

CITY OF HAMILTON

BY-LAW NO. - ____

To Amend Zoning By-law No. 87-57 (Ancaster), Respecting Lands Located at 559 Garner Road East, 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 1st, 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 Corporation of the City of Hamilton” and is the successor of the former Regional Municipality, namely “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-law 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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, which was 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 ____ of Report 23-____ of the Planning Committee at its meeting held on the ____ day of _____, 2023, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No. ____;

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

1. That Map No. 1 to Schedule “B”, appended to and forming part of By-law 87-57 (Ancaster) as amended, is hereby further amended by changing from the Agriculture “A” Zone, to the Residential Multiple “RM6” - ____, 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 the General Provisions as contained in Section 7 are modified to include the following special requirements:
 - a. Notwithstanding Section 7.11 a), the maximum building height shall be 24.0 metres
 - b. Notwithstanding Section 7.12 c), balconies shall be permitted to project into a required side yard to a maximum distance of 2.0 metres.
 - c. Notwithstanding Section 7.14 b) viii), the minimum side yard and rear yard setback to a below-grade communal parking structure shall be 0.5 metres
 - d. Notwithstanding Section 7.14 b) xv), a planting strip shall not be required

3. That the Residential Multiple “RM6” Zone regulations as contained in Section 19 are modified to include the following special requirements:

a. Notwithstanding Sections 19.2(a), 19.2(c), 19.2(g), 19.2(h), 19.2(i), 19.2(k), and, 19.2(l), the following regulations shall apply:

- | | | |
|-------|--------------------------------|---|
| i. | Lot Lines | For the purposes of this By-law, the front lot line shall be the shortest lot line abutting Garner Road East, the side lot lines shall be the longest lot line abutting Garner Road East and the hypotenuse of the daylight triangle, and the rear lot lines shall be all remaining lot lines |
| ii. | Minimum Lot Area | 0.37 hectare |
| iii. | Maximum Density | 270 dwelling units per hectare |
| iv. | Minimum Side Yard | 2.5 metres, or 0.0 metres when abutting a daylight triangle |
| v. | Minimum Front Yard | 1.25 metre |
| vi. | Minimum Rear Yard | 2.5 metres |
| vii. | Maximum Height | 25.0 metres |
| viii. | Minimum Landscaping | 25% of the lot area |
| ix. | Setback to a daylight triangle | 0.0 metres |

b. Section 19.2(j) shall not apply.

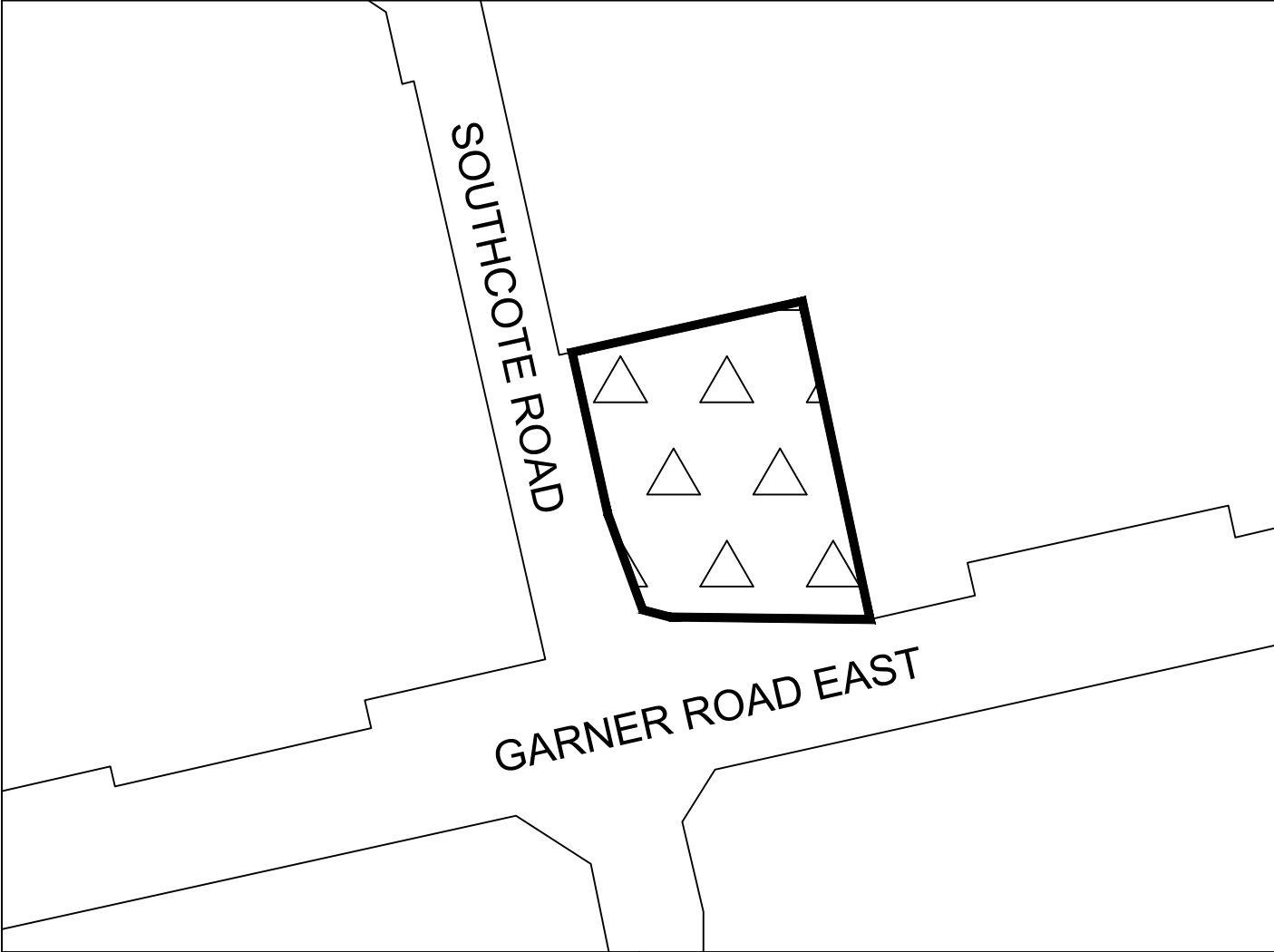
4. That the Parking and Loading regulations as contained in Section 7.14 are modified to include the following special requirements:

- i. Notwithstanding Section 7.14(b), 1.45 parking spaces per dwelling unit shall be provided and shall be inclusive of visitor parking.
- a. That the amending by-law be added to Map 1 of Schedule “B” of Ancaster Zoning By-law No. 87-57.
- b. 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 AND ENACTED this ____ day of _____, 2023.

Mayor

Clerk



This is Schedule "A" to By-law No.
22- _____

Passed the _____ day of _____, 2022

Clerk

Mayor

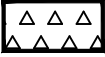
DRAFT

Schedule "A"

Map Forming part of
By-law No. 87-57

to Amend By-law No. 87-57

Subject Property
559 Garner Road East in the City of Hamilton.

 Block 1 - Lands to be rezoned from Agricultural "A" Zone, to the Residential Multiple "RM6-____" Zone.

Scale:	File Name/Number:
Date:	Planner/Technician:
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	