

Authority: Item
Planning Committee
Report 17- (PED17037)
CM:

Bill No.

CITY OF HAMILTON

BY-LAW NO. _____

**To Amend Zoning By-law No. 87-57 (Ancaster)
Respecting Lands located at 125 Wilson Street East and 130 Dalley Drive
(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 municipality known as the "The Corporation of the City of Hamilton" 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 [redacted] of Report 17-[redacted] of the Planning Committee, at its meeting held on the [redacted] day of [redacted], 2017, 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, upon finalization of Official Plan **Amendment No. ___**;

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

1. That Map No. 1 to Schedule "B", appended to and forming part of By-law No. 87-57 (Ancaster) as amended, is hereby further amended by changing the zoning from the General Commercial "C3-655" Zone, Modified with a Special Exception and the Public Open Space "O2" Zone, to the Residential Multiple "RM6" Zone, Modified with a Special Exception, on the lands the extent and boundaries of

which are more particularly 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 sub-section:

"RM6-685"

- (i) That notwithstanding the provisions of Subsections 19.2 (a), (c), (e), (f), (g), (h), (i), (j), (l), (m), of the Residential Multiple "RM6" Zone, Section 7.11, and the provisions of Section 7.14: Parking and Loading of Zoning By-law No. 87-57 of the Town of Ancaster, the following regulations shall apply:

Regulations:

a) Minimum Lot Area	0.44 ha
c) Maximum Density	91 units per hectare
e) Minimum Lot Depth	52 m
f) Maximum Lot Coverage	50%
g) Minimum Front Yard	3.0 m
h) Minimum Side Yard	1.2 m (westerly side yard)
Minimum Rear Yard	13.8 m
i) Parking	Notwithstanding Sections 19.2(i) and 7.14(b) (i) (C), the required parking spaces shall be as follows: Dwelling Unit and Visitor Parking – 1.63 plus 0.33 visitor parking spaces per dwelling unit
j) Children's Outside Play Area	No Children's Play Area shall be required
k) Maximum Height	11 metres
l) Minimum Landscaping	26%

- m) Minimum Planting Strips 1.0 m wide planting strip abutting the west side yard
- q) No direct access to Dalley Drive will be permitted. A maximum of 1 driveway will be permitted from Wilson Street East.

Notwithstanding the definition of Lot, Lot Area and Lot Coverage for the purposes of this section the Maximum Density, Maximum Lot Coverage, and Minimum Landscaping shall be calculated on that portion of the subject lands located in the RM6-685 Zone and having an area of 0.210ha within the RM6-685 Zone.

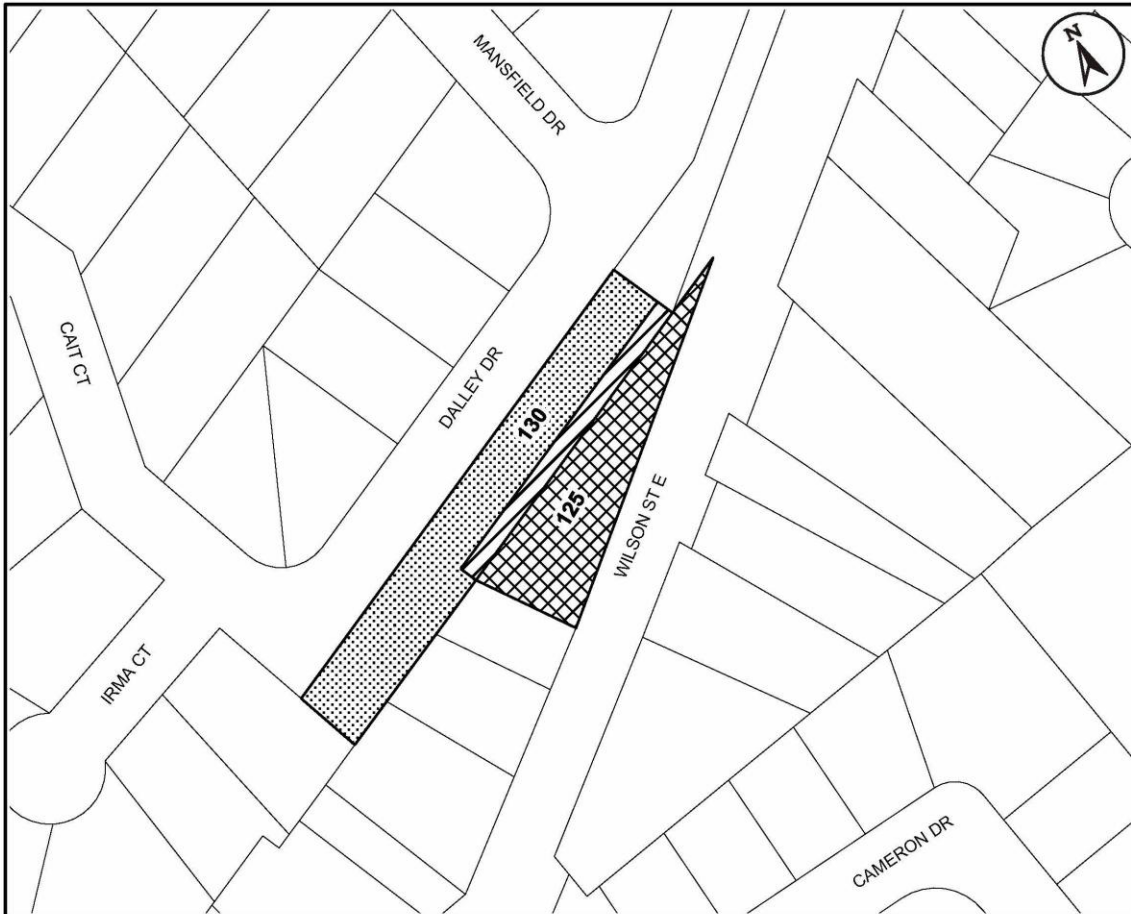
- (ii) That notwithstanding Subsection 7.14 (a) (v), "Parking and Loading" of Section 7 "General Provisions" the following shall apply:
- a) A maximum of five (5) parking spaces located within the below-grade parking area may be obstructed by other parking spaces (i.e. tandem parking)
- (iii) In addition to Subsection 7.14, "Parking and Loading" of Section 7 "General Provisions" the following shall apply:
- a) Location of Parking Space 3.0 m from Front Lot Line
2. That the amending by-law be added to Map 1 of Schedule "B" of Ancaster Zoning By-law No. 87-57.
3. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential Multiple "RM6" Zone, subject to the special requirements referred to in Section 2 of this By-law.
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 and ENACTED this ____ day of ____, 2017.

F. Eisenberger
Mayor

R. Caterini
City Clerk

UHOPA-16-16
ZAC-16-040



<p>This is Schedule "A" to By-law No. 17-</p> <p>Passed the day of, 2017</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
--	---

<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 17-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 87-57</p>	<p>Subject Property 125 Wilson Street East & 130 Dalley Drive</p> <div style="margin-top: 10px;"> <div style="display: flex; align-items: flex-start; margin-bottom: 5px;"> <div style="width: 20px; height: 10px; border: 1px solid black; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); margin-right: 5px;"></div> <div> <p>Block 1 - Change from Public Open Space "O2" Zone to Multiple Residential "RM6-685" Zone, Modified</p> </div> </div> <div style="display: flex; align-items: flex-start; margin-bottom: 5px;"> <div style="width: 20px; height: 10px; border: 1px solid black; background: repeating-linear-gradient(-45deg, transparent, transparent 2px, black 2px, black 4px); margin-right: 5px;"></div> <div> <p>Block 2 - Change from General Commercial "C3-655" Zone, Modified, to Multiple Residential "RM6-685" Zone, Modified</p> </div> </div> <div style="display: flex; align-items: flex-start;"> <div style="width: 20px; height: 10px; border: 1px solid black; background: radial-gradient(circle, black 1px, transparent 1px); background-size: 4px 4px; margin-right: 5px;"></div> <div> <p>Block 3 - Change from Public Open Space "O2" Zone and add to zoning By-law 05-200 and zoned as Conservation / Hazard "P5" Zone</p> </div> </div> </div>
--	---

<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAC-16-040/UHOPA-16-016</p>		<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>
<p>Date: February 10, 2017</p>	<p>Planner/Technician: VM/VJS</p>		