

Authority: Item 15, Planning Committee
Report 18-015
CM: December 19, 2018
Ward: 12

Bill No. 026

CITY OF HAMILTON

BY-LAW NO. 19-026

**To Amend Site Plan Control By-law No. 15-176, as amended by By-law No. 18-104,
Respecting Lands Located in Certain Residential Areas of Ancaster
("ER" Zoned Lands)**

WHEREAS, under the provisions of Section 41 of the Planning Act, a Council of a Municipality may by by-law designate the whole or any part of the Municipality as a Site Plan Control Area:

AND WHEREAS the City of Hamilton passed Site Plan Control By-law No. 15-176, as amended by By-law No. 18-104;

AND WHEREAS the Urban Hamilton Official Plan in effect for the City of Hamilton describes a proposed site plan control area and contains policies related to Site Plan Control;

AND WHEREAS it is desirable that the policies of the Official Plans be applied to the proposed site plan control area by way of a designation and implementation by-law;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 15 of Planning Committee Report 18-015 of Council, at its meeting held on the 19th day of December, 2018, recommended that By-law No. 15-176, as amended by By-law No. 18-104, be amended as hereinafter provided;

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

1. That Subsection 9.3 (ii) of By-law No. 15-176, as amended by By-law No. 18-104, be amended by adding the words ", subject to the provisions of Subsection 9.13." to the end of the clause.
2. That By-law No. 15-176, as amended by By-law No. 18-104, be amended by adding a new Subsection 9.13 as follows:

"9.13 Buildings or structures subject to the following:

9.13.1 any new single detached dwelling, duplex dwelling, and semi-detached dwelling;

- 9.13.2 an addition or alteration to an existing dwelling, if the ground floor area of the addition is greater than or equal to 50 percent of the ground floor area of the existing dwelling. For the purpose of this By-law, ground floor area shall include the area covered by ground floor balconies, porches, and stairs;
- 9.13.3 accessory buildings or structures, if greater than or equal to 40 square metres ground floor area; and,
- 9.13.4 on lots with a maximum lot coverage of 35 percent, an addition and / or accessory building or structure that results in a lot coverage that exceeds 35 percent."

PASSED this 14th day of February, 2019.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk