

Authority: Item 1, Planning Committee
Report: 15-018 (PED15172)
CM: November 25, 2015

Bill No. 296

CITY OF HAMILTON

BY-LAW NO. 15-296

To Amend Zoning By-law No. 87-57, Respecting Lands located 153 Wilson Street West, 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 1 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 Region of Hamilton-Wentworth Official Plan and upon adoption of Amendment No. 146 to the City of Hamilton Official Plan (the Official Plan of the former Town of Ancaster);

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 Residential “R4” Zone, Modified to the Holding - Residential Multiple “H-RM6-665” Zone, Modified, 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 No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following Sub-section:

“H-RM6-665”

- (i) That notwithstanding Paragraph 3.20 “Building Height” of Section 3, “Definitions” the following definition shall apply:

3.20 “Building Height”

Means the vertical distance measured from the average finished grade level adjacent to the front elevation of a building to the highest point of the roof structure.

- (ii) That in addition to Section 3, “Definitions” the following definition shall be added:

3.160 “Grade”

With reference to the height of a building or structure, wherever curb-level has been established, shall mean the elevation of curb level opposite the highest point of the building or structure, on a line perpendicular to the street line.

- (iii) That in addition to the definition of “Planting Strip” within Paragraph 3.111, of Section 3, “Definitions”, hydro vaults, flag poles, signs and/or other similar utility and/or landmark structures shall be permitted within a Planting Strip.
- (iv) That notwithstanding Paragraphs (c), (f), (g), (h), (i), (j) and (l) of Section 19.2, “Regulations”, of Section 19: Residential Multiple “RM6” Zone, and 7.14, “Parking and Loading”, of Section 7: General Provisions, the following special provisions shall apply to the lands zoned “RM6-665”, described as 153 Wilson Street West:

(c) Maximum Density 161 dwelling units per hectare

(f) Maximum Lot Coverage 44%

- (g) Minimum Front Yard 1.5 m
 - (h) Minimum Side and Rear Yard A minimum 5.7 m for a rear yard; a minimum 5.7 m for the east side yard; and, a minimum 9.4 m for the west side yard.
 - (i) Parking 1.75 spaces per unit shall be required, of which 109 parking spaces shall be provided underground with an additional 24 spaces provided as a communal surface parking area.
 - (j) Children's Outside Play Area shall not apply.
 - (l) Minimum Landscaping 30%
- (v) That notwithstanding Paragraph (a)(xiii) of Section 7.14, "Parking and Loading", of Section 7 "General Provisions", the following special provision shall apply to the lands zoned "RM6-665", described as 153 Wilson Street West:
- (xiii) All parking areas required for the accommodation of more than two vehicles shall be constructed with a stable surface of architectural impressed concrete; shall have adequate drainage; and, shall be permanently maintained.
- (vi) The "H" symbol may be removed at such time as the following has been satisfied:
- a) That the owner / applicant provide and receive approval of a landscape plan with identified tree species and locations for 153 Wilson Street West and the adjacent lands, known as 173 Wilson Street West, to the satisfaction of the Manager of Development Planning, Heritage and Design.

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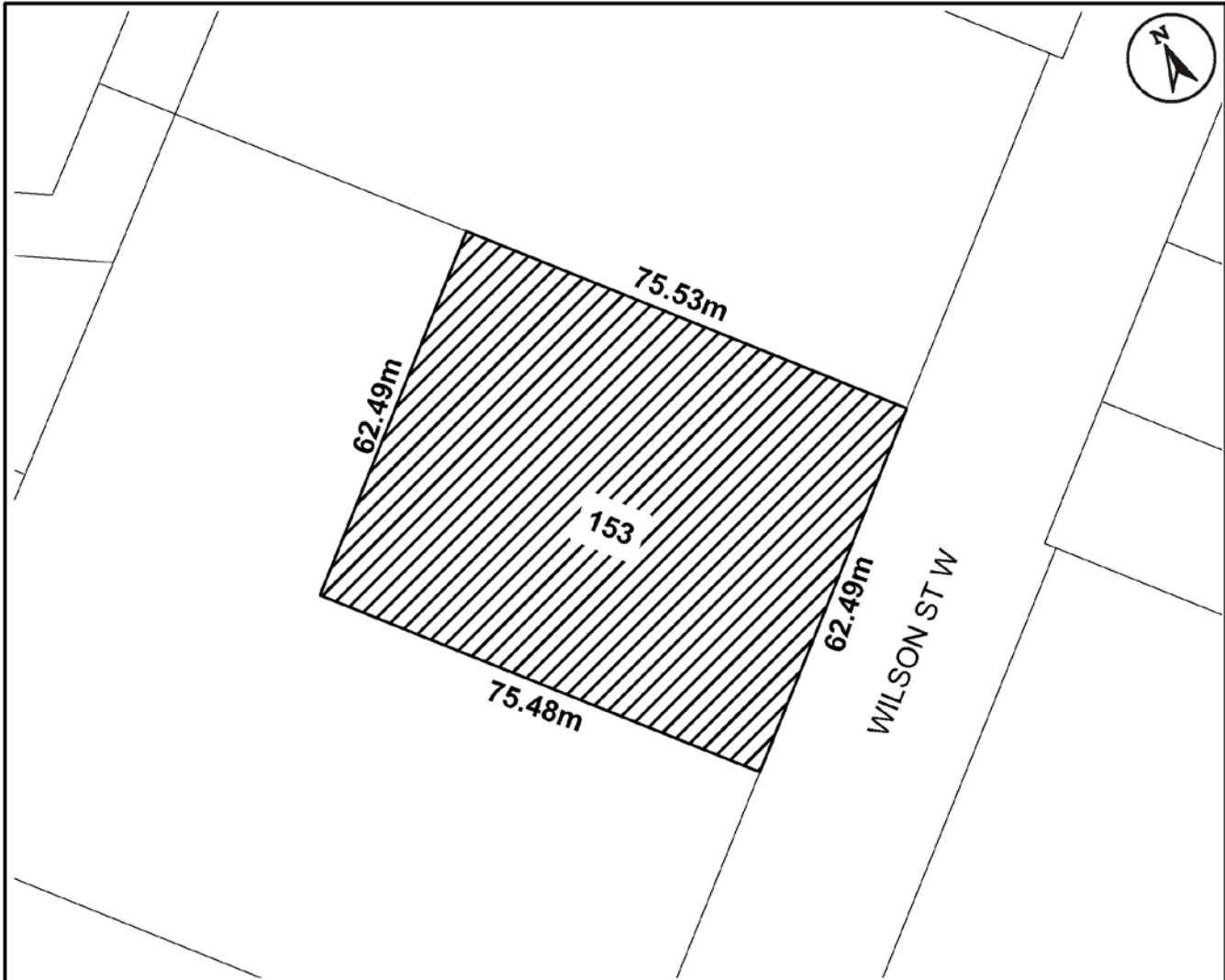
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 9th day of December, 2015.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

ZAC-13-014



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
 153 Wilson Street West

 Change in Zoning from the Residential "R4-637" Zone, Modified to the Holding - Residential Multiple "H-RM6-665" Zone, Modified

Scale: N.T.S.	File Name/Number: ZAC-13-014
Date: December 2, 2015	Planner/Technician: AC/NB
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

