

**Authority:** Item 10, Planning and Economic  
Development Committee  
Report: 06-009 (PED06164)  
CM: June 14, 2006

**Bill No. 001**

**CITY OF HAMILTON**

**BY-LAW NO. 07-001**

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended  
Respecting Lands Located at 1143 Edgewood Road (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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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** in accordance with the Planning Act, R.S.O., 1990, section 39, Council may pass by-laws authorizing the temporary use of land, buildings or structures for a purpose that is otherwise prohibited by the zoning by-law;

**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).

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

1. Schedule No. "A-9" attached to and forming part of Zoning By-law No. 90-145-Z (Flamborough), is hereby amended by changing the zoning from the Agricultural "A" Zone to the Agricultural "A-81" Zone, on the lands the extent and boundaries of which are shown on Schedule 'A' annexed hereto and forming part of this By-law.

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2. Section 33.3 – Agricultural “A” Zone is hereby amended by adding the following subsection:

33.3.79                    “A-81” (See Schedule A-9)

Permitted Uses

- (a) A Garden Suite shall be permitted for a maximum ten (10) year period commencing on the day of the passing of this by-law, being the 10th day of January, 2007 and expiring on the 10<sup>th</sup> day of January, 2017.

A ‘Garden Suite’ shall mean a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.

- (b) Any use permitted in an ‘A’ Zone.

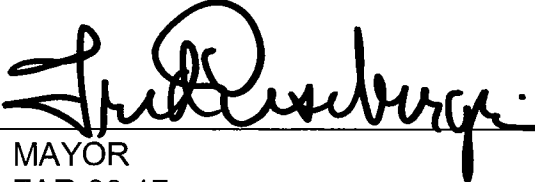
Zone Provisions

- (a) The minimum rear yard setback for a Garden Suite shall be 1.8 metres.

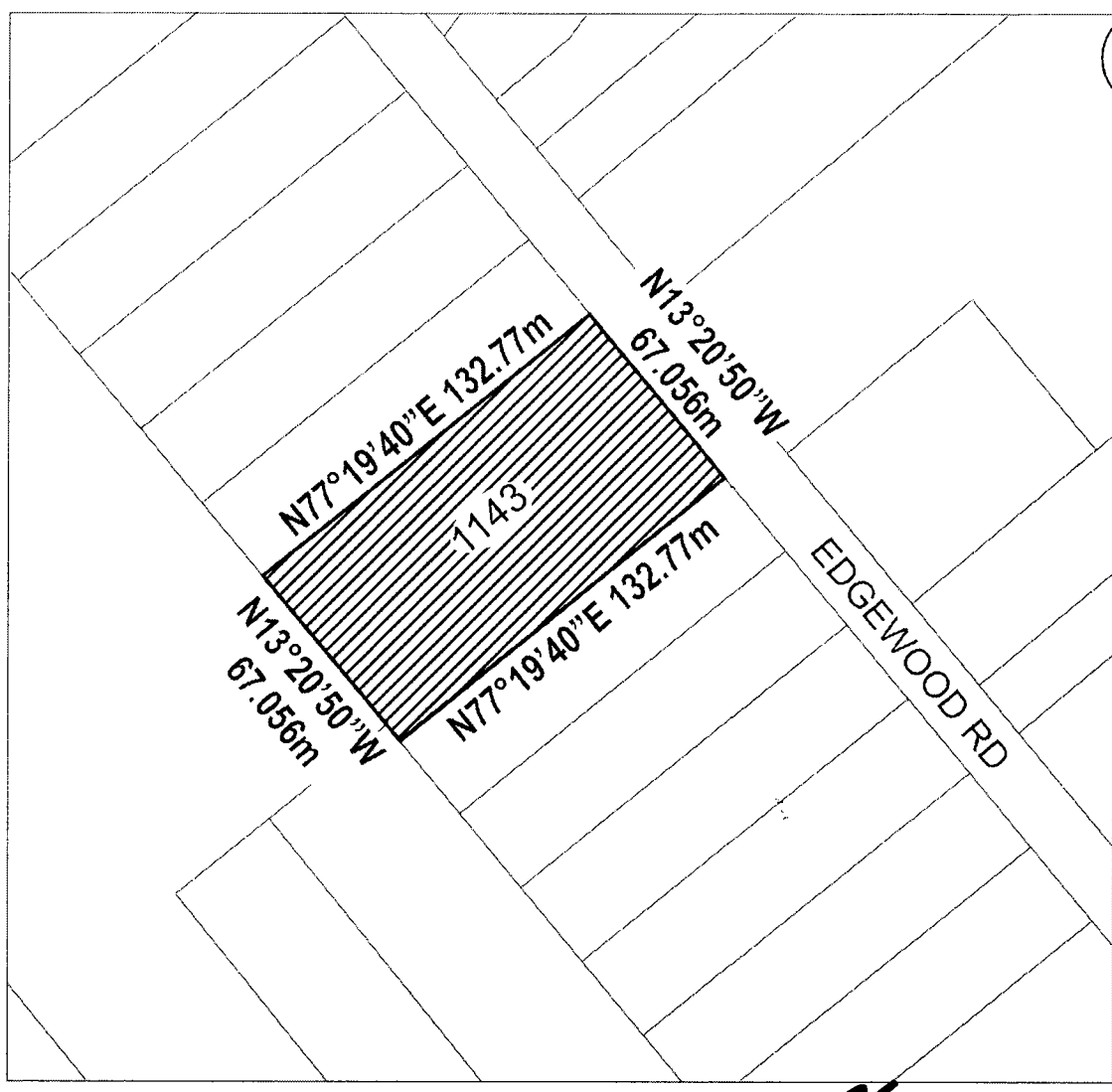
- (b) All other zone provisions of Subsection 33.2 Agriculture ‘A’ Zone shall continue to apply.

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 10<sup>th</sup> day of January, 2007.

  
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MAYOR  
ZAR-06-17

  
\_\_\_\_\_  
CLERK



This is Schedule "A" to By-Law No. 07-001

Passed the 10th day of January, 2007


*[Handwritten Signature]*  
 Clerk  
 Mayor


PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

# Schedule "A"

Map Forming Part of  
 By-law No. 07- 001  
 to Amend By-law No. 90-145-Z

**Subject Property**  
 1143 Edgewood Road, Flamborough

 Change in Zoning from the "A" Agricultural Zone to the "A-81" Agricultural Zone

Scale: <b>Not to Scale</b>	File Name/Number: <b>ZAR-06-17</b>	 Hamilton
Date: <b>April 2006</b>	Planner/Technician: <b>DF/LM</b>	