

Authority: Item 6, Planning Committee
Report 23-010 (PED23089)
CM: June 21, 2023
Ward: 12

Bill No. 123

CITY OF HAMILTON

BY-LAW NO. 23-123

To Amend Zoning By-law No. 87-57 Respecting Lands Located at 487 Shaver Road (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”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities including the former 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

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 23-010 of the Planning Committee at its meeting held on the 21st day of June, 2023, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided; and,

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan upon adoption of UHOPA No. 184;

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

1. That Map No. 1-B to Schedule “B”, appended to and forming part of By-law No. 87-57 (Ancaster) is amended by changing the zoning from the Rural Commercial “C5-243” Zone, Modified to the Holding Residential Multiple “RM5-716” Zone, Modified on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. That Section 34: Exceptions, to the Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following Sub-section:

“RM5-716

That notwithstanding the provisions of Sections 3.46, 7.11 (a), 7.14 (b)(i)(B), 7.18 (a)(ii), 18.2 (a), (b), (c), (f), (g), (h), (i), (j), (k), (l), and (n) the following special provisions shall apply to the lands zoned “RM5-716”:

- (a) The following definition shall apply to lands zoned “RM5-716”:

“Dwelling, Multi-Plex”

means a building divided vertically into a minimum of two (2) and a maximum of six (6) side-by-side units, which may also be divided horizontally to a maximum of two (2) units in height, for a maximum total of twelve (12) units, with each unit being separated by two (2) or more common walls and each having private entrances to the outside.

DEVELOPMENT REGULATIONS

The following regulations shall apply to Multi-Plex Dwellings:

- | | |
|--------------------------|--|
| (a) Minimum Lot Area | 0.44 hectares |
| (b) Maximum Density | 80 units per hectare |
| (c) Minimum Lot Frontage | 30.0 metres |
| (d) Minimum Front Yard | 3.0 metres |
| (e) Minimum Side Yards | 6.0 metres – Southernly
5.5 metres – Northernly |
| (f) Minimum Rear Yards | 5.5 metres |
| (g) Maximum Height | 14.5 metres |
| (h) Minimum Landscaping | 41 percent of the lot area, which includes a Children’s Play Area. |
| (i) Planting Strip | Minimum 3.0 metre wide, provided along each lot line, except along the southernly lot line where a minimum 1.5 metre wide planting strip will be required. |
| (j) Parking | 1 per dwelling unit, plus 0.25 visitor per dwelling unit. |
| (k) Accessory Buildings | The provisions of Subsection 7.18 (a) shall apply, except that an above-grade communal parking structure or building |

shall be deemed a principal building and accessory buildings shall not be located less than 1.0 metres from the southerly lot line.”

(l)

In addition to the RM5-716 Zone Provisions, no building or structure shall be erected, altered, nor extended, except on the area identified as Block 1 – Extent of building envelope on Figure 2 of Section 39: Special Figures.

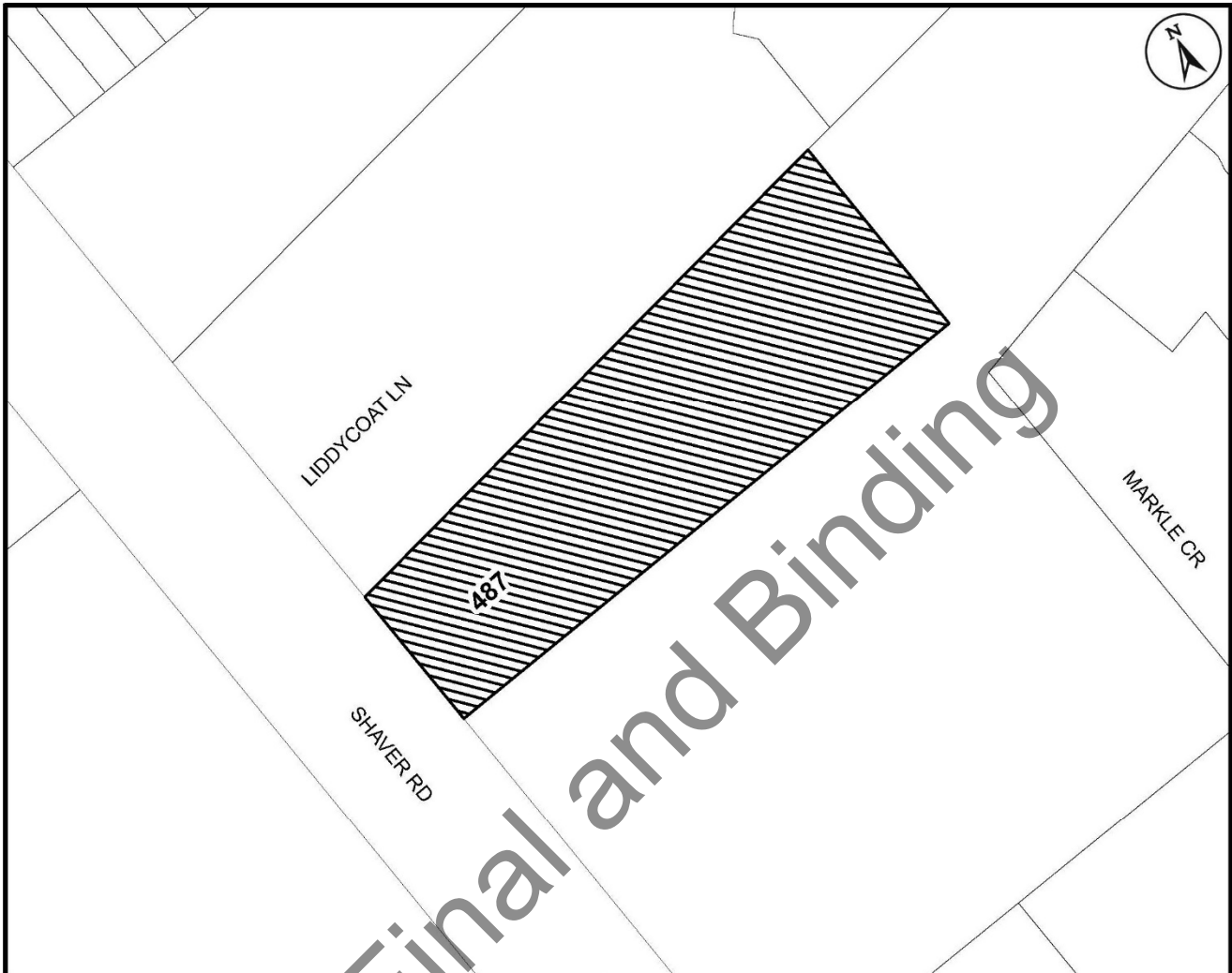
3. That SECTION 39: SPECIAL FIGURES, be amended by adding Figure 2: 487 Shaver Road, Ancaster, appended to this By-law.
4. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential Multiple “RM5” Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.
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 14th day of July, 2023

T. Hwang
Acting Mayor

A. Holland
City Clerk

ZAC-22-005



This is Schedule "A" to By-law No. 23-
 Passed the day of, 2023

 Mayor

 Clerk


Schedule "A"

Map forming Part of
 By-law No. 23- _____

to Amend By-law No. 87-57

Subject Property

487 Shaver Road, Ancaster (Ward 12)

 Change in zoning from the Rural Commercial "C5-243" Zone, Modified to the Holding Residential Multiple "RM5-716" Zone, Modified

Scale:
 N.T.S

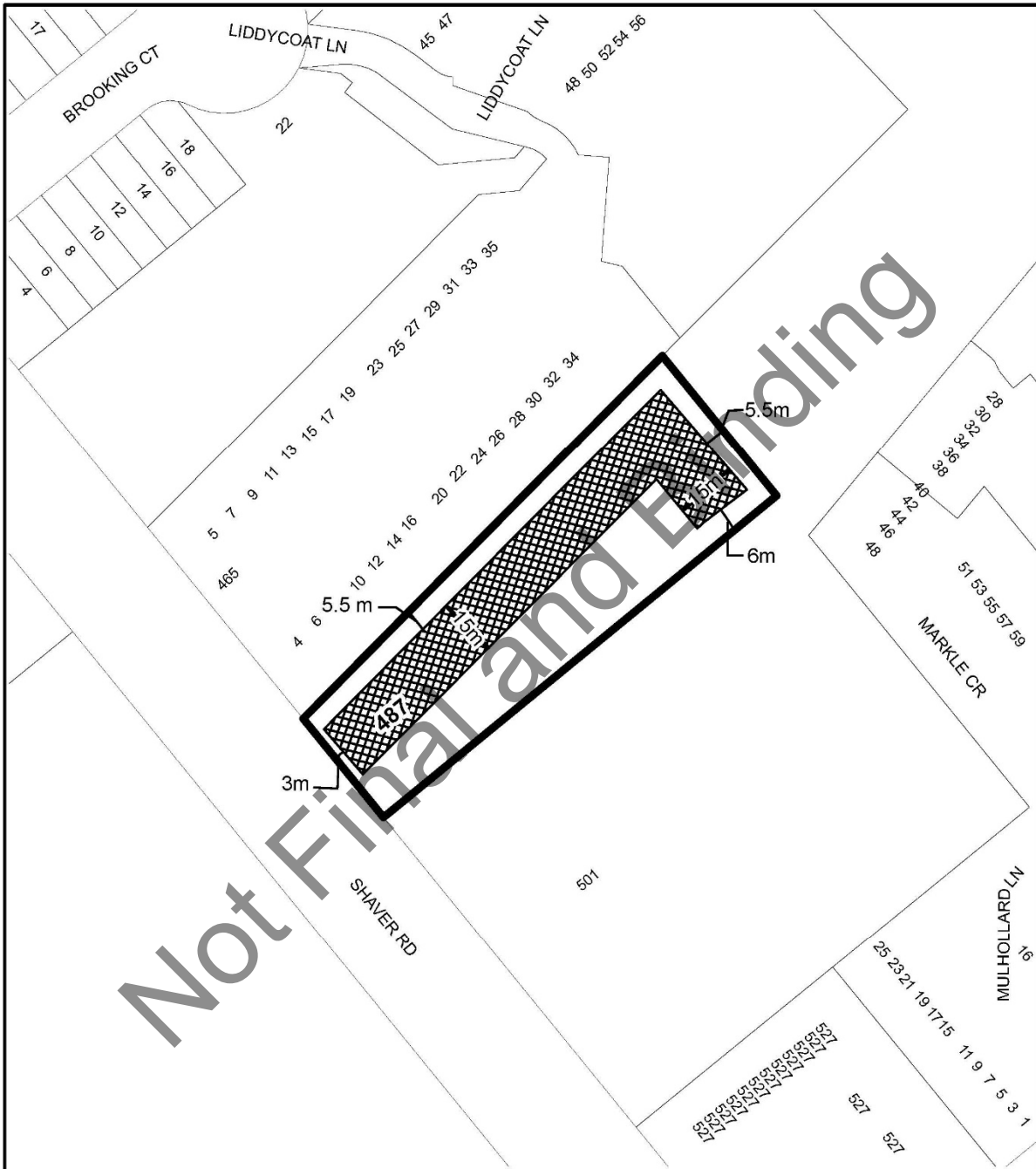
File Name/Number:
 ZAC-22-005/UHOPA-22-002

Date:
 November 17, 2021

Planner/Technician:
 MM/NB





Hamilton



Special Figure 2: 487 Shaver Road, Ancaster

Date:
 April 27, 2023

Legend

-  Subject Area - Special Exception 716
-  Block 1 - Extent of building envelope

