

Authority: Item 4, Planning Committee
Report: 15-013 (PED15103)
CM: September 9, 2015

Bill No. 209

CITY OF HAMILTON

BY-LAW NO. 15-

**To Amend Zoning By-law No. 87-57 (Ancaster),
Respecting Lands Located at 492 Southcote Road (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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS the Council for the City of Hamilton, in adopting Item 4 of Report No. 15-013 of the Planning Committee at its meeting held on the 9th day of September, 2015, which recommended that Zoning By-law No. 87-57 (Ancaster) be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Urban Hamilton Official Plan;

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 Agricultural "A" Zone:

- a) by changing from the Agricultural "A-216" Zone to the Residential "R4-663" Zone, the lands comprised of Part 1.

the extent and boundaries of the lands which are shown on a plan hereto annexed as Schedule "A" annexed hereto and forming part of this by-law.

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

"R4-663 Notwithstanding the provisions of Paragraphs (a), (c), (d), (e), and (f) of Subsection 12.2 "Regulations" of Section 12.2: Residential "R4" Zone, Schedule "C" and the provisions of Paragraphs (a) and (d) of Section 7.12: "Yard Encroachments" and the provisions of Section 7.13: "Special Setbacks", the following special provisions shall apply to the lands zoned "R4-663":

Regulations:

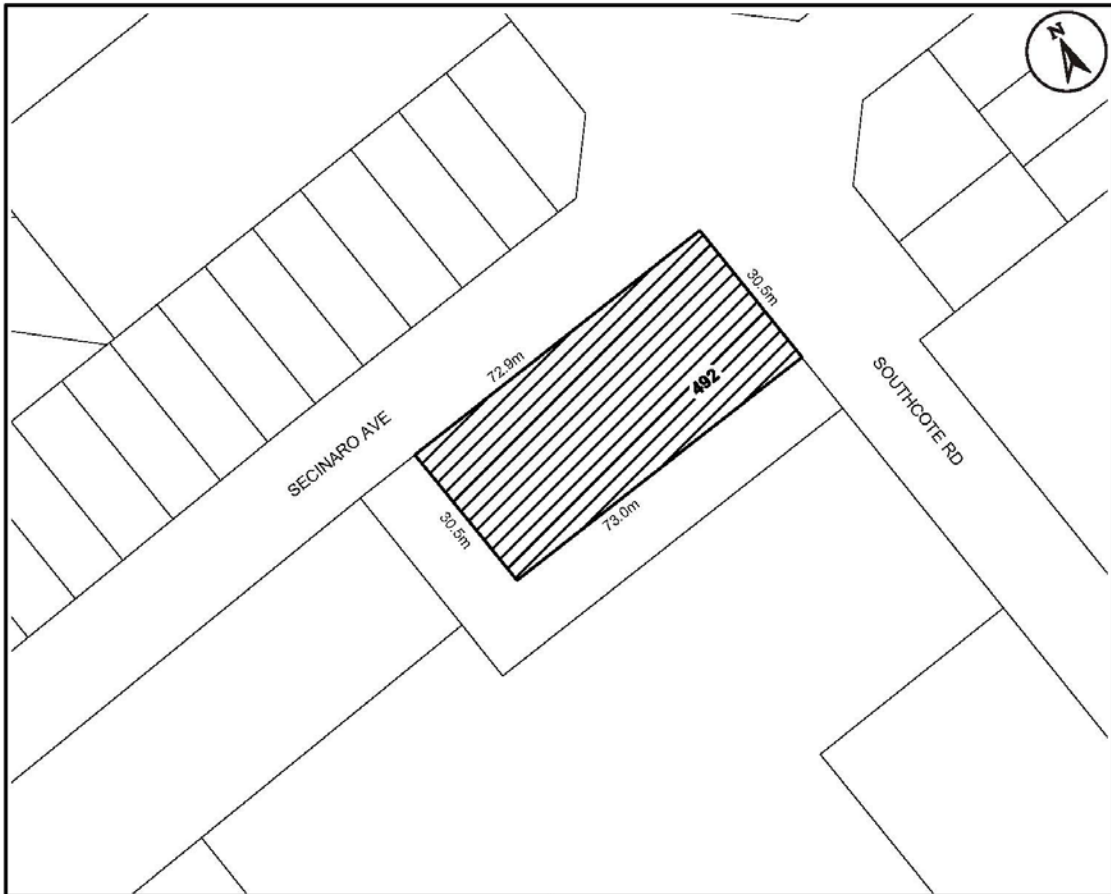
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|----|---|--|
| a) | Minimum Lot Area | 360 square metres |
| c) | Maximum Lot Coverage | 45 percent |
| d) | Minimum Front Yard | 4.5 metres to the dwelling unit; 6.0 metres to an attached garage |
| e) | Minimum Side Yard | 1.2 metres, except on a corner lot, the minimum side yard abutting a street shall be 4.5 metres, except 6.0 metres to an attached garage or attached carport |
| f) | Minimum Rear Yard | 7.0 metres |
| g) | An unenclosed porch is permitted to encroach 2.0 metres into a required front yard and 2.0 metres into a required flankage yard, and the steps of a porch are permitted to encroach 0.6 metres in addition to the porch encroachment. Notwithstanding this provision, no encroachment shall be permitted within 0.6m of any lot line. | |

- h) A chimney, belt courses, sills, cornices, chimney breasts, decorative brick facing, pilasters, alcoves, windows, fireplaces, or other architectural features, with or without foundations, are permitted to encroach 0.6 metres into a required yard. Notwithstanding this provision, no encroachment shall be permitted within 0.6m of any lot line.
 - i) Bay windows and other types of windows, with or without foundations, are permitted to encroach 1.0 metres into a required front, exterior side, or rear yard. Notwithstanding this provision, no encroachment shall be permitted within 0.6m of any lot line.
 - j) Balconies are permitted to encroach 2.0 metres into a required front, exterior side, or rear yard. Notwithstanding this provision, no encroachment shall be permitted within 0.6m of any lot line.
 - k) All other yard encroachments are subject to Subsection 7.12 of Zoning By-law No. 87-57.”
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 9th day of September, 2015.

Judi Partridge
Deputy Mayor

Rose Caterini
City Clerk



This is Schedule "A" to By-law No. 15- Passed the day of, 2015	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> Map Forming Part of By-law No. 15-_____ to Amend By-law No. 87-57	Subject Property 492 Southcote Road From Agricultural "A-216" Zone to Residential "R4-__" Zone Modified
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Scale: N.T.S.	File Name/Number: ZAC-15-009	
Date: July 31, 2015	Planner/Technician: LK/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		