

Authority: Item 10, Planning and Economic
Development Committee
Report: 06-014 (PED06222)
CM: August 9, 2006

Bill No. 237

**CITY OF HAMILTON
BY-LAW NO. 06-237**

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended
Respecting Lands Located at 146 Dundas Street East (Flamborough)**

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 municipality known as the "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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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. 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 10 of Report 06-014 of the Planning and Economic Development Committee at its meeting held on the 9th day of August, 2006, 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) in accordance with the provisions of the Planning Act;

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), is hereby amended:
 - (i) by changing the zoning from the Urban Residential (Single Detached) "R1-6" Zone to the Urban Residential (Single Detached) "R1-32" Zone for **Block "1"**; and

- (ii) by changing the zoning from the Urban Residential (Single Detached) "R1-6" Zone to the Urban Residential (Single Detached) "R1-33" Zone for **Block "2"**;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule 'A' 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 subsections:

6.3.32 R1-32 (See Schedule A-30)

Permitted Uses

- (a) Subsection 6.1 shall apply.

Zone Provisions

- | | | |
|-----|---|-------------------|
| (a) | Lot Area (minimum) | 920 square metres |
| (b) | Lot Frontage (minimum): | 22.8 metres |
| (c) | Height (maximum) | 8.2 metres |
| (d) | Lot Coverage (maximum) | 21% |
| (e) | Interior Side Yard (minimum) | 3 metres |
| (f) | Rear Yard (minimum): | 5.5 metres |
| (g) | Floor Space (maximum) | |
| | 1 storey | 186 square metres |
| | 1-1/2 storeys | 186 square metres |
| | 2 storeys | 372 square metres |
| (h) | For the accessory structure, being a wood deck, existing on the day of the passing of this by-law, being the 9th day of August, 2006, a minimum rear yard setback of 0.5 metre shall be required. | |
| (i) | A 1.8 metre high solid privacy fence shall be erected along the northerly side lot line of the subject property. | |

- (j) All other zone provisions of Section 6.2 shall apply.

6.3.33 R1-33 (See Schedule A-30)

Permitted Uses

- (a) Subsection 6.1 shall apply.

Zone Provisions

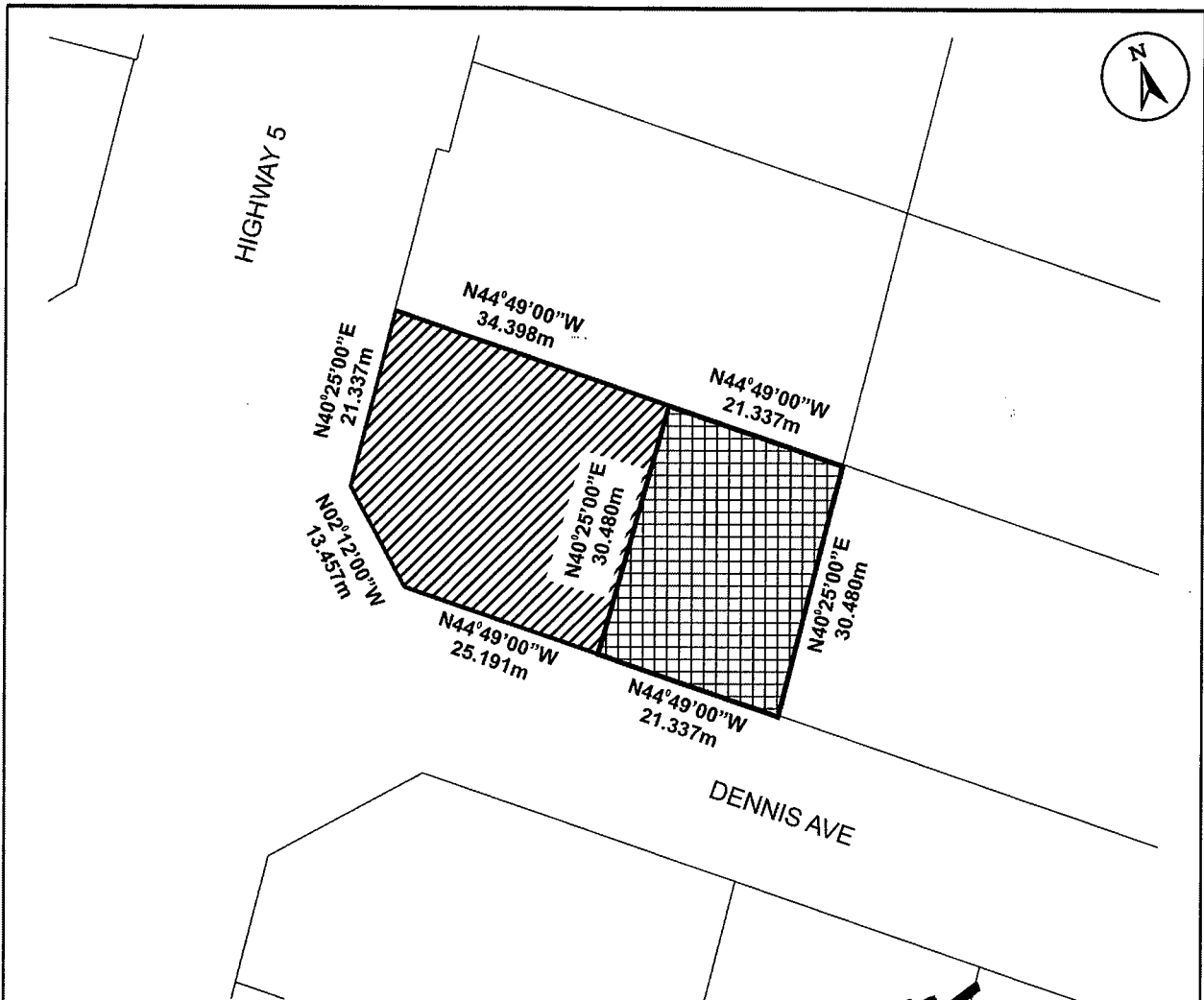
- | | |
|---|---------------------|
| (a) Lot Frontage (minimum): | 21.0m |
| (b) Lot Area (minimum): | 652.0m ² |
| (c) Height (maximum) | 8.2 metres |
| (d) Lot Coverage (maximum): | 32% |
| (e) Floor Space (maximum) | |
| 1 storey | 233 square metres |
| 1-1/2 storeys | 233 square metres |
| 2 storeys | 372 square metres |
| (f) A solid 1.8 metre high privacy fence shall be provided along the North lot line | |
| (g) All other zone provisions of Section 6.2 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 9th day of August, 2006.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 06—237

Passed the9th day ofAugust.....,2006

[Handwritten Signature]
 Clerk

 Mayor

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Schedule "A"

Map Forming Part of
 By-law No. 06- 237

to Amend By-law No. 90-145-Z

Subject Property

146 Dundas St E



Block 1 - Change in zoning from the Urban Residential (Single Detached) "R1-6" Zone to the Urban Residential (Single Detached) "R1-32" Zone.



Block 2 - Change in zoning from the Urban Residential (Single Detached) "R1-6" Zone to the Urban Residential (Single Detached) "R1-33" Zone.

Scale:
Not to Scale

File Name/Number:
ZAR-06-38

Date:
July 5, 2006

Planner/Technician:
DF/LC

