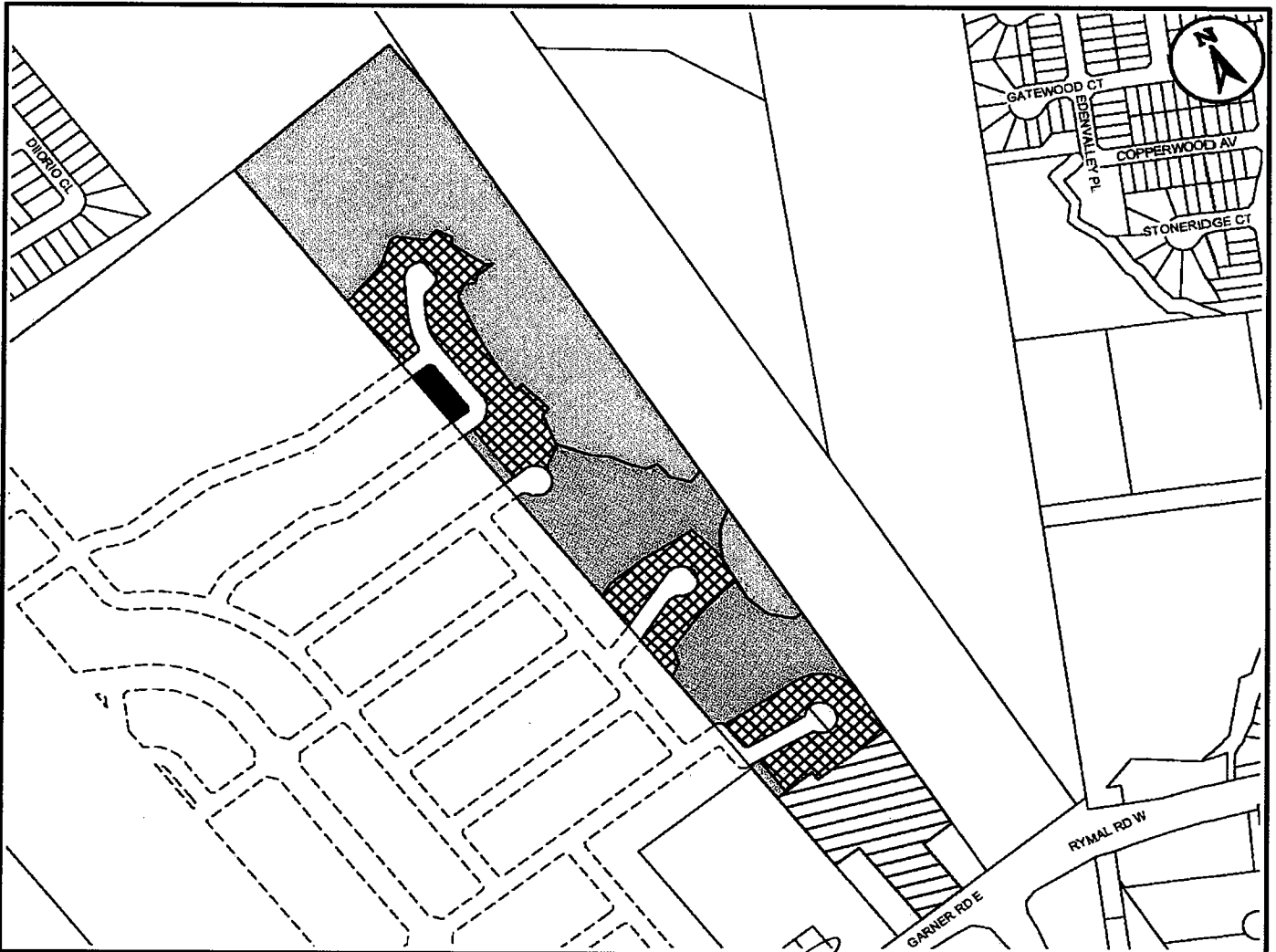
R. Bratina
Mayor



R. Caterini
City Clerk

25T-200518
ROPA-05-003
OPA-05-015
ZAC-05-077

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This is Schedule "A" to By-Law No. 11-014

Passed the 12th day of January, 2011

Clerk

 Mayor

Schedule "A"

Map Forming Part of
By-Law No. 11-014

to Amend By-law No. 87-57

Subject Property

1169 Garner Road East

- Block 1** - Change in Zoning from the Agricultural "A" Zone to the Multiple Residential "RM6-611" Zone, Modified
- Block 2** - Change in Zoning from the Agricultural "A" Zone to the Residential "R4" Zone
- Block 3** - Change in Zoning from the Agricultural "A" Zone to the Residential "R4-612" Zone, Modified
- Refer to By-Law 05-200

Scale: N.T.S.	File Name/Number: Cimino D'Amico 257-200518/ ZAC-05-11/ROPA-05-03/OPA-05-015
Date: January 7, 2011	Planner/Technician: CT/SW
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

