

Authority: Item 9, Planning Committee
Report: 12-010 (PED12081)
CM: June 27, 2012

Bill No. 157

CITY OF HAMILTON

BY-LAW NO. 12-157

To Amend Zoning By-law No. 87-57, Respecting Lands Located at 411 and 421 Kitty Murray Lane, 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 9 of Report 12-010 of the Planning Committee, at its meeting held on the 27th day of June, 2012, 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 the approval of Official Plan Amendment No. 144.

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

1. That Map 1 of Schedule "B" of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended as follows:

- (a) By changing the zoning from the Institutional "I" Zone to the Multiple Residential "RM2-651" Zone, Modified, the lands comprised of Block 1;
2. That Section 34: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following Sub-section:

RM2-651

That notwithstanding the provisions of Sub-sections 3.49 and 3.132, Sub-section 7.14 (a)(i), (ii), (vi), (vii), (viii), (ix), (xv), and (xvii), Sub-section 9.5, Sub-section 9.3(b), Sub-section 15.1, and Sub-section 15.2 (a), (b), (c), (d), (e), (f), (g), (j), (k), and (m), the following special provisions shall apply to the lands zoned "RM2-651":

1. PERMITTED USES

- (a) Street townhouses.
- (b) Street townhouses fronting onto a condominium road.
- (c) Condominium Road with Parking and Landscaping.
- (d) Use, buildings, and structures accessory to the uses described in the above Sub-sections (a) or (b).

2. REGULATIONS

- (a) Minimum Lot Area: 7,600 sq. m. total parcel area; 160 sq. m. per dwelling unit.
- (b) Minimum Lot Frontage: 7.5 metres on a condominium road.
- (c) Minimum Lot Depth: 23.0 metres.
- (d) Maximum Lot Coverage: 55 percent.
- (e) Minimum Setback from a Private internal Roadway: 3.0. metres to a front wall, and 5.8 metres to an attached garage.
- (f) Minimum Side yard: 1.75 metres for a dwelling end unit.

- (g) Minimum Yard Abutting Kitty Murray Lane: 6.0 metres.
- (h) Minimum Rear Yard: 5.9 metres.
- (i) Maximum Building Height: 10.5 metres.
- (j) Minimum Planting Strip: Notwithstanding the other provisions of Sub-section 15.2, where the boundary of a Multiple Residential "RM2-651" Zone adjoins lands zoned Existing Residential "ER-588", a planting strip of a minimum 2.9 metre width adjoining such property shall be provided and maintained.
- (k) Minimum Setbacks from Detached Dwellings: 6 metres from the rear lot line of a detached dwelling to parking spaces, dwelling units, and accessory buildings.
- (l) Minimum Roadway Width: 6.0 metres.
- (m) Notwithstanding any provisions or definitions to the contrary, legal frontage for a street townhouse shall be permitted on a common element condominium road.
- (n) The lot line fronting onto a common element condominium road shall be considered the front lot line. In the case where two lot lines abut a common element condominium road, the shorter of the two shall be considered the front lot line.
- (o) For the purposes of this By-law, the definition of "Street" shall include private condominium roads.
- (p) A minimum of 0.5 visitor parking spaces per unit within a condominium driveway shall be provided and maintained.
- (q) The provisions of Paragraph (b), Sub-section 9.3, "Air Conditioning Units and Heat Pumps", shall not apply.
- (r) The provisions of Sub-section 9.5, "Privacy Screens", shall not apply.
- (s) Sub-section 15.2, Paragraph (k), "Dwelling Unit Placement", shall not apply.

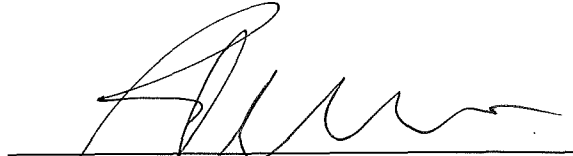
apply.

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 July, 2012.

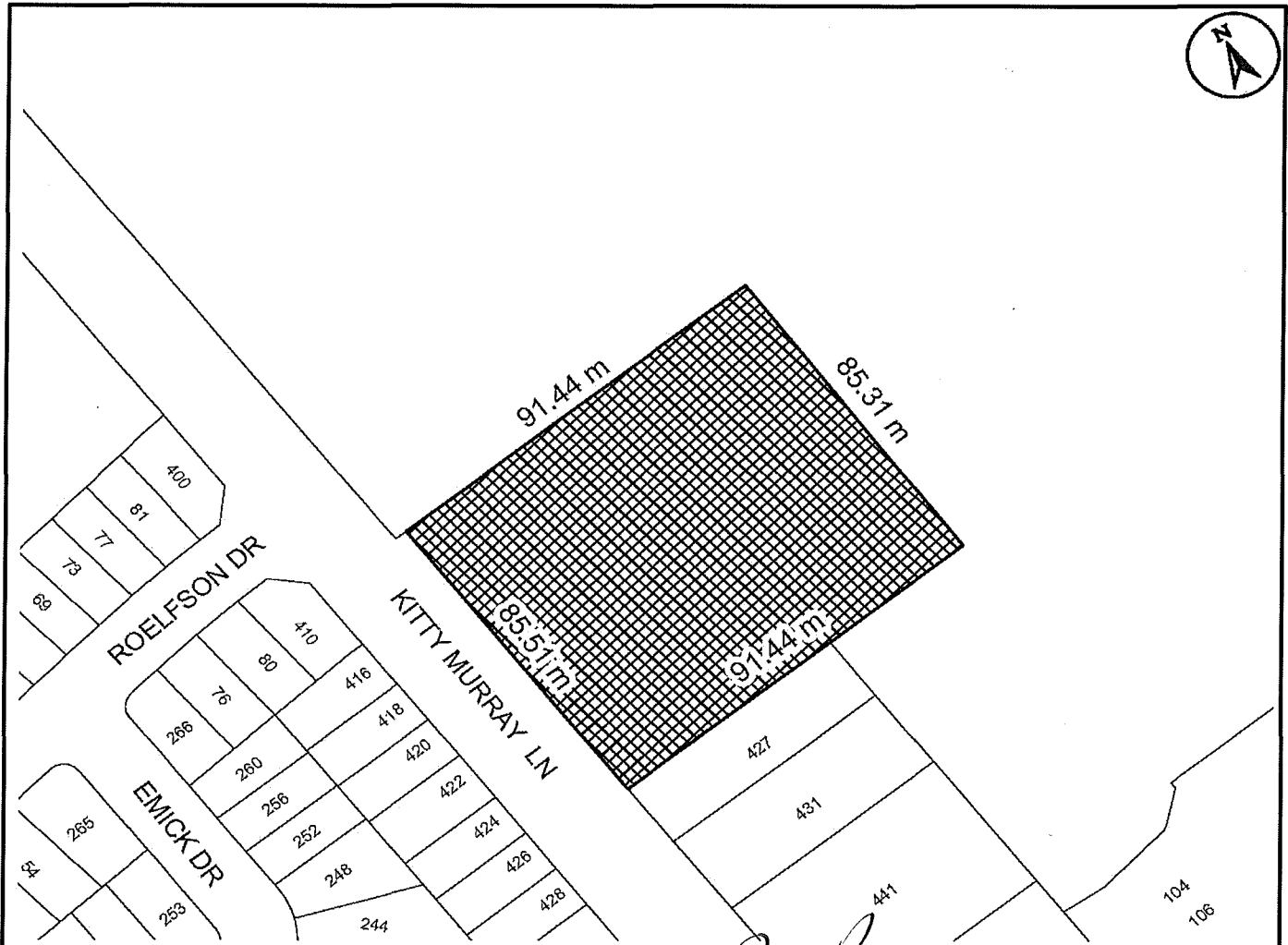


R. Bratina
Mayor



R. Caterini
City Clerk

ZAC-11-056



This is Schedule "A" to By-Law No. 12- 157

Passed the 12th.... day of ...July....., 2012

R. B. ...
 Mayor
A. ...
 Clerk


Schedule "A"

Map Forming Part of
 By-Law No. 12- 157

to Amend By-law No. 87-57

Subject Property

411 & 421 Kitty Murray Lane

 Block 1 - Change in Zoning from the Institutional "I" Zone to the Multiple Residential "RM2-651" Zone, modified.

Scale:
 N.T.S.

File Name/Number:
 ZAC-11-056_OPA-11-011

Date:
 March 20, 2012

Planner/Technician:
 CB/KA



Hamilton