

Authority: Item XX, Planning Committee
Report 21-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 365 Springbrook Avenue and Part of Block 121, Plan 62M-1161

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 21-_____ of the Planning Committee at its meeting held on the 2nd day of November 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.

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 Zoning By-law No. 87-57 (Ancaster) is amended, by changing the zoning from the Agricultural “A” Zone to the Residential “R4-714” Zone, Modified (Block 1), the Agricultural “A” Zone to the Residential “R4-714” Zone, Modified (Block 2) and the Residential “R4-563” Zone, Modified to the Residential “R4-714” Zone, Modified (Block 3), on the lands to the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

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

“R4 – 714” (Block 1)

That notwithstanding the provisions of Sub-section 12.2: Regulations of Section 12: Residential “R4” Zone (f) the following special provision shall apply to the lands zoned “R4-714”:

REGULATIONS

- | | |
|------------------------|---|
| (f) Minimum Rear Yard: | 4.5 metres for the dwelling existing as of the passage of R4-714 Zoning By-law. |
|------------------------|---|

“R4 – 714” (Block 2 and Block 3)

That notwithstanding the provisions of Sub-section 12.2: Regulations of Section 12: Residential “R4” Zone (a), (b), (c), (d) and (e) the following special provisions shall apply to the lands zoned “R4-714”:

REGULATIONS

- | | |
|---------------------------|---|
| (a) Minimum Lot Area: | 365 square metres |
| (b) Minimum Lot Frontage: | 11.4 metres |
| (c) Maximum Lot Coverage: | 45% |
| (d) Minimum Front Yard: | 5.5 metres to a dwelling and 6 metres to an attached garage |
| (e) Minimum Side Yard: | 1.1 metres |

That notwithstanding the provisions of Sub-section 7.12: Yard Encroachments of Section 7: General Provisions (d) the following special provision shall apply to the lands zoned “R4-714” (Blocks 2 and 3):

- | | |
|------------------------|---|
| (d) Yard Encroachments | An unenclosed porch and stairs may project not more than 2.0 metres into the required front yard. |
|------------------------|---|

- (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 “R4” Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.

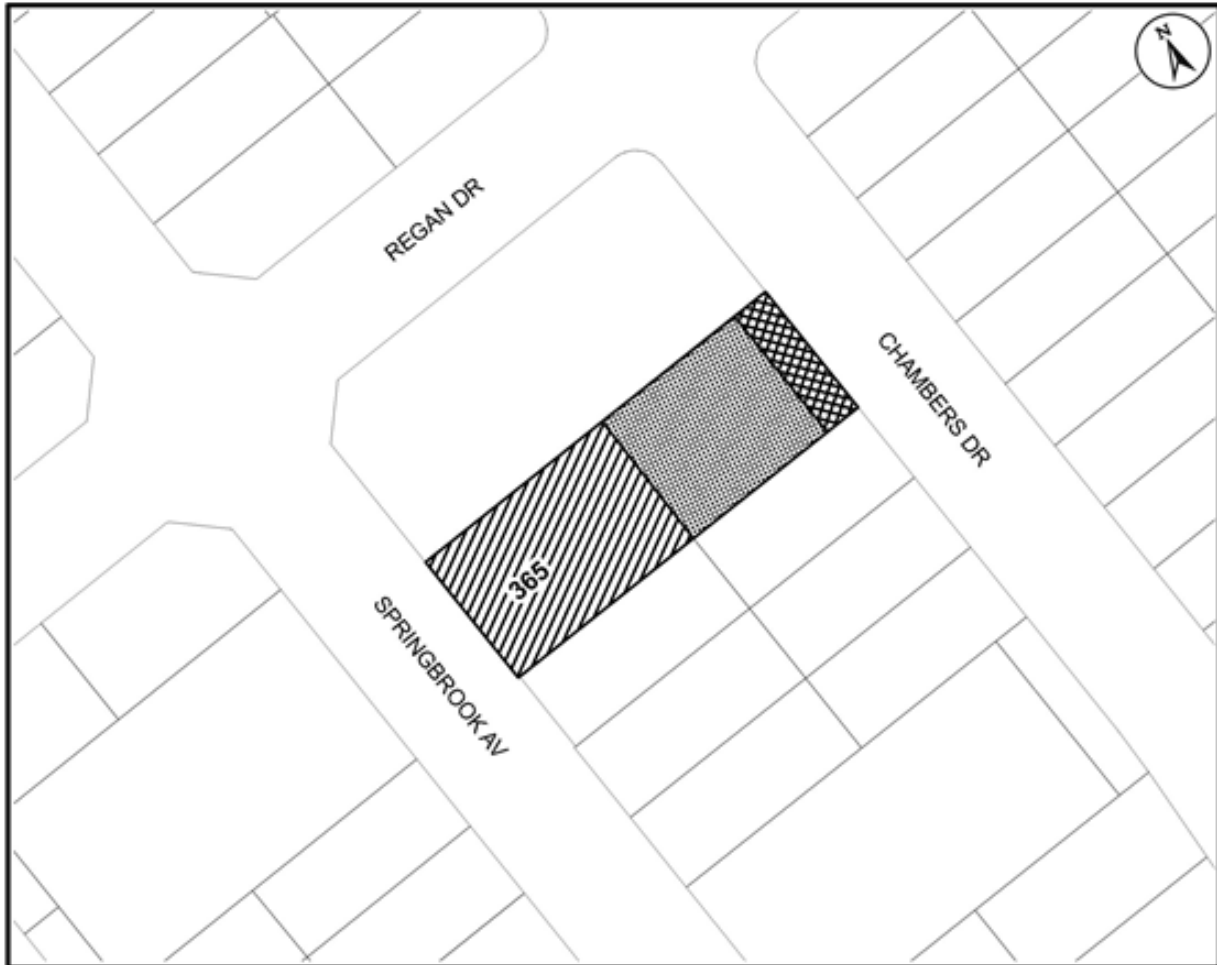
- (4) That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this ____ day of _____, 2021.

Fred Eisenberger
Mayor

A. Holland
City Clerk

ZAR-21-015






This is Schedule "A" to By-law No. 21-
Passed the day of, 2021

Mayor

Clerk

Schedule "A"
Map forming Part of
By-law No. 21-_____
to Amend By-law No. 87-57

Subject Property
365 Springbrook Avenue

-  Block 1 - Change in zoning from the Agricultural "A" Zone to the Residential "R4-714" Zone, Modified
-  Block 2 - Change in zoning from the Agricultural "A" Zone to the Residential "R4-714" Zone, Modified
-  Block 3 - Change in zoning from the Residential "R4-563" Zone, Modified to the Residential "R4-714" Zone, Modified

Scale:
N.T.S

File Name/Number:
ZAR-21-015

Date:
October 12, 2021

Planner/Technician:
MA/V5



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT