

**Authority:** Item 7, Economic Development  
and Planning Committee  
Report: 07-010 (PED070150)  
CM: May 30, 2007

**Bill No.165**

## **CITY OF HAMILTON**

### **BY-LAW NO. 07-165**

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended  
Respecting lands located at 621 Highway No. 8.**

**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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Item 7 of Report 07-010 of the Economic Development and Planning Committee at its meeting held on the 30<sup>th</sup> day of May, 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 (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. Section 33 – Agricultural Zone of Zoning By-Law No. 90-145-Z, is hereby further amended by deleting Subsection 33.3.41 "A-41", and replacing it with the following:

By-law Respecting 621 Highway No. 8. (Page 2 of 2)

33.3.41 "A-41" (See Schedule A-22)

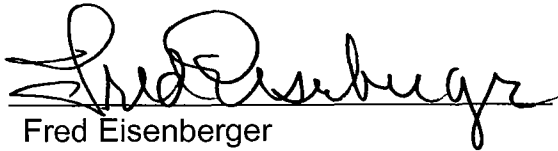
Permitted Uses

- (a) Convenience Food Restaurant and Retail Establishment, and only within the building existing on the date of the passing of this by-law, being the 30<sup>th</sup> day of May, 2007.
- (b) A maximum parking area of 3,300m<sup>2</sup> is permitted.
- (c) Open storage accessory to the retail establishment or Convenience Food Restaurant shall be prohibited on the lands. This shall not prevent, however, the use of the lands for a fruit or vegetable stand permitted by Section 33.1(e).
- (d) Any use permitted in an "A" Zone.


All other zone provisions of Subsection 33.2 shall apply.

- 2. 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 30<sup>th</sup> day of May, 2007.



Fred Eisenberger  
Mayor

  
Rose Caterini  
Acting City Clerk

ZAR-07-008