

Authority: Item 13, Planning and Economic Development Committee Report; 05-010 (PD05084)
CM: May 11, 2005

Bill No. 117

CITY OF HAMILTON

BY-LAW NO. 05-117

To Amend Zoning By-law No. 90-145-2 (Flamborough), respecting lands described as being Part of Lot 5, 6th Concession Road East (East Flamborough), in the former Town of Flamborough, 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 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 Township of Flamborough" 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;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. 90-145-Z (Flamborough) was enacted on the 5th day of November, 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 13 of Report 05-010 of the Planning and Economic Development Committee at its meeting held on the 11th day of May, 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, as amended by Official Plan Amendment No.99 to the former Town of Flamborough Official Plan, proposed by the City of Hamilton, but not yet approved in accordance with the provisions of the Planning Act.

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

1. That Schedule "A-5", appended to and forming part of By-law No. 90-145-Z (Flamborough), be amended as follows:

A By-law respecting Part of Lot 5, Concession 6 (East Flamborough), (Flamboro Springs) 2

- (a) by changing Block "1" from Agricultural "A" Zone to Conservation Management "CM" Zone; and,
- (b) by changing Block "2" from Agricultural "A" Zone to a modified Rural Industrial "M3-16" Zone

the lands, the extent and boundaries of which are shown on a plan attached to and forming part of this By-law as Schedule "A".

2. That Section 31 - Rural Industrial Zone of Zoning By-law No. 90-145-Z (Flamborough) is hereby amended by adding thereto the following subsection:

"31.3.16 'M3-16' (see Schedule A-5)

Permitted Uses:

Only the following uses shall be permitted:

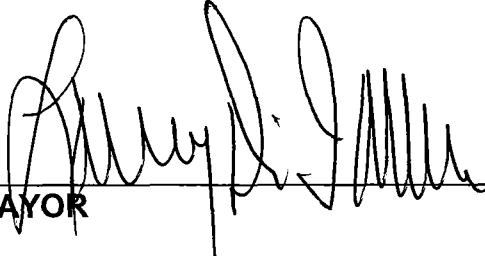
- (a) Water bottling plant and indoor accessory uses

Zone Provisions:

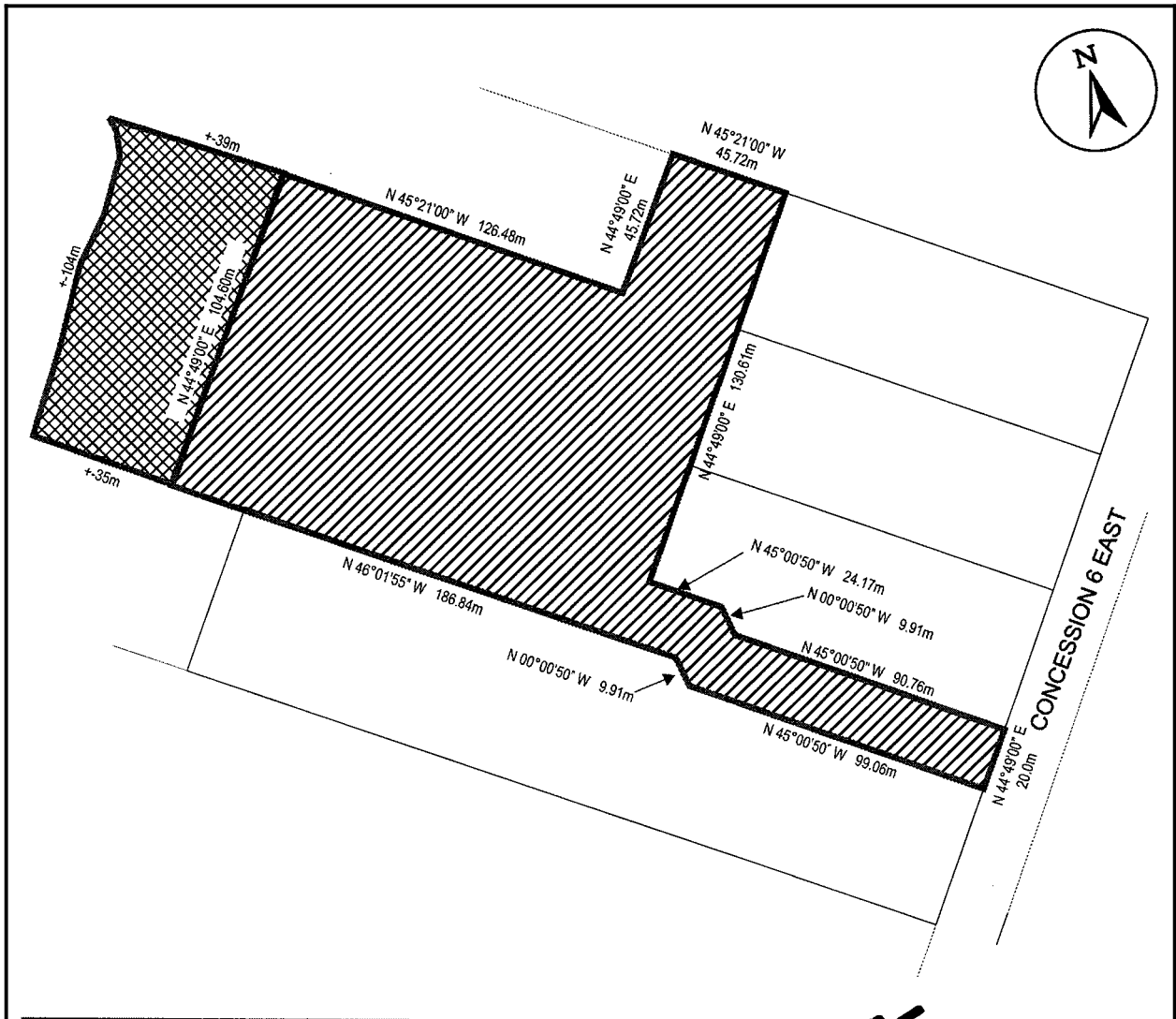
- (a) Minimum Lot Frontage..... 20 metres
- (b) Maximum Lot Coverage..... ..20%
- (c) Minimum east side yard 0.0 metres
- (d) No open storage shall be permitted
- (e) No accessory buildings or structures shall be permitted
- (f) All other provisions of Subsection 31.2 ('M3' Zone) shall apply"

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 Planning Act.

PASSED and ENACTED this 11th day of May, 2005.


MAYOR


CLERK



This is Schedule "A" to By-Law No 05-117

Passed the 11th day of May, 2005

~~_____~~
 Clerk

 Mayor

Schedule "A"

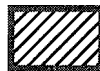
Map Forming Part of
 By-Law No. 05-117
 to Amend By-Law No. 90-145-Z



Subject Property



Block 1- Change in Zoning from Agriculture "A" Zone to Conservation Management "C M" Zone



Block 2- Change in Zoning from Agriculture "A" Zone to Modified Rural Industrial "M3-16" Zone.

North



Scale:
 Not to Scale

Date:
 April 2005

File Name/Number:
ZAC-02-47

Planner/Technician:
 CT/LC