

Authority: Item 6, Planning Committee
Report: 11-013 (PED11117)
CM: July 7, 2011

Bill No. 187

CITY OF HAMILTON

BY-LAW NO. 11-187

To Amend Zoning By-law No. 87-57 Respecting Lands Located at 71 Wilson Street East, in the former Town of Ancaster, now in the City of Hamilton

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 area 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 and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 6 of Report 11-013 of the Planning Committee, at its meeting held on the 7th day of July 2011, recommended that Zoning By-law No. 87-57, be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster) upon approval of Official Plan Amendment No. 138 proposed by the City of Hamilton but not yet approved in accordance with the provisions of the Planning Act.

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

1. That Map 1 of Schedule "B", appended to and forming part of By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing the zoning from the Existing Residential "ER" Zone to the Existing Residential "ER-632" Zone, Modified, with a Special Exception, on the lands the extent and boundaries of which are more particularly shown on Schedule "A" annexed hereto and forming part of this by-law.
2. That Section 34: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding the following:

ER-632 Notwithstanding the provisions of Section 10 of the Existing Residential "ER" Zone of Zoning By-law No. 87-57 (Ancaster), the lands zoned Existing Residential "ER-632", shall be subject to the following provisions:

- (a) Notwithstanding the provisions of Section 10.1: Permitted Uses of the Existing Residential "ER" Zone, the following uses shall also be permitted:
 - i) A Professional Business Office having a maximum floor area of 135 square metres in conjunction with a dwelling unit shall be permitted only within the single-detached dwelling, existing on the date of passing of this by-law, being the 7th day of July, 2011.
- (b) Notwithstanding Clause (a) above, an addition having a maximum gross floor area of 8 square metres shall be permitted to existing building.
- (c) Notwithstanding Sub-section 7.14(a)(xv) of the General Provisions Section, a planting strip having a minimum width of 1.5 metres along the westerly side lot line and 2.0 metres along the rear lot line shall be provided and maintained abutting the parking area.
- (d) A visual barrier measuring 1.8 metres in height shall be provided and maintained along the side and rear lot lines, and shall be permitted within a planting strip.

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3. 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 7th day of July, 2011.

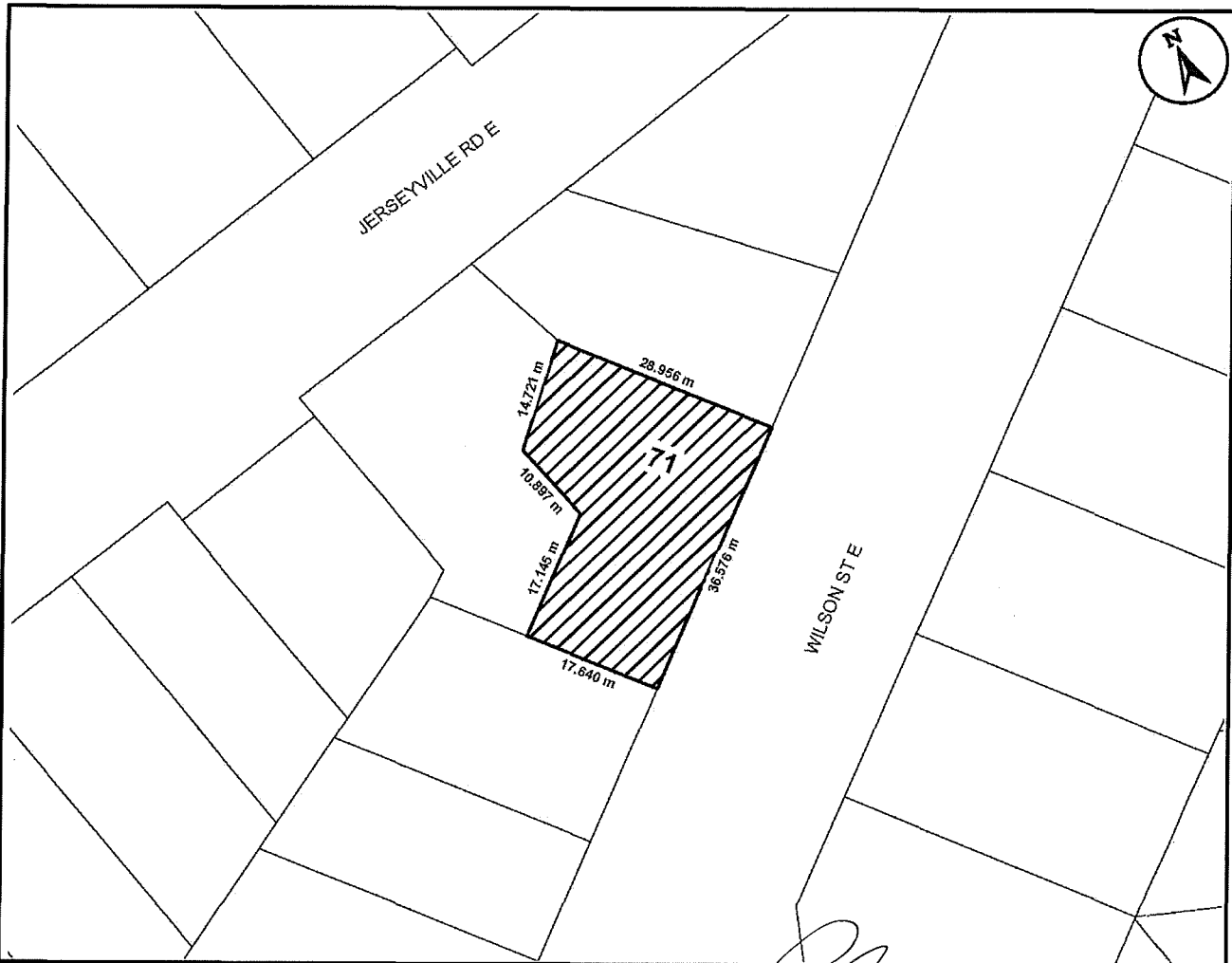


R. Bratina
Mayor



R. Caterini
City Clerk

ZAC-10-033/OPA-10-010



This is Schedule "A" to By-Law No. 11-187

Passed the ..7th.... day of ..July....., 2011

[Signature]
 Clerk
[Signature]
 Mayor

Schedule "A"

Map Forming Part of
 By-Law No. 11-187

to Amend By-law No. 87-57

Subject Property



Change in zoning from the Existing Residential "ER" Zone to the Existing Residential "ER-632" Zone, modified, with a Special Exception

Scale:
 N.T.S.

File Name/Number:
 ZAC-10-033

Date:
 May 26, 2011

Planner/Technician:
 KM/AL



Hamilton