

Authority: Item 5, Planning Committee
Report: 16-013 (PED16147)
CM: July 8, 2016

Bill No. 220

CITY OF HAMILTON

BY-LAW NO. 16-

To Amend Zoning By-law No. 87-57, Respecting Lands Located at 435 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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 5 of Report 16-013 of the Planning Committee, at its meeting held on the 8th day of July, 2016, recommended that Zoning By-law No. 87-57, be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan, upon approval of Urban Hamilton Official Plan Amendment No. 61.

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 by changing the zoning from the:
 - (a) Agricultural "A-216" Zone to the Residential Multiple "RM5-677" Zone, Modified, the lands comprised of Block 1; and,

- (b) Holding-Residential Multiple “H-RM6-603” Zone to the Residential Multiple “RM5-678” Zone, the lands comprised of Block 2;
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:

RM5-677

That notwithstanding the provisions of Sub-sections 3.82, 3.83, 3.84, 3.86, 3.132, Sub-sections 7.14 (a)(i), 7.14 (a)(ii) and 7.14 (xv), Sub-section 18.1, and Sub-section 18.2 (b), (f), (g), (h), (i), (j), (k), (m), and (o) of Zoning By-law No. 87-57, the following special provisions shall apply to the lands zoned “RM5-677”:

1. PERMITTED USES

- (a) Multiple dwellings, multi-plex dwellings, stacked townhouses, block townhouses, maisonettes and uses, buildings and structures accessory thereto.

2. REGULATIONS

That all regulations of Section 18.2 of Zoning By-law No. 87-57, as amended by this By-law, shall apply to all permitted uses.

That all regulations of Section 2(2) of the “RM5-660” Zone, contained in By-law No. 14-177 shall apply except:

- (b) Maximum Density: 70 units per hectare

RM5-678

That notwithstanding the provisions of Sub-sections 3.82, 3.83, 3.84, 3.86, 3.132, Sub-sections 7.14 (a)(i), 7.14 (a)(ii) and 7.14 (xv), Sub-section 18.1, and Sub-section 18.2 (b), (f), (g), (h), (i), (j), (k), (m), and (o) of Zoning By-law No. 87-57, the following special provisions shall apply to the lands zoned “RM5-678”:

1. PERMITTED USES

- (a) Block townhouses and uses, buildings and structures accessory thereto.

2. REGULATIONS

That all regulations of Section 2(2) of the “RM5-660” Zone, contained in By-law No. 14-177 shall apply except that for the purposes of this By-law, the property line abutting John Frederick Drive shall be deemed to be a front lot line; the easterly lot line shall be deemed to be a rear lot line; and, that the northerly and southerly lot lines shall be deemed to be side lot lines; and, except:

(b) Maximum Density: 37 units per hectare

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 August, 2016.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-12-068(R)/UHOPA-15-008/25T-200725(R)

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This is Schedule "A" to By-Law No. 16-

Passed the day of, 2016

Mayor

Clerk


Schedule "A"


Map Forming Part of
By-Law No. 16-_____

to Amend By-law No. 87-57

Subject Property

435 Garner Road East

 **Block 1** - Change in Zoning from the Agricultural
"A-216" Zone to the Residential Multiple
"RM5-677" Zone, Modified

 **Block 2** - Change in Zoning from the Holding -
Residential Multiple "H-RM6-603" Zone to the
Residential Multiple "RM5-678" Zone, Modified

Scale:
N.T.S.

File Name/Number:
ZAC-T2-068(R)_UHOPA-15-008
& 25T-200725(R)

Date:
May 31, 2016

Planner/Technician:
GM/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT