

Authority: Item 19, Planning and Economic
Development Committee
Report ; 05-008 (PD05062)
CM: April 13, 2005

Bill No. 191

CITY OF HAMILTON

BY-LAW NO. 05-191

**To Amend Zoning By-law No. 87-57 (Ancaster) Respecting Lands
Located on Part of Lots 24 and 25, Concession 2,
known municipally as 1928 Powerline Road**

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

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;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 19 of Report 05-008 of the Planning and Economic Development Committee at its meeting held on the 13th 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. Map 1 to Schedule "A" of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing the zoning of the lands that are known municipally as 1928 Powerline Road, located on Part of Lots 24 and 25, Concession 2, from the Agricultural "A" Zone to a modified Agricultural "A-491" Zone

'A-491 located on Part of Lots 24 and 25, Concession 2' (see Map 1 to Schedule A)

PERMITTED USES

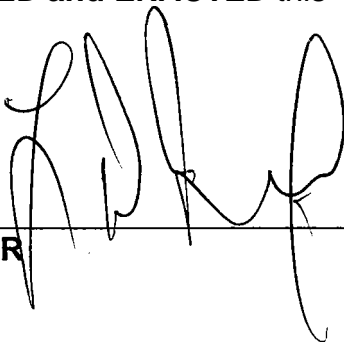
Notwithstanding the uses permitted in Section 8.1, the original dwelling shall be permitted as a second dwelling on the property as a temporary use.

ZONE PROVISIONS


In accordance with the regulations provided in Section 8.2 with the following addition:

- (1) Temporary Use - The temporary use of the original dwelling as a second dwelling may be permitted for a maximum period of three years from the date of passing of the amending By-law. Upon expiration of the by-law, if both houses do not derive their income from the farm operation at 1928 Powerline Road, as determined by the Agricultural and Rural Affairs Advisory Committee, the secondary residential dwelling shall be demolished within 60 days.
2. 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.

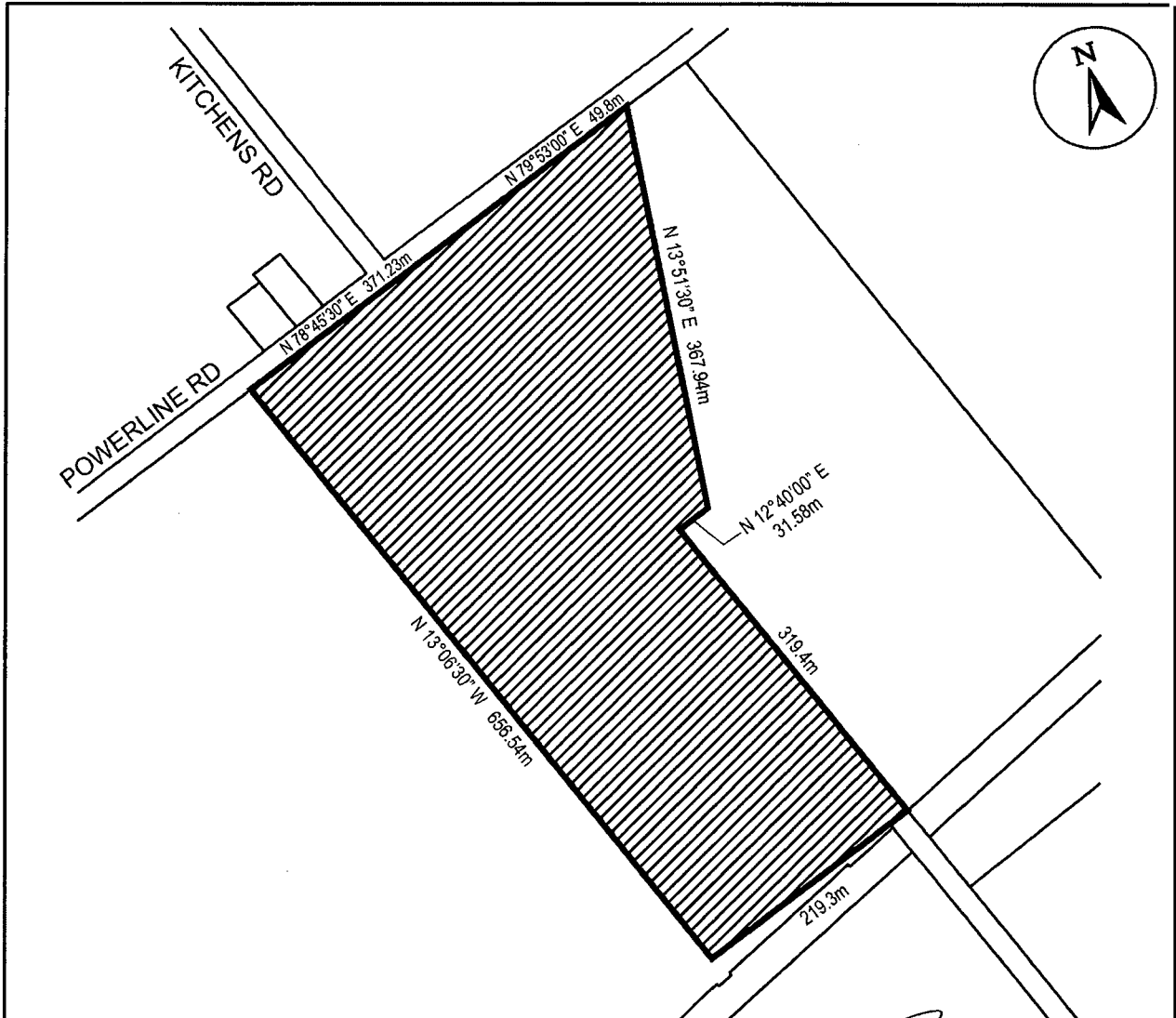
PASSED and ENACTED this 29th day of June, 2005.



MAYOR



CLERK



This is Schedule "A" to By-Law No. 05— 191

Passed the 29th day of June, 2005

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 05-191
to Amend By-Law No. 87-57

Subject Property



Change in Zoning from Agricultural "A" Zone to modified Agricultural "A-504" Zone.



Hamilton

North



Scale:
Not to Scale

Date:
February 17, 2005

File Name/Number:
ZAR-03-75

Planner/Technician:
CT/MC