

**Authority:** Item 12, Planning and Economic  
Development Committee  
Report 05-008 (PD05086)  
CM: April 13, 2005

**Bill No. 083**

## **CITY OF HAMILTON**

### **BY-LAW NO. 05-083**

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended  
Respecting lands located at 43 Bayview Avenue**

**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 Flamborough" 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 90-145-Z (Flamborough) was enacted on the 5<sup>th</sup> day of November 1990, and approved by the Ontario Municipal Board on the 21<sup>st</sup> day of December, 1992;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Section 12 of Report 05-005 of the Planning and Economic Development Committee at its meeting held on the 13<sup>th</sup> day of April, 2005, recommended that Zoning By-law No. 90-145-Z (Flamborough), 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 Flamborough), approved by the Minister under the Planning Act on September 27th, 1988.

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

1. Schedule No. "A-30" attached to and forming part of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by changing the zoning from Urban Residential (Single Detached) 'R1-6' Zone to Urban Residential (Single Detached) 'R1-28' Zone on the lands being Lot 31, Registered Plan No. 777 (Geographic Township of East Flamborough), municipally known as 43 Bayview Avenue, more particularly shown on Schedule 'A' attached hereto and forming part of this By-law.
2. Section 6 – Urban Residential (Single Detached) 'R1' Zone of Zoning By-law No. 90-145-Z, is hereby amended by adding the following subsection:

"6.3.28 'R1-28' (See Schedule A-30)

Permitted Uses

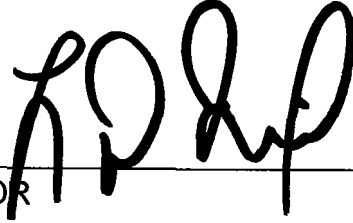
- (a) Single detached dwelling

Zone Provisions

- (a) Lot Frontage (minimum): 21.0m
- (b) Lot Area (minimum): 669.0m<sup>2</sup>
- (c) Front Yard (minimum):
  - (i) 6.8m for a Single Detached Dwelling existing on the lands as of the date of the passing of B-law No. \_\_\_\_\_
  - (ii) 7.5m for any other Single Detached Dwelling.
- (d) Interior Side Yard (minimum): 3.0m
- (e) Lot Coverage (maximum): 25%
- (f) Height (maximum): 8.2m
- (g) All other provisions of Section 6.2, 'R1' Zone shall apply."

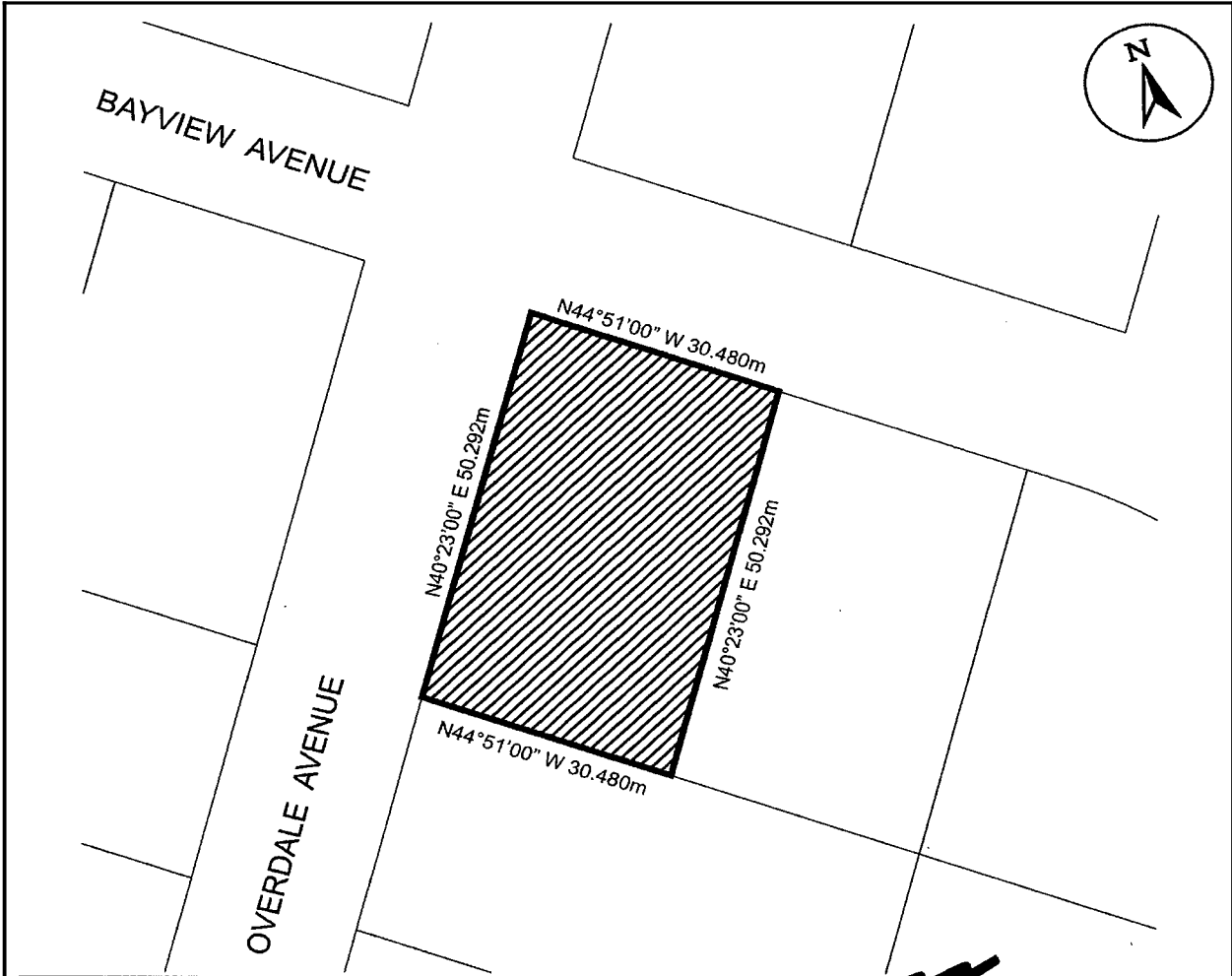
3. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Plannina Act.

**PASSED and ENACTED** this 13<sup>th</sup> day of April, 2005.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK

ZAR-05-01



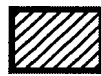
This is Schedule "A" to By-Law No. 05— 083

Passed the 13th day of April, 2005

*[Signature]*  
 Clerk  
*[Signature]*  
 Mayor

# Schedule "A"

Map Forming Part of  
 By-Law No. 05-~~083~~  
 to Amend By-Law No. 90-145-Z



## Subject Property

43 Bayview Avenue  
 Change in Zoning from Urban Residential (Single Detached) "RI-6 Zone to Urban Residential (Single Detached) "R1-28" Zone



Scale:  
 Not to Scale  
 Date:  
 January 2005

File Name/Number:  
**ZAR-05-01**  
 Planner/Technician:  
 SM/MZ