

**Authority:** Item 17, Economic Development  
and Planning Committee  
Report; 07-003 (PED07041)  
CM: February 15, 2007

**Bill No. 048**

**CITY OF HAMILTON**

**BY-LAW NO. 07-048**

**To Amend Zoning By-law No. 90-145-Z (Flamborough),  
Respecting Lands located at 93 Highway No. 52**

**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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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** the Council of the City of Hamilton, in adopting Item 17 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. 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 (formerly the 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. That Schedule "A-25" attached to and forming part of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by:

- a) changing **Block "1"** from the "O3" (Recreational Open Space) Zone to the "A" (Agricultural) Zone; and,
- b) changing **Block "2"** from the "O3" (Recreational Open Space) Zone to the "O3-9" (Recreational Open Space) Zone;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. Section 26 – "O3" (Recreational Open Space) Zone of Zoning By-law No. 90-145-Z, is hereby amended by adding the following subsection:

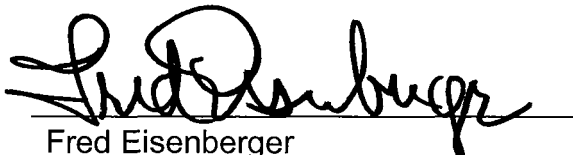
"26.3.9 "O3-9" (See Schedule A-25)

Permitted Uses

- (a) Notwithstanding Section 26.1(b), an accessory dwelling unit for maintenance and/or security purposes shall be prohibited.
- (b) All other zone provisions of Subsection 26.2 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.

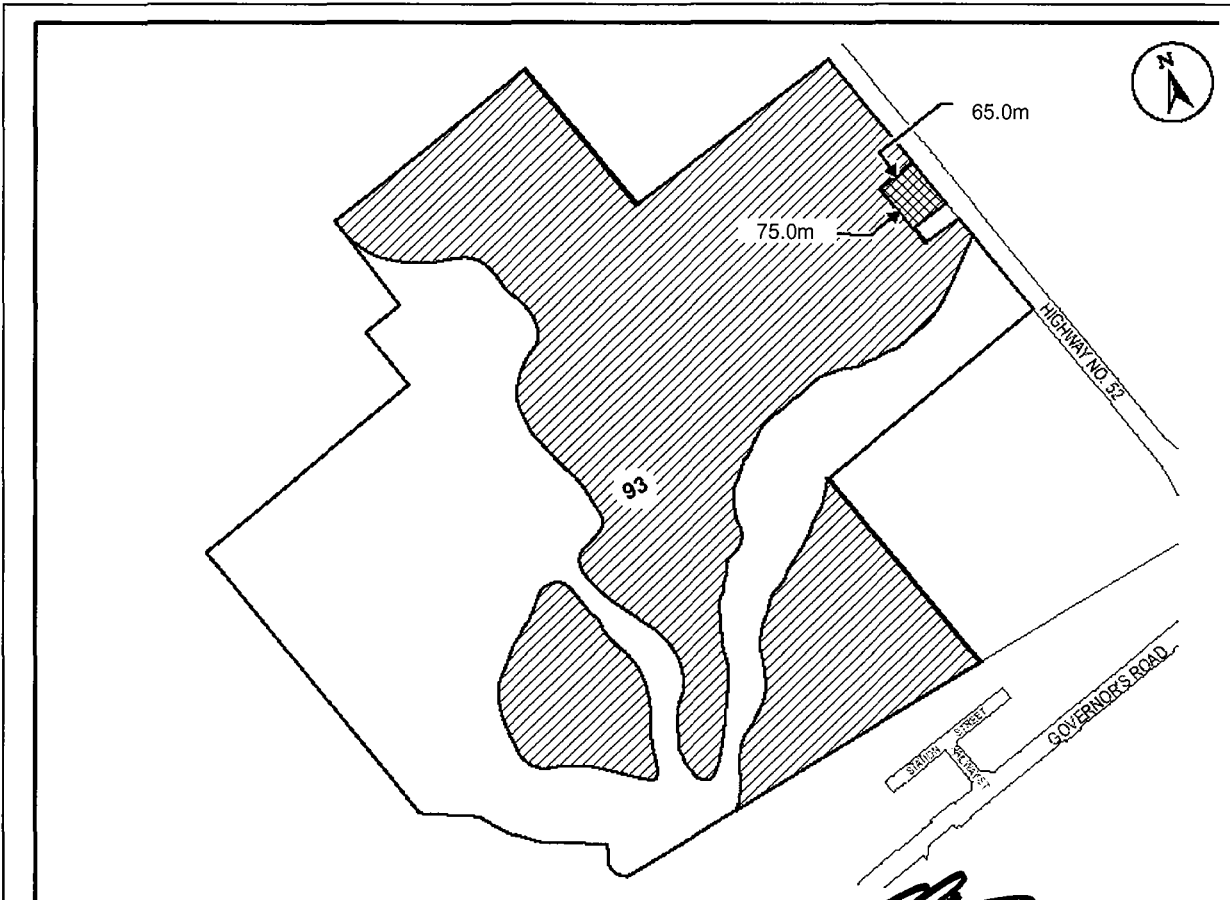
**PASSED and ENACTED** this 15<sup>th</sup> day of February, 2007.



Fred Eisenberger  
Mayor



Kevin C. Christenson  
Clerk





This is Schedule "A" to By-Law No. 07-048  
 Passed the 15th day of February, 2007

*[Signature]*  
 Clerk  
 Mayor

**Schedule "A"**  
**Map Forming Part of**  
**By-Law No. 07-048**  
 to Amend By-law No. 90-145-Z

**Subject Property**  
 93 Highway No. 52

 **Block 1** - Change in Zoning from "O3" (Recreational Open Space) Zone to the "A" (Agricultural) Zone

 **Block 2** - Change in Zoning from "O3" (Recreational Open Space) Zone to the "O3-9" (Recreational Open Space) Modified Zone

<b>Scale:</b> N.T.S.	<b>File Name/Number:</b> ZAC-06-70
<b>Date:</b> Dec 21, 2006	<b>Planner/Technician:</b> SB/MF



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT