

Authority: Item 2, Planning Committee
Report 17- 007 (PED17054)
CM: April 26, 2017
Ward: 12

Bill No. 087

CITY OF HAMILTON

BY-LAW NO. 17-087

To Amend Zoning By-law No. 87-57 (Ancaster) Respecting Lands located at 128 and 134 Wilson Street West (Ancaster)

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";

WHEREAS, the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

WHEREAS, the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

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;

WHEREAS, the Council of the City of Hamilton, in adopting Item 2 of Report 17-007 of the Planning Committee, at its meeting held on the 26th day of April, 2017, which 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. 76;

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 No. 87-57 (Ancaster) as amended, is hereby further amended by:
 - a. changing the zoning from the Existing Residential "ER" Zone, to the Existing Residential "ER-686" Zone, Modified with a Special Exception, on the lands municipally known as 128 Wilson Street West, the extent and

boundaries of which are more particularly shown as Block 1 on Schedule "A" annexed hereto and forming part of this By-law.

- b. changing the zoning from the Existing Residential "ER" Zone, to the Existing Residential "ER-687" Zone, Modified with a Special Exception, on the lands municipally known as 134 Wilson Street West, the extent and boundaries of which are more particularly shown as Block 2 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:

"ER-686, 128 Wilson Street West(Block 1)

- (i) That notwithstanding the provisions of Subsections 10.1, "Permitted Uses" and 10.2(d) "Regulations" of Section 10: EXISTING RESIDENTIAL "ER" ZONE and Sub-Section 7.13(c), "Special Setbacks" and Schedule C "Setback Standards", Subsections 7.14(a)(v), (a)(x), (a)(xv), and (a)(xvi), General Provisions of "Parking and Loading", and Subsection 7.18 (a)(iv) "Accessory Buildings" of Section 7: GENERAL PROVISIONS of Zoning By-law No. 87-57 of the Town of Ancaster, the following regulations shall apply:

Permitted Uses

Notwithstanding Section 10.1, on the lands zoned ER-686, permitted uses shall be limited to:

- (a) One detached dwelling on one lot and uses, buildings, and structures accessory thereto existing on the date of passing of this By-law; and,
- (b) Business and professional offices within the building existing on the date of passing of this By-law.

Regulations

Notwithstanding Subsection 10.2 (d), Subsection 7.13 (c), and Schedule C "Setback Standards", the following regulations shall apply:

- | | | |
|-----|--------------------|-----------|
| (a) | Minimum Front Yard | 15 metres |
|-----|--------------------|-----------|

Parking:

Notwithstanding Subsections 7.14 (a)(v), (a)(x), (a)(xv) and (a)(xvi) the following regulations shall apply:

- (a) Two tandem parking spaces may be permitted within and in front of the enclosed garage;
- (b) A permanently maintained planting strip abutting the rear property line of a minimum width of 3.0 metres shall be provided and shall include fencing to provide a solid and effective screen;
- (c) A planting strip is not required along the north side lot line abutting 120 and 124 Wilson Street West and the south side lot line abutting 134 Wilson Street West; and
- (d) The at-grade parking areas shall not occupy more than 41% of the total lot area.

In addition to the Regulations of Section 7.14, the following regulations shall also apply:

- (a) A maximum of four parking spaces shall be located in the front yard.
- (b) Where a parking area which is required to provide for more than two parking spaces abuts a street, a permanently maintained planting strip of a minimum width of 1.5 metres, which shall include a low decorative wall, shall be provided along the street line and it shall be continuous except for aisles or driveways required for access to such parking area, except for walkways.

Accessory Buildings

Notwithstanding Subsection 7.18 (a)(iv) the following regulations shall apply:

- (a) The maximum ground floor area shall be 70m² and the maximum height shall be 6 metres for the garage existing on the date of passing of this By-law.

“ER-687” 134 Wilson Street West (Block 2)

That notwithstanding the provisions of Subsections 10.1, “Permitted Uses” and 10.2(d) “Regulations” of Section 10: EXISTING RESIDENTIAL “ER” ZONE and Sub-Section 7.13(c), “Special Setbacks” and Schedule C “Setback Standards”, Subsections 7.14(a)(i), (a)(xv), (a)(xvi) and (b)(ii)(A) “Required Parking Spaces” of Zoning By-law No. 87-57 of the Town of Ancaster, the following regulations shall apply:

Permitted Uses

Notwithstanding Section 10.1, on the lands zoned ER-687, permitted uses shall be limited to:

- (a) One detached dwelling on one lot and uses, buildings, and structures accessory thereto existing on the date of passing of this By-law; and,
- (b) Business and professional offices within the building existing on the date of passing of this By-law.

Regulations

Notwithstanding Subsection 10.2 (d), Subsection 7.13 (c), and Schedule C “Setback Standards”, the following regulations shall apply:

- (a) Minimum Front Yard 14 metres

Parking

Notwithstanding Subsection 7.14(a)(i), (a)(xv), and (b)(ii)(A) of Section 7.14, the following regulations shall apply:

- (a) 1 space for each 38 square metres of gross floor area shall be provided for business and professional office uses;
- (b) No planting strip is required along the north side lot line abutting 128 Wilson Street West;
- (c) A permanently maintained planting strip abutting the rear property line of a minimum width of 3.0 metres shall be provided and shall include fencing to provide a solid and effective screen;
- (d) A permanently maintained planting strip abutting the south side lot line abutting 140 Wilson Street West of a minimum width of 3.0 metres shall be provided and shall include fencing to provide a solid and effective screen;

In addition to the Regulations of Section 7.14, the following regulations shall also apply:

- (a) A maximum of three parking spaces shall be located in the front yard.

- (b) Where a parking area which is required to provide for more than two parking spaces abuts a street, a permanently maintained planting strip of a minimum width of 2.7 metres, which shall include a low decorative wall, shall be provided along the street line and it shall be continuous except for aisles or driveways required for access to such parking area, except for walkways.
3. That the amending by-law be added to Map 1 of Schedule “B” of Ancaster Zoning By-law No. 87-57.
4. 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*.

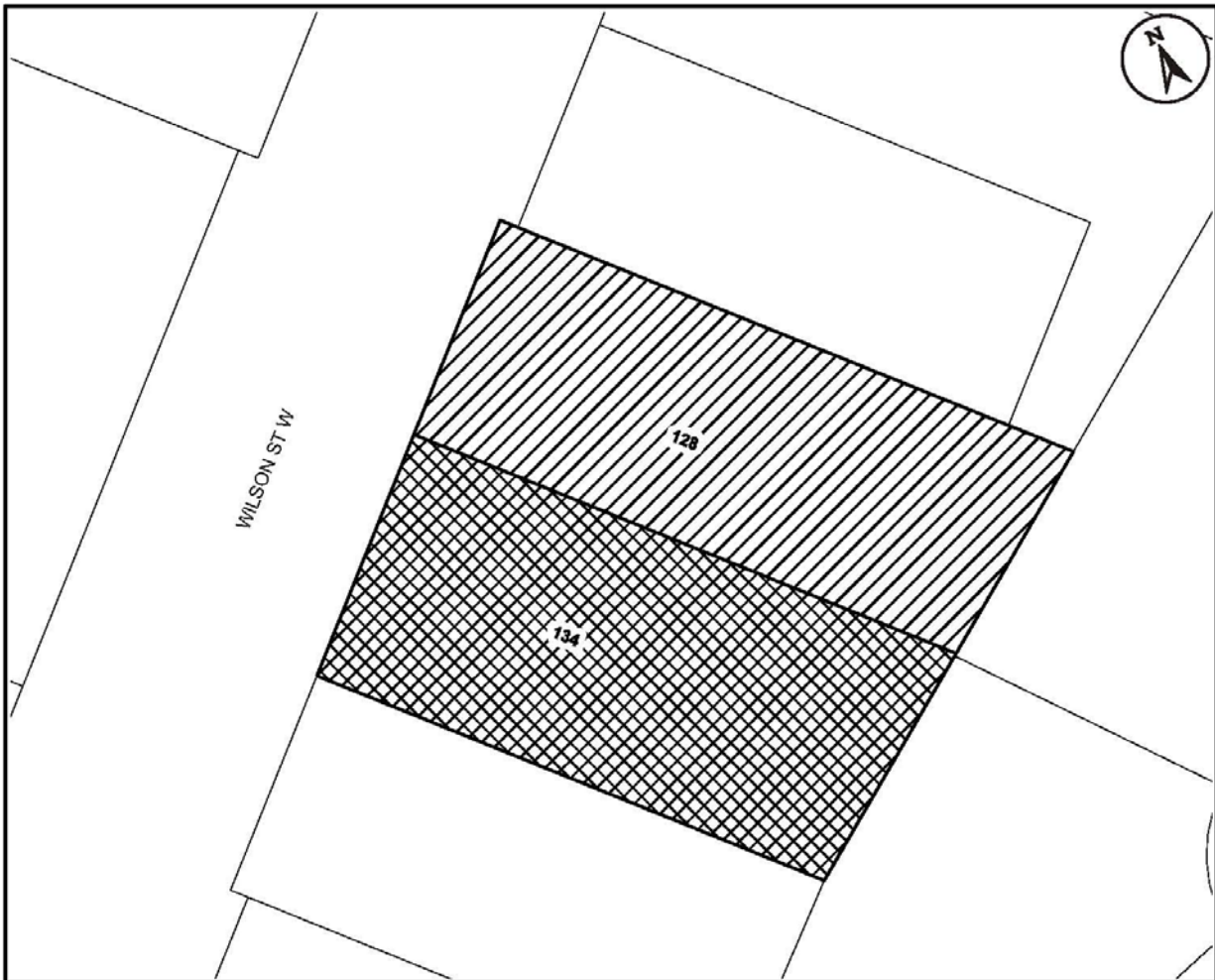
PASSED this 10th day of May, 2017.

F. Eisenberger
Mayor

R. Caterini
City Clerk

UHOPA-16-15
ZAC-16-039

To Amend Zoning By-law No. 87-57 (Ancaster)
 Respecting Lands located at 128 and 134 Wilson Street West (Ancaster)



This is Schedule "A" to By-law No. 17-

Passed the day of, 2017

 Mayor


 Clerk


Schedule "A"


Map Forming Part of
 By-law No. 17- _____

to Amend By-law No. 87-57

Subject Property
 128 & 134 Wilson Street West

 **Block 1** - Change from Existing Residential "ER" Zone to Existing Residential "ER-686" Zone, Modified

 **Block 2** - Change from Existing Residential "ER" Zone to Existing Residential "ER-687" Zone, Modified

Scale: N.T.S.	File Name/Number: ZAC-16-039 / UHOPA-16-15	 Hamilton
Date: January 11, 2017	Planner/Technician: VM/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		