

**Authority:** Item 13, Economic Development  
and Planning Committee  
Report: 07-004 (PED07060)  
CM: February 28, 2007

**Bill No. 060**

**CITY OF HAMILTON**

**BY-LAW NO. 07-060**

**To Amend Zoning By-law No. 87-57,  
Respecting Lands Located at 1718 Wilson Street West (Ancaster)**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 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 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 13 of Report 07-004 of the Economic Development and Planning Committee at its meeting held on the 28<sup>th</sup> day of February, 2007, 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 former Town of Ancaster, upon approval of Official Plan Amendment No. 113:

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

1. Map 2 to Schedule "A" of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing from the Agricultural "A" Zone to the following:
  - (a) Holding Agricultural "H-A-554" Exception Zone, for lands comprised in **Block "1"**; and,
  - (b) Private Open Space "O1-556" Exception Zone, for lands comprised in **Blocks "2"; "3" and "4"**;

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:

**H-A-554**

- (1) That notwithstanding Section 8.1, only the following uses shall be permitted:

All recreational, commercial, livestock and public uses related to the Agricultural Fairgrounds, with the following additional uses to be permitted;

- (a) Public Hall;
  - (b) Craft shows, trade shows and related uses;
  - (c) Animal shows and training;
  - (d) Auctions;
  - (e) Farmers' Market;
  - (f) Indoor storage associated with the Ancaster Agricultural Fair; and
  - (g) Agricultural Education Programs.
- (2) All permitted uses identified in Section 2, Subsection (1) shall be subject to the following:

Development Regulations:

- (a) Maximum Lot Coverage: 5%

- (b) Maximum Building Height: 16.0 metres
- (c) Minimum Setback from the southerly lot line: 7.0 metres
- (d) No building, or structures shall be permitted within 30.0 metres of the Private Open Space "O1-556" Exception Zone.
- (e) A landscaped area having a minimum width of 38.1 metres shall be provided and maintained along the westerly lot line abutting the property at 1772 Wilson Street West.
- (f) All other provisions of Zoning By-law No. 87-57 as applicable to the Agricultural "A" Zone shall apply.

(3) That the 'H' symbol shall only be removed conditional upon:

- a) The owner conducting an archaeological assessment of the entire development property and mitigating, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found to the satisfaction of the Ministry of Culture, and the Manager of Development Planning; and,
- b) The owner addressing all issues relating to the servicing of the subject property, to the satisfaction of the Ministry of the Environment, the Director of Building and Licensing, and/or the Director of Public Health Services.

City Council may remove the 'H' symbol and, thereby give effect to the Agricultural "A-554" Exception Zone, by enactment of an amending By-law once the above conditions have been satisfied.

**O1-556** That notwithstanding Section 32, only the following uses shall be permitted:

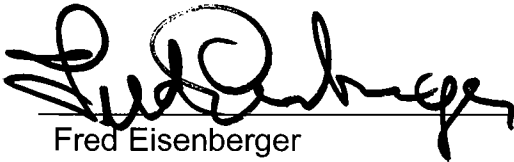
- (1) (a) Conservation and Open Space.

- 3. That the amending By-law be added to Map 2 to Schedule "A" of Ancaster Zoning By-law No. 87-57.
- 4. The Clerk is hereby authorized and directed to proceed with the giving of notice

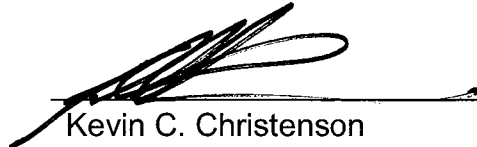
of the passing of this By-law, in accordance with the Planning Act.

5. This By-law No. 07-060 shall come into force and be deemed to come into effect in accordance with subsection 34(21) of the Planning Act either upon the date of passage of this By-law or as otherwise provided by the said subsection.

**PASSED and ENACTED** this 28<sup>th</sup> day of February, 2007.

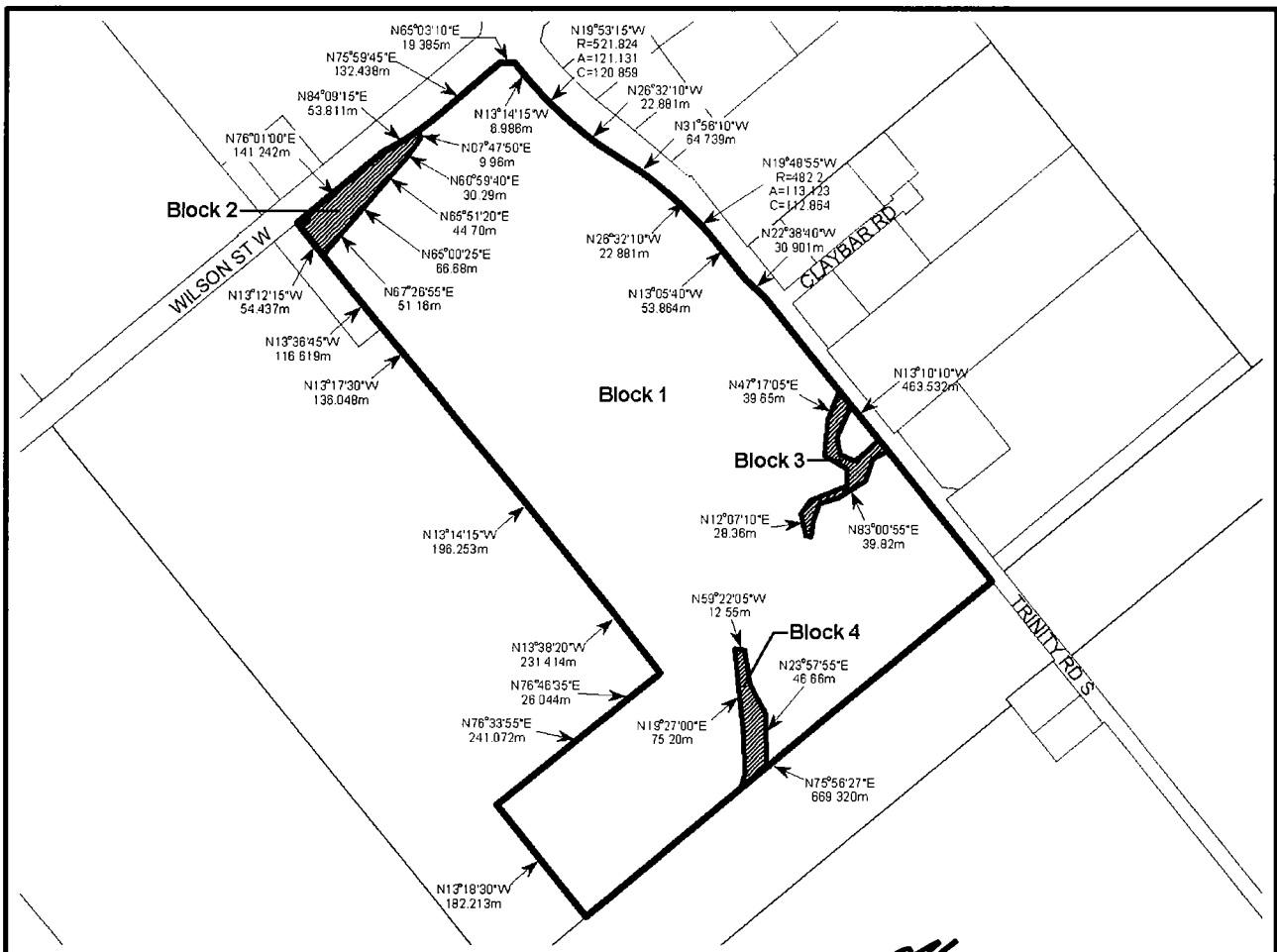


Fred Eisenberger  
Mayor



Kevin C. Christenson  
City Clerk

OPA-06-19 & ZAC-06-72



This is Schedule "A" to By-Law No. 07- 060

Passed the 28th day of February, 2007

Clerk

*[Signature]*

Mayor

**Schedule "A"**


**Map Forming Part of**

**By-Law No. 07- 060**

to Amend By-law No. 87-57

**Subject Property**  
1718 Wilson Street West

Block 1 - Change in zoning from the Agricultural "A" Zone to the Holding Agricultural "H-A-554" Exception Zone  
 Blocks 2, 3 & 4 - Change in zoning from the Agricultural "A" Zone to the Private Open Space "O1-556" Exception Zone

Scale: N.T.S.	File Name/Number: ZAC-06-72 / OPA-06-19	 <b>Hamilton</b>
Date: Nov. 27, 2006	Planner/Technician: SM/MC	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		