

**Authority:** Item 5, Planning Committee  
Report: 11-015 (PED11112)  
CM: September 28, 2011

**Bill No. 240**

**CITY OF HAMILTON**

**BY-LAW NO. 11-240**

**To Amend Zoning By-law No. 87-57 (Ancaster),  
Respecting Lands Located at 143 and 153 Wilson Street West (Ancaster)**

**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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 22<sup>nd</sup> day of June 1987, and approved by the Ontario Municipal Board on the 23<sup>rd</sup> day of January, 1989;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 5 of Report 11-015 of the Planning Committee, at its meeting held on the 7<sup>th</sup> day of September, 2011, 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. That Schedule "B" of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing from the Residential "R-4" Zone to the Residential "R4-637" Zone, on the lands 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 Sub-sections:

**R4-637** That notwithstanding the provisions of Sub-Section 12.1 “Permitted Uses” and Paragraphs (a), (c), (d), and (e), of Sub-section 12.2 “Regulations” of Section 12: Residential “R4” Zone, Schedule “C”, and Section 3: Definitions 3.73 and 3.75, the following special provisions shall apply to the lands zoned “R4-637”:

Permitted uses

A maximum of eight detached dwelling units and uses, buildings and structures accessory thereto.

Regulations:

- (a) Minimum Lot Area: 400 square metres, except on a corner lot the minimum area shall be 475 square metres.
- (b) Maximum Lot Coverage: 48 percent.
- (c) Minimum Front Yard: 4.5 metres to the front of the dwelling and 6.0 metres to the front of the garage.
- (d) Minimum Side Yard: 1.2 metres, except 4.5 metres on a corner lot.
- (e) Planting Strip: A minimum 3.0 metre wide Planting Strip shall be provided and maintained along Wilson Street West (excluding the Condominium Road).

Definitions

Notwithstanding Section 3.0, the following provisions apply:

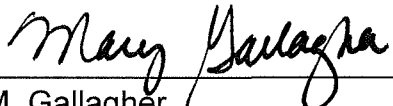
- (a) “Lot Frontage” - for the purposes of determining setbacks and frontage the Condominium (private) Road shall be deemed as frontage.
- (b) “Corner Lot” shall be deemed as those lots immediately situated at the intersection of Wilson Street West and the Condominium Road.

Notwithstanding Section 7.0 - General Provisions, the following provisions apply:

- (a) A Draft Plan of Condominium shall be considered a Draft Plan of Subdivision for the purpose of Model Homes, as per Sub-section 7.27.
3. That the amending By-law be added to Map 1 of Schedule B of Ancaster Zoning By-law No. 87-57.
4. 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 28<sup>th</sup> day of September, 2011

  
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R. Bratina  
Mayor

  
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M. Gallagher  
Acting City Clerk

ZAC-10-050/25CDM-2010-016



This is Schedule "A" to By-Law No. 11240

Passed the 28 day of September, 2011

*Mary Gallagher*  
 Clerk  
*R. Blaine*  
 Mayor

### Schedule "A"

Map Forming Part of  
 By-Law No. 11- 240

to Amend By-law No. 87-57

#### Subject Property



143-153 Wilson Street West  
 Lands to be rezoned from the Residential "R2"  
 Zone to the Residential "R4-637" Zone, Modified.

Scale:  
 N.T.S.

File Name/Number:  
 ZAC-10-050

Date:

January 19, 2011

Planner/Technician:  
 EJ / MB



**Hamilton**

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT