

**Authority:** Item 14, Planning and Economic  
Development Committee  
Report 06-002 (PED06027)  
CM: February 15, 2006

**Bill No. 033**

**CITY OF HAMILTON**

**BY-LAW NO. 06-033**

**To Amend Zoning By-law No. 87-57 (Ancaster), as amended,  
Respecting Lands Located at 159 Jerseyville Road 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";

**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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 14 of Report 06-002 of the Planning and Economic Development Committee at its meeting held on the 15<sup>th</sup> day of February, 2006, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster), approved by the Minister under the Planning Act on July 6, 1984, as amended by Official Plan Amendment No. 106 proposed by the Corporation of the City of Hamilton as By-law No. 06-032, but not yet approved in accordance with the provisions of the Planning Act;

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

1. Schedule "B", Map No. 1 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing the zoning from the Institutional "I" Zone to the:
  - (a) Private Open Space "O1-543" Zone for the lands composed of **Block "1"**;
  - (b) Private Open Space "O1-544" Zone for the lands composed of **Block "2"**; and,
  - (c) Residential "R2-545" Zone for the lands composed of **Block "3"**;

the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this by-law.

2. Section 34: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsections:

"O1-543 Notwithstanding any provisions to the contrary of Subsection 32.1 – Permitted Uses of Section 32: Private Open Space "O1" Zone, of Zoning By-law No. 87-57 (Ancaster), the following special provision shall apply to the lands zoned "O1-543":

Permitted Uses

Only conservation uses shall be permitted.

O2-544 Notwithstanding any provisions to the contrary of Subsection 32.1 – Permitted Uses of Section 32: Private Open Space "O1" Zone, of Zoning By-law No. 87-57 (Ancaster), the following special provision shall apply to the lands zoned "O2-544":

Permitted Uses

Only outdoor amenity area to a single-detached dwelling on lands zoned "R2-545" Zone shall be permitted. No buildings, structures or swimming pools, except for a tennis court, shall be permitted.

R2-545 Notwithstanding any provisions to the contrary of Subsection 11.2.2 – Regulations of Section 11: Residential "R1", "R2" and "R3" Zones, of Zoning By-law No. 87-57 (Ancaster), the following special provision shall apply to the lands zoned "R2-545":

Regulations

1. No building or structure including swimming pools, shall be located within 7.62 metres from the westerly lot line abutting the

**By-law Respecting 159 Jerseyville Road West (Page 3 of 4)**

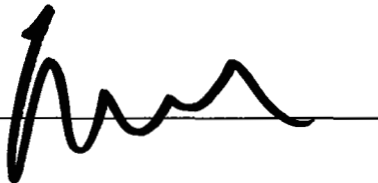
“O1-544” Zone.”

2. No fencing shall be permitted except around a swimming pool.
3. That the amending By-law be added to Map No. 1, Schedule ‘B’ of Ancaster Zoning By-law No. 87-57.
4. 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 15th

day of February, 2006.

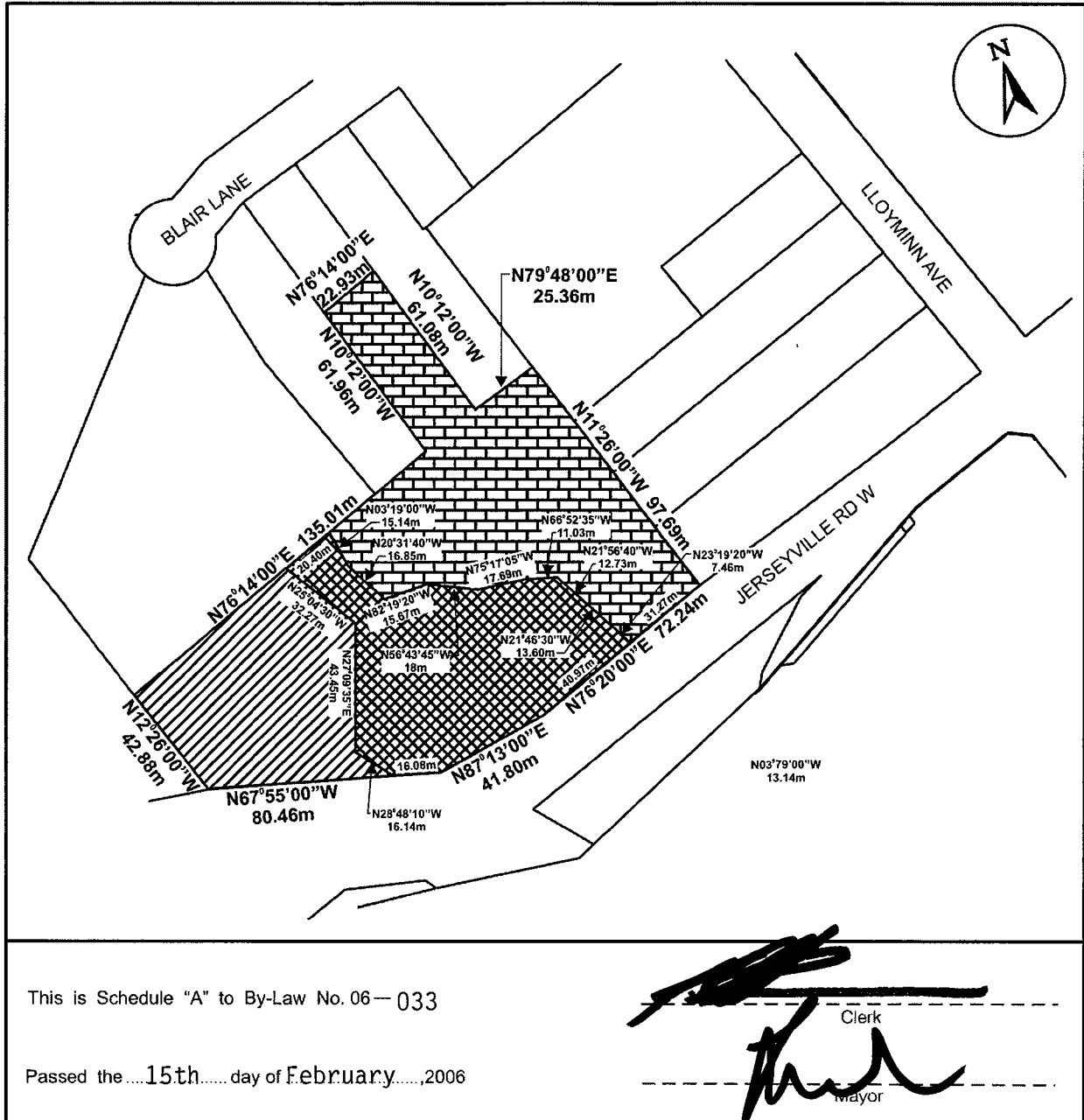
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MAYOR



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CLERK




OPA-05-05 & ZAC-05-45






# Schedule "A"


Map Forming Part of  
By-Law No. 06-033  
to Amend By-Law No. 87-57



Planning and Economic Development Department  
Hamilton

**Subject Property**  
159 Jerseyville Road West (Ancaster)

-  BLOCK 1 - Change in Zoning from Institutional "I" Zone to Private Open Space "O1-543" Zone
-  BLOCK 2 - Change in Zoning from Institutional "I" Zone to Private Open Space "O1-544" Zone
-  BLOCK 3 - Change in Zoning from Institutional "I" Zone to Residential "R2-545" Zone

	Scale: Not to Scale	File Name/Number: <b>ZAR-05-45/OPA-05-05</b>
	Date: January 5, 2006	Planner/Technician: OQ/NB

T&C File Name: