

**Authority:** Item 2, Planning Committee Report 24-003 (PED24027)

CM: March 27, 2024 Ward: 12

Written approval for this by-law was given by Mayoral Decision MDE-2024 07 dated March 27, 2024

**Bill No. 040**

## **CITY OF HAMILTON**

### **BY-LAW NO. 24-040**

#### **To Amend Zoning By-law No. 87-57 Respecting Lands Located at 26 Southcote 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 22<sup>nd</sup> day of June 1987, and approved by the Ontario Municipal Board on the 23<sup>rd</sup> day of January, 1989;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 2 of Report 24-003 of the Planning Committee at its meeting held on the 27<sup>th</sup> day of March 2024, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided; and,

**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 Residential “R3” Zone to the Residential Multiple “RM4-717” 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 Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following Sub-section:

#### **“RM4-717”**

That notwithstanding the provisions of subsection 17.2 (b), (e), (f), (g) for rear yards, (i), (n) and (p) for Façade to Façade of Zoning By-law No. 87-57, the following special provisions shall apply to the lands zoned “RM4-717”:

- i. PERMITTED USES:

For the purpose of the regulations contained in Sections 3, 5, 6, 7, 9 and 17 of Ancaster Zoning By-law No. 87-57, as amended by this By-law, the boundary of the “RM4-717” Zone shall be deemed to be the lot lines for this purpose, and the

regulations of the “RM4-717” Zone, including, but not limited to, lot area, density, lot frontage and depth, lot coverage, minimum yards, minimum landscaping and planting strips, parking, children’s play areas, accessory buildings, building separation, etc., shall be from the boundaries of this zone, and not from individual property boundaries of dwelling units created by registration of a condominium plan, through Consent or created by Part Lot Control.

ii. REGULATIONS

Development Regulations:

(b)	Maximum Density	36 units per hectare
(e)	Maximum Lot Coverage	45%
(f)	Minimum Front Yard	4.0 metres
(g)	Minimum Rear Yard	4.6 metres
(i)	Minimum Landscaped Area	25%
(n)	Children’s Play Area	No children’s play area shall be provided.
(p)	Building Separation	Façade to Façade shall be a minimum of 17 metres.

That notwithstanding Subsection 7.14(a)(ix)(4) of Zoning By-law No. 87-57, no parking space shall be located in a “RM4” Zone closer to any detached dwelling in a Residential Zone than 0.9 metres.

That notwithstanding Subsection 7.14(a)(xv) of Zoning By-law No. 87-57, where a parking area which is required to provide for more than four vehicles abuts a lot containing a dwelling comprising one or two dwelling units, a permanently maintained planting strip of a minimum width of 0.9 metres shall be provided.

That notwithstanding Subsection 7.14(b)(i)(B) of Zoning By-law No. 87-57, Block Townhouses shall provide 2.4 parking spaces per each dwelling unit inclusive of visitor parking spaces.

3. 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 “RM4” Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.
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 27<sup>th</sup> day of March, 2024.

---

A. Horwath  
Mayor

---

J. Pilon  
Acting City Clerk



This is Schedule "A" to By-law No. 24-  Passed the ..... day of ....., 2024	----- Mayor  ----- Clerk
---	--------------------------------------

<h2>Schedule "A"</h2> <p>Map forming Part of                  By-law No. 24-_____</p> <p>to Amend By-law No. 87-57</p>	<p><b>Subject Property</b>                  26 Southcote Road, Ancaster (Ward 12)</p> <p> Block 1 - Change in zoning from the Residential "R3" Zone to the Residential Multiple "RM4-717" Zone, Modified</p> <p> Block 2 - Refer to by-law No. 05-200</p>
--	---

Scale: N.T.S	File Name/Number: ZAC-18-056/25T-2018010	
Date: January 3, 2024	Planner/Technician: MF/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		