

**Authority:** Item 13, Planning and Economic  
Development Committee  
Report 05-024 (PED05145)  
CM: November 17, 2005

**Bill No. 335**

**CITY OF HAMILTON**

**BY-LAW NO. 05-335**

**To Amend Zoning By-law No. 87-57 (Ancaster), as amended,  
Respecting Lands Located at 121 Fiddler's Green 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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 13 of Report 05-024 of the Planning and Economic Development Committee at its meeting held on the 9<sup>th</sup> day of November, 2005, 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) 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 1, of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing from the Residential Multiple "RM3-459" Zone to the following:
  - (a) to Existing Residential "ER-538" Zone, for lands comprised in Block 1;

- (b) to Existing Residential "ER-539" Zone, for lands comprised in Block 2; and,
- (c) to Existing Residential "ER-540" Zone, for lands comprised in Block 3;

the extent and boundaries of which are more particularly 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:

ER-538 Notwithstanding any provisions to the contrary of Subsection 10.2 – Regulations of Section 10: Existing Residential Zone of Zoning By-law No. 87-57 (Ancaster), the following special provisions shall apply to the lands zoned "ER-538":

Development Regulations:

- (1) Minimum Lot Frontage 17.8 metres
- (2) that all other provisions of Subsection 10.2 – Regulations of Section 10: Existing Residential Zone shall apply.

ER-539 Notwithstanding any provisions to the contrary of Subsection 10.2 – Regulations of Section 10: Existing Residential Zone of Zoning By-law No. 87-57 (Ancaster), the following special provisions shall apply to the lands zoned "ER-539":

Development Regulations:

- (1) Minimum Lot Frontage 6.0 metres
- (2) Building Setbacks
  - (a) minimum 3.5 metres from westerly lot line being the rear lot line of 121 Fiddler's Green Road
  - (b) minimum 1.5 metres from northerly lot line
  - (c) minimum 7.5 metres from easterly rear lot line
  - (d) minimum 1.5 metres from southerly side lot line

By-law respecting 121 Fiddler's Green Road (Page 3 of 4)

- (3) that all other provisions of Subsection 10.2 – Regulations of Section 10: Existing Residential Zone shall apply.

ER-540 Notwithstanding any provisions to the contrary of Subsection 10.2 – Regulations of Section 10: Existing Residential Zone of Zoning By-law No. 87-57 (Ancaster), the following special provisions shall apply to the lands zoned “ER-540”:

Development Regulations:

- |     |  |   |
|-----|--|---|
| (1) | Minimum Lot Frontage   | 6.0 metres  |
| (2) | Building Setbacks  | (a) minimum 3.5 metres from westerly side lot line<br>(b) minimum 1.5 metres from northerly lot line<br>(c) minimum 7.5 metres from easterly rear lot line<br>(d) minimum 7.5 metres from southerly side lot line |
| (3) | Planting Strip   | Minimum 1.5 metres wide along southerly side lot line   |
| (4) | Fence  | Wood privacy fence a minimum 1.8 metres and a maximum 2.2 metres in height to be provided and maintained along the southerly lot line abutting the property at 25 Douglas Road                                    |
| (5) | that all other provisions of Subsection 10.2 – Regulations of Section 10: Existing Residential Zone shall apply. |   |

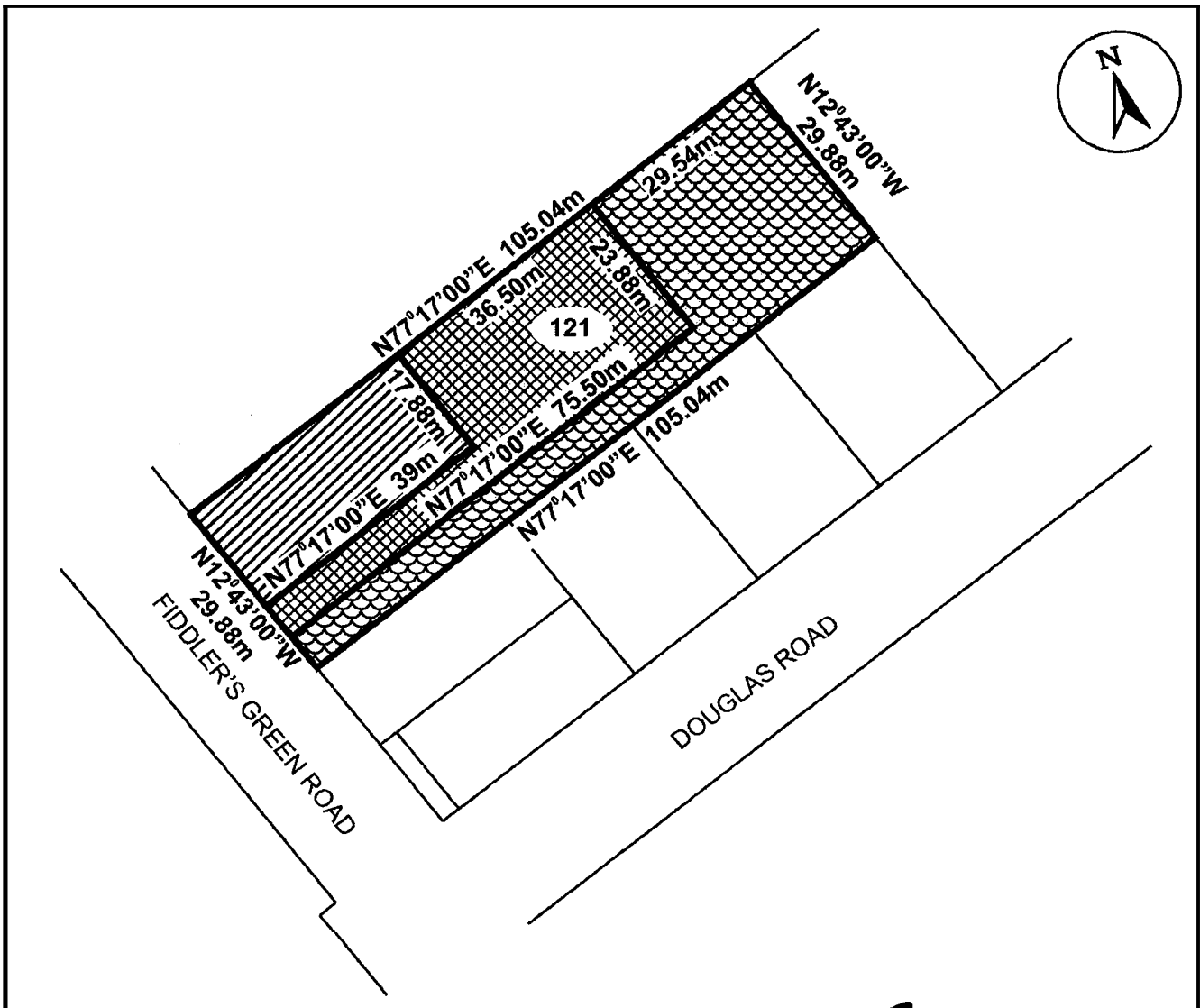
3. That the amending By-law be added to Map B of Ancaster Zoning By-law No. 87-57.
4. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 17th

day of November, 2005.

  
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MAYOR  
ZAR-05-43

  
\_\_\_\_\_  
CLERK



This is Schedule "A" to By-Law No. 05-335

Passed the 17th day of November, 2005

*[Signature]*  
Clerk

*[Signature]*  
Mayor

# Schedule "A"

Map Forming Part of  
By-Law No. 05-335  
to Amend By-Law No. 87-57

## Subject Property

121 Fiddler's Green Road



Block 1 - Change in Zoning from Residential Multiple "RM3-459" Zone to Existing Residential "ER-538" Zone



Block 2 - Change in Zoning from Residential Multiple "RM3-459" Zone to Existing Residential "ER-539" Zone



Block 3 - Change in Zoning from Residential Multiple "RM3-459" Zone to Existing Residential "ER-540" Zone