

**Authority:** Item 19, Economic Development  
and Planning Committee  
Report: 09-015 (PED09182)  
CM: July 9, 2009

**Bill No. 159**

## **CITY OF HAMILTON**

### **BY-LAW NO. 09-159**

#### **To Amend Zoning By-law No. 87-57 (Ancaster), respecting lands located at 431 Kitty Murray Lane (Ancaster)**

**WHEREAS** the City of Hamilton Act, 1999, Statutes 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 Town 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;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> 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 19 of Report 09-015 of the Economic Development and Planning Committee, at its meeting held on the 6<sup>th</sup> day of July, 2009, 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.

**By-law No. 87-57 (Ancaster), respecting  
lands located at 431 Kitty Murray Lane, Ancaster**

(Page 2 of 3)

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

1. That Map 1 of Schedule "B" of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing the zoning from the Agricultural "A" Zone to the Existing Residential "ER-588" Zone, Modified, on the lands, the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this by-law.
2. That Section 34: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsection:

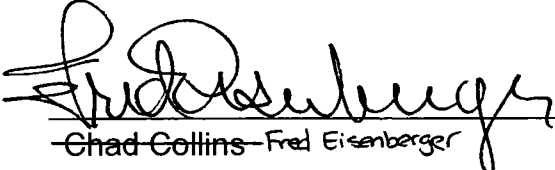
**"ER-588"**

That notwithstanding the provisions of Subsections 10.2 (b) and (e) "Regulations" of Section 10: Existing Residential "ER" Zone, the following special provisions shall apply to lands zoned "ER-588":

Regulations:

- |     |                      |            |
|-----|----------------------|------------|
| (b) | Minimum Side Yard    | 1.2 metres |
| (e) | Minimum Lot Frontage | 17 metres  |
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 9<sup>th</sup> day of July, 2009

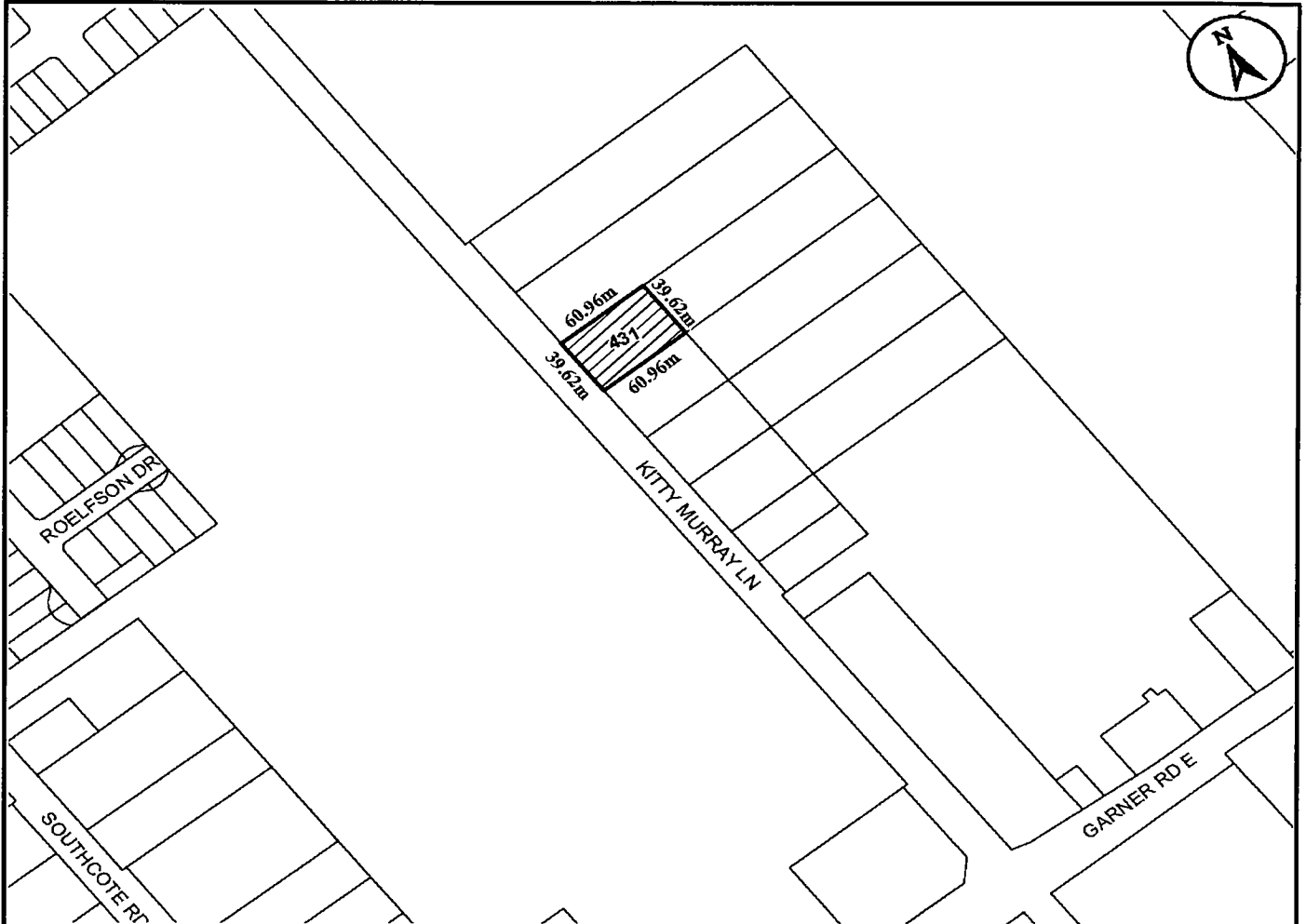
  
-Chad Collins-Fred Eisenberger  
-Acting Mayor

  
Kevin C. Christenson  
City Clerk

ZAR-09-011

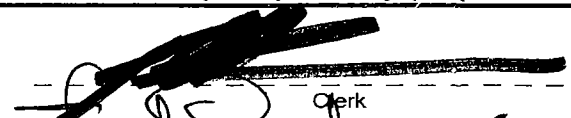
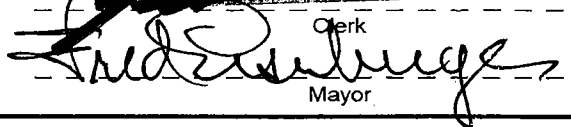
**By-law No. 87-57 (Ancaster), respecting  
lands located at 431 Kitty Murray Lane, Ancaster**

(Page 3 of 3)



This is Schedule "A" to By-Law No. 09-159

Passed the 9th day of July, 2009

  
 Clerk  
  
 Mayor

**Schedule "A"**

Map Forming Part of  
By-Law No. 09-159

to Amend By-law No. 87-57

**Subject Property**

431 Kitty Murray Lane, Ancaster



Change in Zoning from the Agricultural "A" Zone to the Existing Residential "ER-588" Zone, Modified.

Scale: N.T.S.	File Name/Number: ZAR-09-011
Date: May 25, 2009	Planner/Technician: TL/NB
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

