

Authority: Item 5, Planning Committee
Report 22-001 (PED22004)
CM: January 19, 2022
Ward: 12

Bill No. 021

CITY OF HAMILTON

BY-LAW NO. 22-

To Amend Zoning By-law No. 87-57 Respecting Lands Located at 281 Hamilton Drive and 356 Wilson Street West

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 5 of Report 22-001 of the Planning Committee at its meeting held on the January 19, 2022, 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. 159.

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) be amended by changing the zoning from the Deferred Development "D" Zone and the Urban Commercial "C4-288" Zone to a site specific Residential Multiple "RM2-713" Zone, Modified, on the lands the extent and boundaries of which are shown on the plan hereto annexed as Schedule "A".
2. That Section 34: Exceptions, to Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following Sub-sections:

"RM2-713"

That notwithstanding the provisions of Section 15.1, 15.2 (a), (b), (e), (f), (j), and (k) (ii), Section 7.12 (c) and (d), and Section 7.14 (b) (i) (A), the following special provisions shall apply to the lands zoned "RM2-713":

REGULATIONS

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| (a) | Maximum Number of Dwelling Units | 10 street townhouse dwelling units. |
| (b) | Minimum Lot Area | 2,600 square metres of total parcel area. |
| (c) | Minimum Lot Frontage | 50 metres of total parcel frontage, 6.0 metres per dwelling unit, and 6.2 metres for a dwelling end unit. |
| (d) | Minimum Front Yard | 0.8 metres. |
| (e) | Minimum Side Yard | <ul style="list-style-type: none">i) 2.5 metres for a dwelling end unit which does not abut a flanking street, and 2.5 metres for a dwelling unit abutting a flanking street; except,ii) 3.0 metres for a dwelling end unit abutting a flanking street; and,iii) 2.3 metres for the westerly end unit of the building along Wilson Street West from the flanking street line measuring 20.3 metre. |
| (f) | Planting Strip | <p>Notwithstanding the other provisions of this Subsection, where the boundary of a Residential Multiple "RM2" Zone adjoins lands zoned Existing Residential "ER" or Residential "R1", "R2" or "R3", a planting strip of minimum 2.5 metre width along the easterly side lot line and 1.4 metres along the southerly rear lot line shall be provided.</p> <p>Bicycle parking shall be permitted within the 1.4 metre wide planting strip along the southerly rear lot line.</p> |

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| (g) | Dwelling Unit Placement | Not more than four attached dwelling units shall be erected in a row without offsetting or staggering the front face or wall of the dwelling a minimum 0.5 metre or without varying the exterior design and materials of the front face or wall of the dwelling. |
| (h) | Yard Encroachment for open stairway | 0 metres from a front lot line and flanking side lot line. |
| (i) | Yard Encroachment for unenclosed porch | 0 metres from a front lot line and 1.0 metres from a flanking side lot line. |
| (j) | Required Parking for a street townhouse | 2 plus 0.66 visitor parking spaces |
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. 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 9th day of February, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-20-014/UHOPA-20-009



<p>This is Schedule "A" to By-law No. 22-</p> <p>Passed the day of, 2022</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</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. 22- _____</p> <p style="margin: 0 0 0 0;">to Amend By-law No. 87-57</p>	<p>Subject Property 281 Hamilton Drive and 356 Wilson Street West, Ancaster (Ward 12)</p> <p> Change in zoning from the Deferred Development "D" Zone and the Urban Commercial "C4-288" Zone to a site specific Residential Multiple "RM2" (RM2-713) Zone, Modified</p>
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Scale: N.T.S	File Name/Number: ZAC-20-014/UHOPA-21-009	
Date: July 21, 2021	Planner/Technician: DB/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		