

Authority: Item 4, Planning Committee
Report: 15-018 (PED15181)
CM: November 25, 2015

Bill No. 268

CITY OF HAMILTON

BY-LAW NO. 15-268

To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located at 275 Springbrook Avenue, 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 4 of Report 15-018 of the Planning Committee, at its meeting held on the 25th day of November, 2015, which recommended that Zoning By-law No. 87-57 be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan, approved August 16, 2013.

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

1. That Map 1 of Schedule “B” of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended as follows by changing the zoning from the:
 - (a) Agricultural “A” Zone to the Residential “R4-548” Zone, the lands comprised of Block 1;

- (b) Agricultural “A” Zone to the Holding-Residential “H-R4-663” Zone, the lands comprised of Block 2;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

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

H-R4-663

That notwithstanding the provisions of Sub-section 12.2 “Regulations” of Section 12: Residential “R4” Zone, Schedule “C”, and the Provisions of Section 7.12, “Yard Encroachments”, and Section 7.13, “Special Setbacks”, of Zoning By-law No. 87-57, the following special provisions shall apply to the lands zoned “R4-663”:

Regulations

That all Development Regulations of the “R4” Zone shall apply except:

- | | | |
|-----|--|---|
| (a) | Minimum Lot Area | 350 square metres, except on a corner lot the minimum lot area shall be 400 square metres. |
| (b) | Minimum Lot Frontage | 12 metres, except on a corner lot the minimum lot frontage shall be 15 metres. |
| (c) | Maximum Lot Coverage | 55 percent. |
| (d) | Minimum Front Yard | 3.0 metres to a dwelling and 6.0 metres to an attached garage. |
| (e) | Minimum Side Yard | 1.2 metres, except on a corner lot, the minimum side yard abutting a street shall be 3.0 metres but 1.2 metres to a daylighting triangle. |
| (f) | Minimum Rear Yard | 7.0 metres. |
| (g) | An unenclosed porch is permitted to encroach 2.0 metres into a required front yard and 2.0 metres into a required flankage yard. The steps attached to a porch are permitted to encroach 0.6 metres in addition to the porch encroachment. | |
| (h) | A chimney, belt courses, sills, cornices, chimney breasts, decorative brick facing, pilasters, alcoves, windows, fireplaces, or other architectural | |

features, with or without foundations, are permitted to encroach, to a maximum of half the required yard to a maximum of 0.6 metres.

- (i) Bay windows and other types of windows, with or without foundations, are permitted to encroach 2.0 metres into required front, exterior side or rear yards.
 - (j) Balconies are permitted to encroach 2.0 metres into a required front, exterior side or rear yard.
3. That the amending By-law apply the 'H' Holding provisions of Section 36(1) of the Planning Act. R.S.O. 1990, as amended, to those lands zoned "R4-663" Zone, Modified, by introducing the Holding Symbol "H" as a prefix to the proposed Residential "R4-663" Zone, Modified.
4. That the 'H' symbol shall only be removed conditional upon:
- (a) That the Storm Water Management Facility located within the "Dussin Estates" draft approved plan of subdivision 25T-200710 is completed and that Springbrook Avenue has been urbanized from Regan Drive to Stonehenge Drive to the satisfaction of the Senior Director of Growth Management.
- City Council may remove the 'H' symbol, and thereby give effect to the Residential "R4-663" Zone, by enactment of an amending By-law once the above conditions have been satisfied.
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 25th day of November, 2015.

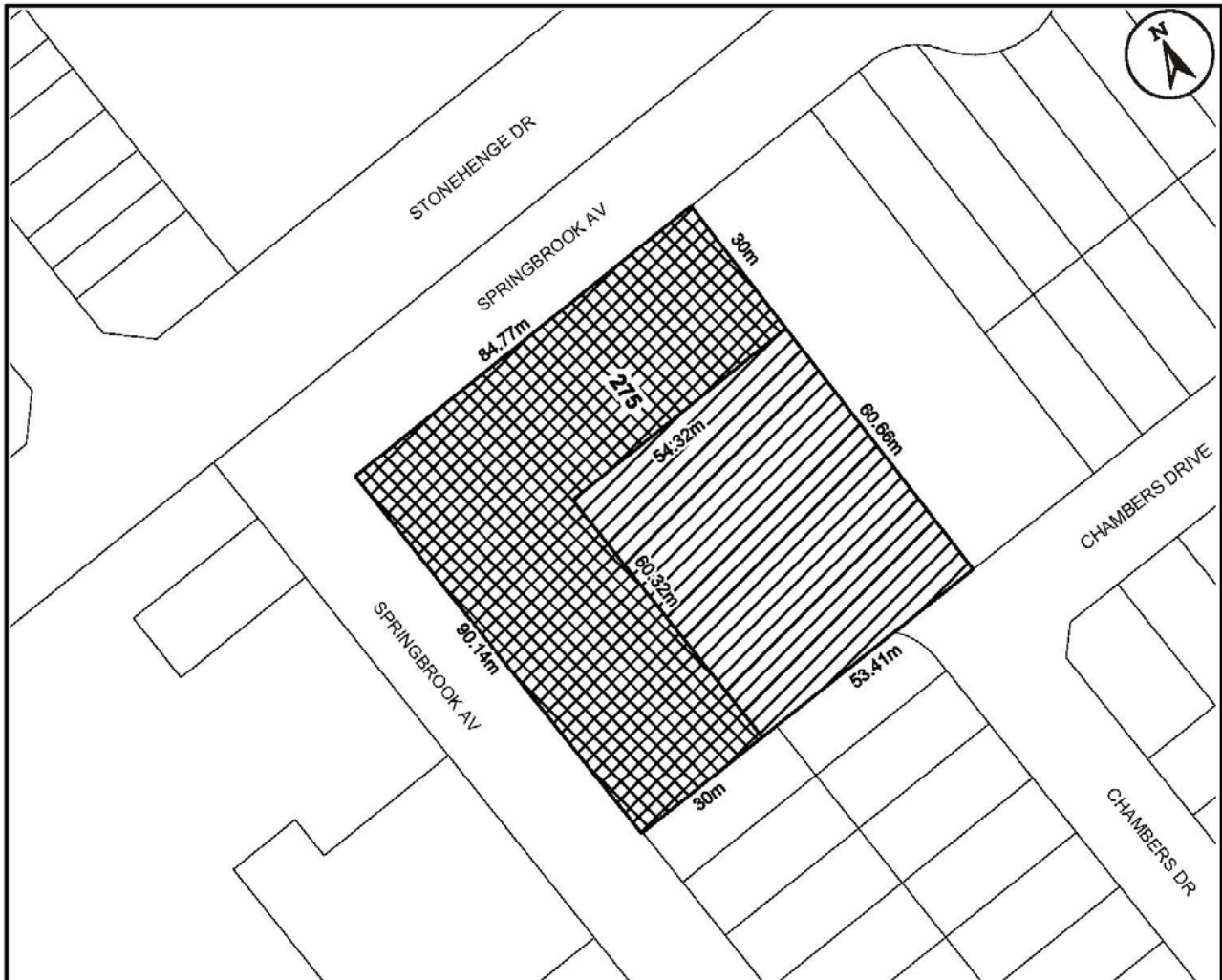
F. Eisenberger
Mayor

R. Caterini
City Clerk

ZAC-13-054/25T-201307

To Amend Zoning By-law No. 87-57, Respecting Lands Located at 275 Springbrook Avenue, in the former Town of Ancaster, now in the City of Hamilton

(Page 4 of 4)



This is Schedule "A" to By-law No. 15-
Passed the day of, 2015

Mayor


Clerk


Schedule "A"

Map Forming Part of
By-law No. 15-_____

to Amend By-law No. 87-57

Subject Property
275 Springbrook Avenue, Ancaster

 **Block 1** - Change in Zoning from the Agricultural "A" Zone to the Residential "R4-548" Zone, Modified

 **Block 2** - Change in Zoning from the Agricultural "A" Zone to the Residential-Holding "H-R4-663" Zone, Modified

Scale: N.T.S.	File Name/Number: ZAC-13-054/25T-201307
Date: Sept. 17, 2013	Planner/Technician: GM/AL

