

**Authority:** Item 10, Planning Committee  
Report: 11-011 (PED11010(a))  
CM: June 15, 2011

**Bill No. 160**

## **CITY OF HAMILTON**

### **BY-LAW NO. 11-160**

#### **To Amend Zoning By-law No. 87-57 Respecting Lands Located at 1541 Fiddlers Green Road, in the former Town of Ancaster, now in the City of Hamilton**

**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 area 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 10 of Report 11-011 of the Planning Committee, at its meeting held on the 7<sup>th</sup> day of June, 2011, recommended that Zoning By-law No. 87-57, 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. That Map 2 of Schedule "A", appended to and forming part of By-law No. 87-57 (Ancaster), as amended, is hereby further amended by changing the zoning

from the Agriculture "A" Zone to the Agriculture "A-625" Zone, Modified, with a Special Exception, on the lands the extent and boundaries of which are more particularly shown on Schedule "A" annexed hereto and forming part of this by-law.

2. That Section 34: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding the following:

A-625 As permitted under the temporary use provisions of Section 39 of the Planning Act, R.S.O. 1990 for a period of three (3) years from the date of the passing of this by-law, on the lands zoned Agriculture "A-625", the following special provisions shall apply:

- (a) Notwithstanding the provisions of Section 8.1 of the Agricultural "A" Zone, the following uses shall also be permitted:
  - i) outdoor golf driving range; and,
  - ii) outdoor soccer field.
- (b) Notwithstanding the provisions of Section 8.2: Regulations of the Agricultural "A" Zone, the provisions of Section 32.2: Regulations of Section 32: Private Open Space "O1" Zone shall apply to both the outdoor golf driving range and the outdoor soccer field.
- (c) Notwithstanding Sub-section 3.120 of the Definitions Section, an outdoor golf driving range shall be considered a Recreational Use.
- (d) Notwithstanding Sub-section 7.14(a)(xiii) of the General Provisions Section, the parking area for an outdoor golf driving range and outdoor soccer field shall be constructed with a permeable surface.
- (e) Notwithstanding Sub-section 7.14(a)(xiv) of the General Provisions Section, lighting shall not be provided for the parking area, the outdoor golf driving range, or the outdoor soccer field.

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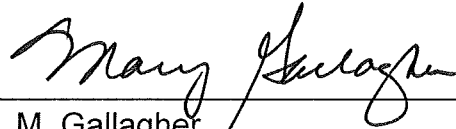
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED** this 15<sup>th</sup> day of June, 2011.



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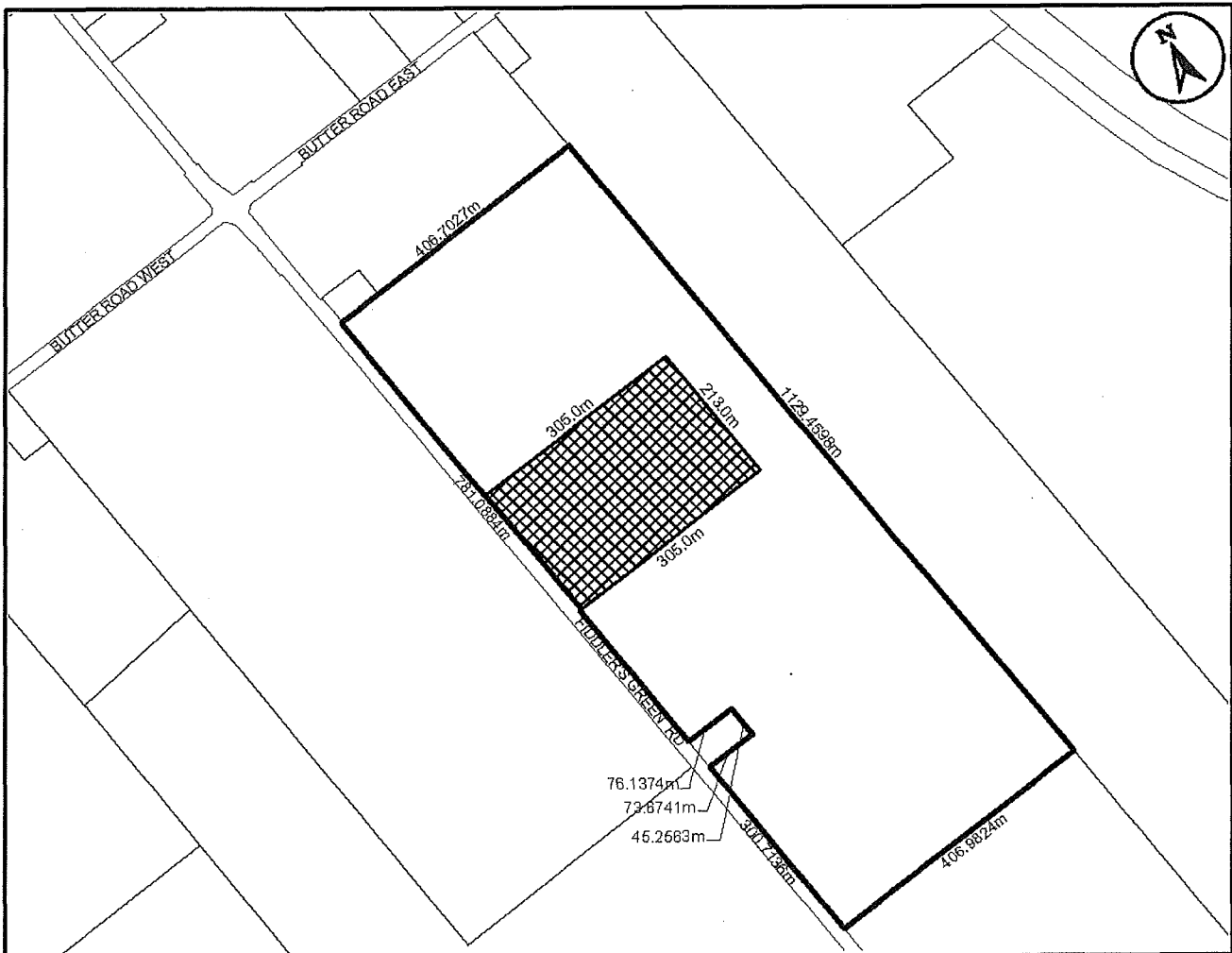
R. Bratina  
Mayor



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M. Gallagher  
Acting City Clerk

ZAR-10-034





This is Schedule "A" to By-Law No. 11-160  
Passed the 15 day of June, 2011

*Mary George*  
Clerk  
*R. Bratina*  
Mayor

### Schedule "A"

Map Forming Part of  
By-Law No. 11-160  
to Amend By-law No. 87-57

#### Subject Property

-  1541 Fiddlers Green Road
-  Change in Zoning from the Agricultural "A" Zone to the Agricultural "A-625" Zone Modified, with a Special Exception

Scale: N.T.S.	File Name/Number: ZAR-10-034
Date: April 13, 2011	Planner/Technician: KM/NB
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

