

Authority: Item 4, Planning Committee
Report 20-011 (PED20158)
CM: October 14, 2020
Ward: 12

Bill No. 228

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Zoning By-law No. 87-57, with Respect to Lands Located at 35 Londonderry 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 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 4 of Report 20-011 of the Planning Committee at its meeting held on the 14 day of October, 2020, which recommended that Zoning By-law No. 87-57, be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No. 138.

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

1. That Map No. 1-B of Schedule “A”, appended to and forming part of By-law No. 87-57, as amended, is further amended as follows:

- a. by changing the zoning from the Residential Multiple “RM4-513” Zone, Modified to the Residential Multiple “RM5-711” Zone, Modified (Block 1); and,
- b. by changing the zoning from the Residential Multiple “RM4-535” Zone, Modified to the Residential Multiple “RM5-711” Zone, Modified (Block 2);

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 87-57, as amended, is hereby further amended by adding the following subsection:

RM5-711

That notwithstanding the provisions of paragraphs (a) (xv) and (xvi) and (b) of Subsection 7.14 “Parking and Loading”, Subsection 18.1 “Permitted uses”, and paragraphs (a), (b), (e), (f), (g), (h), (j), (k), (l), (m), and (o) of subsection 18.2 “Regulations” of Zoning By-law No. 87-57, the following special provisions shall apply to the lands zoned “RM5-711”:

Permitted Uses

Street townhouse dwellings, Block townhouse dwellings and multi-plex dwellings and uses, buildings and structures accessory thereto.

Regulations

(a) Minimum Lot Area	0.39 hectares
(b) Maximum Density	62 units per hectare
(c) Maximum Lot Coverage	38 percent
(d) Minimum Front Yard	2.0 metres
(e) Minimum Side Yards	13.5 metres
(f) Minimum Rear Yard	6.3 metres
(g) Minimum Landscaping	23 percent of the lot area

(h) Planting Strip A planting strip of a minimum of 2.0 metres in width along the lot lines shall be provided, except for points of ingress and egress. Retaining walls, permitted yard encroachments, mechanical and unitary equipment, and concrete walkways are permitted within a required planting strip.

Notwithstanding the foregoing, where a parking area abuts a lot containing a dwelling, a permanently maintained planting strip of a minimum width of 0.3 metres shall be provided.

Where a parking area abuts a street, a permanently maintained planting strip of a minimum width of 2.8 metres shall be provided, except for points of ingress and egress.

(i) Parking 2.0 plus 0.33 visitors parking spaces per dwelling unit.

(j) Children’s Play Area Children’s play area provision shall not apply.

(k) Building Separation A townhouse building shall be no closer to another townhouse building on the same lot in accordance with the following distance requirements:

	Façade	Rear Wall	End Wall
Façade	8.1 m	19.5 m	15.0 m
Rear Wall	19.5 m	15.0 m	10.5 m
End Wall	15.0 m	10.5 m	2.4 m

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 “RM5” Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.

4. 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 28th day of October, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-17-072



<p style="text-align: center;">This is Schedule "A" to By-law No. 20-</p> <p style="text-align: center;">Passed the day of, 2020</p>	<p style="text-align: center;">-----</p> <p style="text-align: center;">Mayor</p> <p style="text-align: center;">-----</p> <p style="text-align: center;">Clerk</p>
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map forming Part of By-law No. 20-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 87-57</p>	<p>Subject Property</p> <p>35 Londonderry Drive</p> <ul style="list-style-type: none"> <li style="margin-bottom: 10px;"> Block 1 - Change in Zoning from Residential Multiple "RM4-513" Zone, Modified to Residential Multiple "RM5-711" Zone, Modified Block 2 - Change in Zoning from Residential Multiple "RM4-535" Zone, Modified to Residential Multiple "RM5-711" Zone, Modified
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<p>Scale: N.T.S</p>	<p>File Name/Number: ZAC-17-072 / UHOPA-17-032</p>	
<p>Date: August 12, 2020</p>	<p>Planner/Technician: TV/AL</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		