

**Authority:** Item 4, Planning and Economic  
Development Committee  
Report 05-009 (PD05096)  
CM:, April 27, 2005

City of Hamilton

By-law No.05-094  
to amend By-law 82-82

(1051 Wilson Street West)

**WHEREAS** Section 11 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, confers upon Council the power to pass a By-law prescribing the height and description of lawful fences;

**AND WHEREAS** the former Town of Ancaster enacted By-law No. 82-82 prescribing the height and description of fences;

**AND WHEREAS** the City of Hamilton is the lawful successor to the former Town of Ancaster;

**AND WHEREAS** it is deemed desirable to amend By-law No. 82-82;

**AND WHEREAS** The Council of the City of Hamilton, in adopting Section 4 of Report 05-009 of the Planning and Economic Development Committee at its meeting held on the 27<sup>th</sup> day of April, 2005, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided;

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

1. Section 3 of By-law No. 82-82 is hereby amended by inserting therein a new subsection (10) as follows, namely:

“ (10) Notwithstanding subsection 3(5) above, the height of a fence measured from grade perpendicularly to the top of such fence shall not exceed 3048 mm for an outdoor garden centre associated with a retail store located on lands known municipally as 1051 Wilson Street West.”

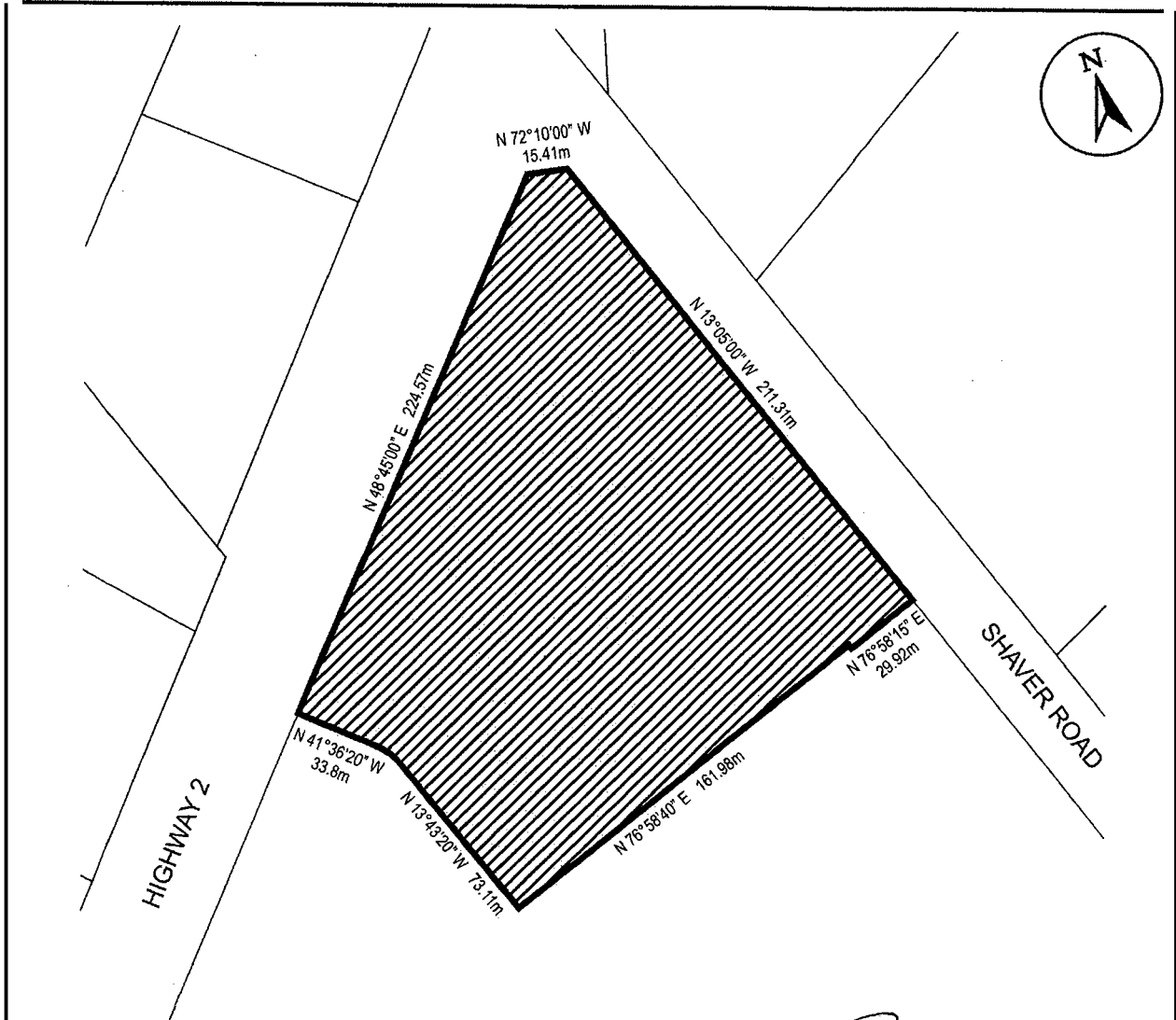
PASSED this 27<sup>th</sup> day of April, 2005.

MAYOR

A/CLERK

FB-05-01

# Schedule "A" to Ancaster Fence By-law Amendment



This is Schedule "A" to By-Law No. 05-094

Passed the 27th day of April, 2005

*[Signature]*  
Clerk  
*[Signature]*  
Mayor

## Schedule "A"

Map Forming Part of  
By-Law No. 05-094  
to Amend By-Law No 87-57

### Subject Property

1051 Wilson Street  
Amendment to By-law 82-82 to permit  
fence height for an outdoor garden  
centre to be 3.05m



North



Scale:  
Not to Scale

Date:  
March 21, 2005

File Name/Number:  
**FB-05-01**

Planner/Technician:  
CT/MC