

Authority: Item 15, Economic Development
and Planning Committee
Report 07-003 (PED07038)
CM: February 15, 2007

Bill No. 046

CITY OF HAMILTON

BY-LAW NO. 07-046

**To Amend Zoning By-law No. 87-57, (Ancaster)
Respecting Lands Located at 144 McNiven 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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, which by-law was approved by the Ontario Municipal Board by Order dated the 23rd day of January 1989;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 15 of Report 07-003 of the Economic Development and Planning Committee at its meeting held on the 15th day of February, 2007, 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 in accordance with the provisions of the Planning Act;

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

1. That Exception "R5-456" of Section 34: Exceptions of By-law 87-57 be amended by adding the following thereto:

Notwithstanding any provisions to the contrary of Sections 3 or 13 of Zoning By-law No. 87- 57, as amended, the following provisions shall also apply to

By-law Respecting 144 McNiven Road, Ancaster

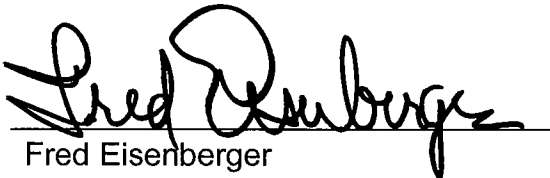
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the lands described as Part of Lot 47, Concession 2, municipally known as 144 McNiven Road:

- a) Permitted uses: A Triplex Dwelling shall be permitted only within the building existing on the date of the passing of this By-law, being the _____ day of _____, 2007.
- b) Definition: "Dwelling, Triplex" shall mean a building divided horizontally or vertically or a combination thereof, into three dwelling units.
- c) Minimum lot frontage for a Triplex Dwelling: 22.4 metres
- d) Minimum lot area for a Triplex Dwelling: 1,300 square metres
- e) Parking for a Triplex Dwelling: Minimum 2 parking spaces per unit.

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 15th day of February, 2007.

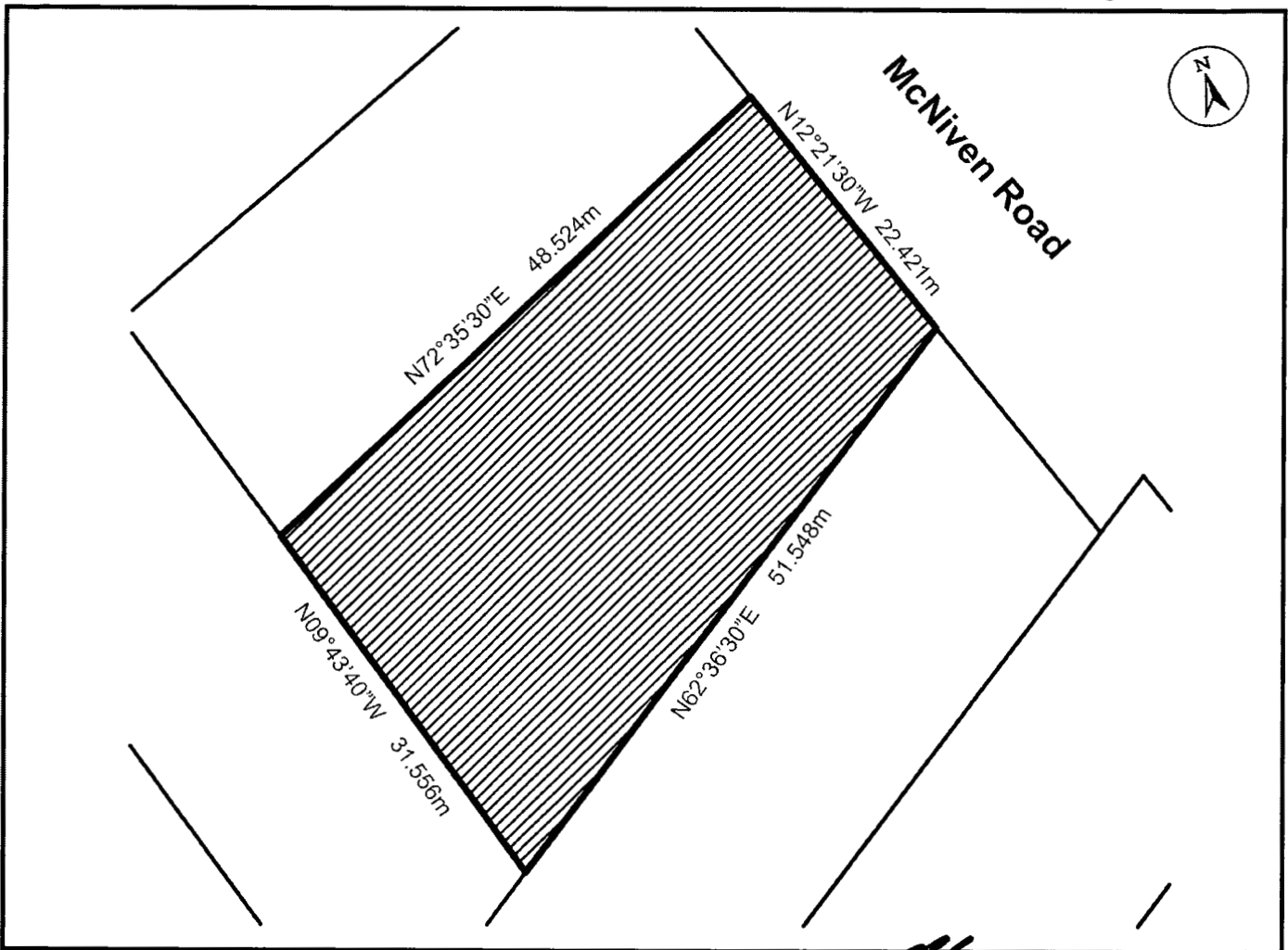


Fred Eisenberger
Mayor



Kevin C. Christenson
Clerk

ZAR-06-60



This is Schedule "A" to By-Law No 07-046

Passed the .15th... day of ...FEBRUARY....., 2007

[Signature]
 Clerk
 Mayor

Schedule "A"

Map Forming Part of By-Law No. 07-046

to Amend By-law No. 87-57

Subject Property



144 McNiven Rd
 Further Modification to the "R5-456"
 (Residential) Zone.

Scale:
 N.T.S.

File Name/Number:
 ZAR-06-60

Date:
 December 6, 2006

Planner/Technician:
 SB/LC



Hamilton