

Authority: Item XX, Planning Committee
Report 20-XXX
CM: XXXX
Ward: 12
Bill No. XXX

CITY OF HAMILTON

BY-LAW NO. 21-XXX

To Amend Zoning By-law No. 87-57 Respecting Lands Located at 15 Church Street

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Section _____ of Report 20-_____ of the Planning Committee at its meeting held on the 12th day of January 2021, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided; and,

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan upon adoption of UHOPA No. XX.

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

1. That Map No. 1175 of Schedule "A", appended to and forming part of Zoning By-law No. 87-57 (Ancaster) be amended by changing the zoning from the Existing Residential "ER" Zone to Holding Residential Multiple "H-RM2-712" Zone, Modified on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

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

"H-RM2-712"

That notwithstanding the provisions of Section 15.2, (a), (b), (c), (d), (e), (f), (g), and (j), Section 9.3 (a), Section 9.5 (d), the following special provisions shall apply to the lands zoned "RM2-712":

REGULATIONS

- | | | |
|-----|---------------------------------------|---|
| (a) | Minimum Lot Area | 1,260 square metres of total parcel area per dwelling and 164 square metres per dwelling unit. |
| (b) | Minimum Lot Frontage | 6.5 metres per dwelling unit, 8.7 metres for a dwelling end unit which does not abut a flanking street and 9.7 metres for a dwelling end unit abutting the current lot boundary. |
| (c) | Minimum Lot Depth | 25.0 metres. |
| (d) | Maximum Lot Coverage | 37 percent of total parcel area. |
| (e) | Minimum Front Yard | 5.5 metres to façade and 6 metres to garage. |
| (f) | Minimum Side Yard | 3.0 metres for dwelling end units abutting current lot boundary, 1.9 metres for dwelling end unit which does not abut a flanking street and 0 metres for dwelling units separated by a common wall. |
| (g) | Minimum Rear Yard | 7.2 metres, and 5.1 metres for posts, beams and/or a covered deck and 5.1 metres for the second and upper most storey. |
| (j) | Planting Strip | A planting strip of a minimum 3.0 metres shall be provided adjoining lands zoned "ER" and "R3", a chimney may project into the planting strip a distance of not more than 0.6 metres. |
| (k) | Air Conditioning Units and Heat Pumps | Encroachment of Air Conditioning Units and Heat Pumps: the provisions of Paragraph (a), Sub-section 9.3, "Air Conditioning Units and Heat Pumps", shall not apply. |

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- (l) Privacy Screens Shall not apply.
 - (m) Basement or Cellar All street townhouse dwellings shall have a basement or cellar.
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 "RM2" Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.
 4. The 'H' Holding prefix shall be lifted from the "H-RM2-712" Zone once the following conditions have been completed:
 - (i) Submission and approval of a Stage 4 Archaeological Assessment for site AhGx-786, to the satisfaction of the Director of Planning and Chief Planner and the Ministry of Heritage, Sport, Tourism and Culture Industries.
 - (ii) The submission, approval and implementation of a Documentation and Salvage report, to the satisfaction of the Director of Planning and Chief Planner.
 5. 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*.

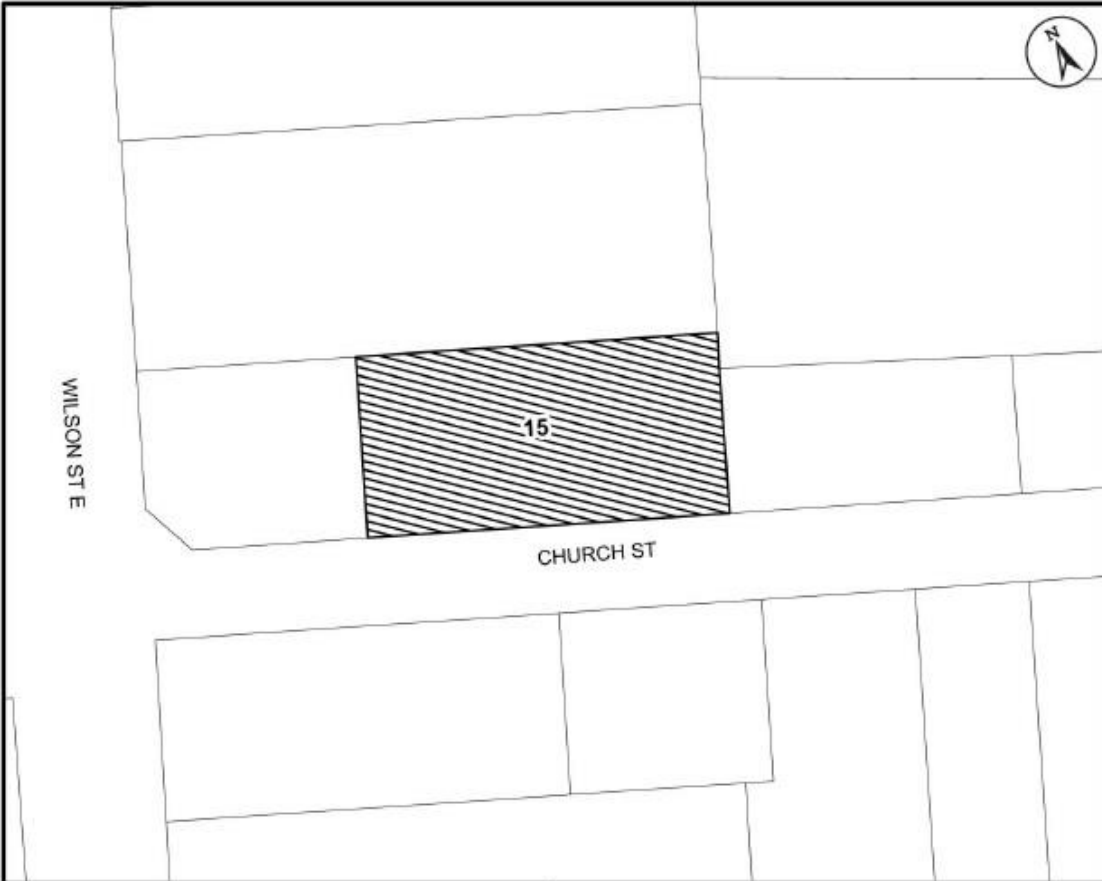

PASSED this ____ day of _____, 2021.

Fred Eisenberger
Mayor

A. Holland
City Clerk

ZAC-20-011/UHOPA-20-006

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<p style="text-align: center;">This is Schedule "A" to By-law No. 21 -</p> <p style="text-align: center;">Passed the day of, 2021</p>	<p style="text-align: center;">----- Mayor -----</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. 21-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 87-57</p>	<p>Subject Property 15 Church Street, Ancaster</p> <p> Change in zoning from the Existing Residential "ER" Zone to the Holding Residential Multiple "H-RM2-712" Zone, Modified</p>		
<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAC-20-011 & UHOPA-20-006</p>	 Hamilton	
<p>Date: October 15, 2020</p>	<p>Planner/Technician: JV/NB</p>	<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>	