

**Authority:** Item 22, Economic Development  
and Planning Committee  
Report: 08-002 (PED08005)  
CM; January 30 , 2008

**Bill No. 016**

**CITY OF HAMILTON**

**BY-LAW NO. 08-016**

**To Amend Zoning By-law No. 87-57 (Ancaster),  
respecting lands described as being Part of Lot 9,  
Concession 3, in the former Town of Ancaster, now in  
the City of Hamilton**

**WHEREAS** the City of Hamilton Act, 1999, Statues of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1<sup>st</sup>, 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 Township of Ancaster" 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-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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;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 22 of Report 08-002 of the Economic Development and Planning Committee at its meeting held on the 30<sup>th</sup> day of January , 2008, recommended that Zoning By-law No. 87-57 (Ancaster) be amended as hereinafter provided;

**AND WHEREAS** this By-law will be in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster), upon approval of Official Plan Amendment No. 117 proposed by the City of Hamilton but not yet approved in accordance with the provisions of the Planning Act.

**By-law respecting Part of Lot 9, Concession 3, in the former Town of  
Ancaster, now in the City of Hamilton**  
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**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Map 1 to Schedule "B" of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing from the Institutional "I" Zone to the Residential Multiple "RM4-567" Zone, the lands 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 subsection:

**"RM4-567"** Notwithstanding the provisions of Section 17 in its entirety and Section 7.14 (a)(i),(ix)1 and 4,(xvi), (b)(i) and Section 9.10(a) of By-law No. 87-57 (Ancaster), the following uses and special provisions shall apply to the lands zoned "RM4-567":

Permitted Uses

- Only Single Detached Dwellings along a 6.0 metre Private Condominium road
- A Storm Water Management Pond, outfall structure and access road

Development Regulations

- |  |   |
|--|---|
| (a) Minimum Lot Area   | 2 hectares  |
| (b) Maximum Density  | 16 units per hectare                                    |
| (c) Minimum Lot Frontage   | 180 metres along Stonehenge Drive                       |
| (d) Minimum Lot Depth  | 240 metres along Kitty Murray Lane                      |
| (e) Maximum Lot Coverage   | 30 percent  |
| (f) Minimum Setback from Stonehenge Drive  | 13 metres   |
| (g) Minimum Setback from Kitty Murray Lane   | 3.5 metres from side elevation 7.5m from rear elevation |
| (h) Minimum Setback from the hypotenuse of the daylight triangle at the corner of Kitty Murray Lane and Stonehenge Drive | 19 metres   |

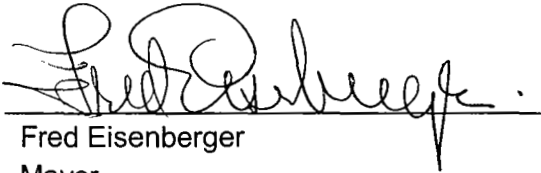
**By-law respecting Part of Lot 9, Concession 3, in the former Town of  
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- |   |   |
|---|---|
| (i) Minimum Setback from Development Limit  | 7.5 metres  |
| (j) Maximum Height  | 10.5 metres   |
| (k) Minimum Landscaping   | 45 percent  |
| (l) Parking   | 2 spaces per dwelling, plus 0.5 spaces per dwelling for visitors, and except as otherwise stated, the provisions of Section 7.14 shall apply  |
| (m) Minimum Setback from a Condominium Road   | 4.0 metres, except 6.0 metres to front face of garage<br>2.4 metres to an unenclosed porch<br>3.0 metres to a deck  |
| (n) Minimum Separation between Dwellings  | 2.4 metres  |
| (o) Fencing   | Perimeter fencing of maximum height of 1.8m   |
| (p) Decks   | Decks shall be permitted in any yard subject to the following setbacks:<br>3.75 metre setback from Kitty Murray Lane lot line<br>3.75 metres setback from the Development Limit<br>9.25 metres from the Stonehenge Drive lot line |
| (q) Accessory Buildings   | The provisions of Subsection 7.18(a) shall apply.   |
| (r) For the purpose of this Zoning By-law, the Development Limit is shown on Schedule 'A', attached hereto. |   |

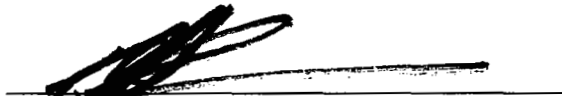
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3. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 30<sup>th</sup> day of January, 2008

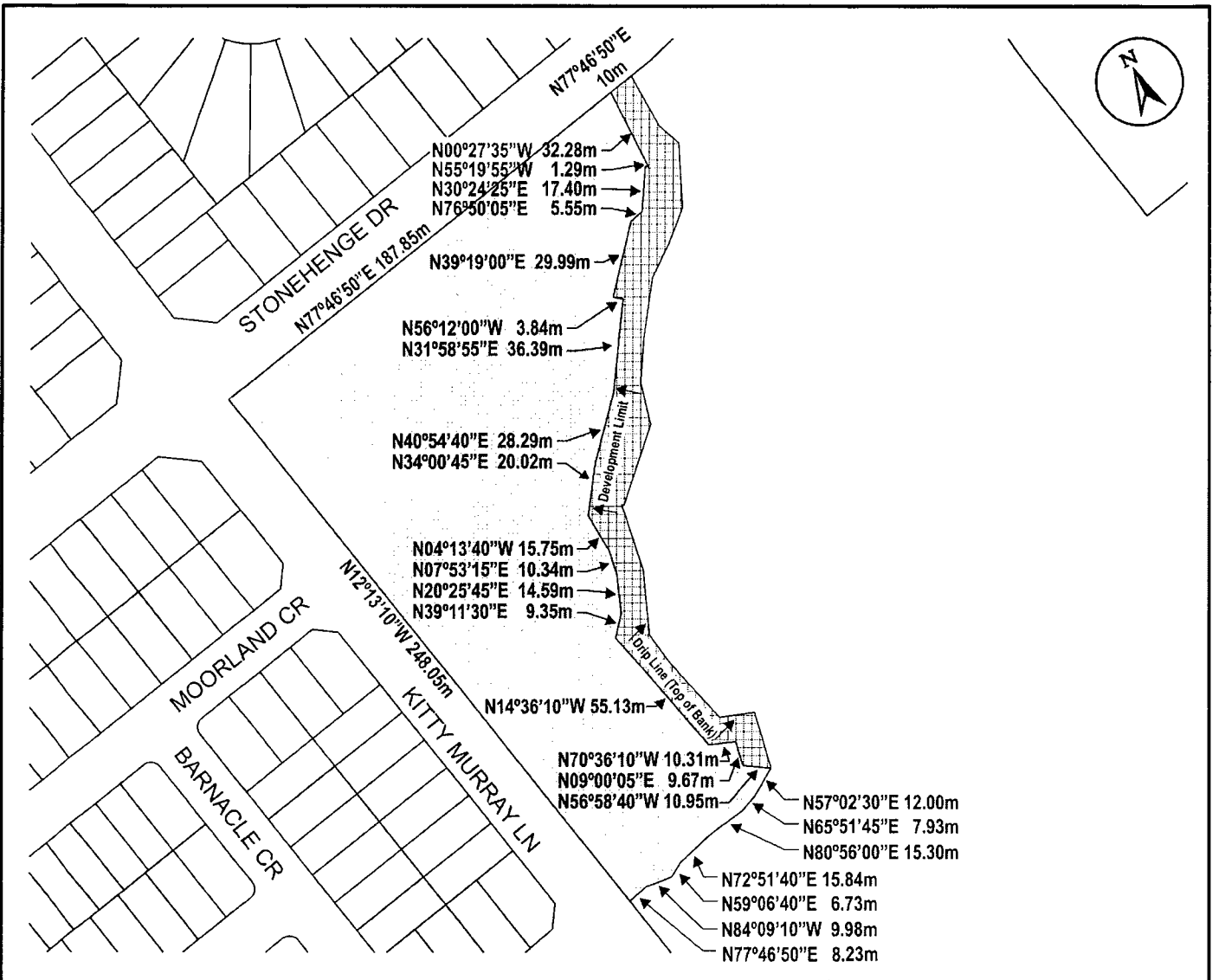


Fred Eisenberger  
Mayor



Kevin C. Christenson  
City Clerk

OPA-06-012 & ZAC-06-30



This is Schedule "A" to By-Law No. 08- 016

Passed the 30th day of January, 2008

*[Signature]*  
 Clerk  
 Mayor

## Schedule "A"

Map Forming Part of  
 By-Law No. 08- 016

to Amend By-law No. 87-57

### Subject Property

149 Stonehenge Drive



Change in Zoning from the Institutional "I" Zone to the Residential Multiple "RM4-567" Zone, Modified



Refer to By-Law 05-200

Scale:  
 N.T.S.

File Name/Number:  
 ZAC-06-112 / OPA-06-30

Date:  
 Nov. 26, 2007

Planner/Technician:  
 CT/LMM



Hamilton