

Authority: Item 6, Planning Committee
Report: 11-010 (PED11084)
CM: May 25, 2010

Bill No. 140

CITY OF HAMILTON

BY-LAW NO. 11-140

To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 23 Orchard Drive (Flamborough)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario 1999 Chap. 14, Schedule 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 area municipality known as "The Corporation of the City of Hamilton", 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;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 of November 1990 and approved by the Ontario Municipal Board on the 21st of December, 1991;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 6 of Report 11-010 of the Planning Committee, at its meeting held on the 25th day of May, 2011, 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. That Schedule "A-30" of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by rezoning from the Urban

Residential "R1-6" Zone, Modified, to the Urban Residential "R1-56" Zone, Modified (Block 1), and Urban Residential "R1-57" Zone, Modified (Block 2), on the lands, the extent and boundaries of which are more particularly shown on Schedule "A", annexed hereto and forming part of this By-law.

2. That Section 6 - Urban Residential (Single-Detached) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section:

6.3 Exception Numbers

6.3.56 "R1-56" (See Schedule A-30)

Permitted Uses:

- (a) Sub-section 6.1 shall apply.

Zone Provisions:

- | | | |
|-----|---|---|
| (a) | Minimum Lot Area | 635 square metres. |
| (b) | Minimum Lot Frontage | 13.9 metres. |
| (c) | Maximum Lot Coverage | 45% for a 1 storey dwelling
35% for a 1.5 or 2 storey dwelling |
| (d) | Maximum Floor Space: | |
| | 1 storey | 195 square metres. |
| | 1-1/2 storeys | 195 square metres on the main floor. |
| | 2 storeys | 390 square metres. |
| (e) | All other zone provisions of Sub-section 6.2 shall apply. | |

6.3.57 "R1-57" (See Schedule A-30)

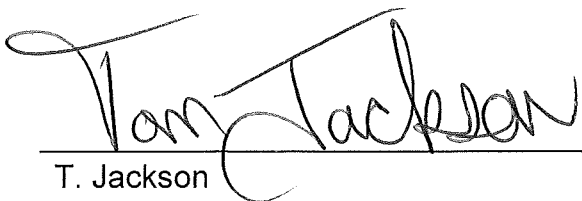
Permitted Uses:

- (a) Sub-section 6.1 shall apply.

Zone Provisions:

- (a) Minimum Lot Area 750 square metres.
 - (b) Minimum Lot Frontage 16.5 metres.
 - (c) Minimum Side Yard Setback 1.2 metres, except 1.1 metres for the dwelling existing on the date of the passing of this By-law, being the 25th day of May, 2011.
 - (d) Maximum Floor Space:
 - 1 storey 186 square metres.
 - 1-1/2 storeys 186 square metres on the main floor.
 - 2 storeys 372 square metres.
 - (e) Notwithstanding Section 5.21(a), the required parking space may be located within the required front yard for the dwelling existing on the date of the passing of the By-law, being the 25th day of May, 2011.
 - (f) All other zone provisions of Sub-section 6.2 shall apply.
3. That By-law No. 90-145-Z (Flamborough) is amended by adding this By-law to Section 6 as "R1-56" and "R1-57".
4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law, in accordance with the Planning Act.

PASSED this 25th day of May, 2011.



T. Jackson
Acting Mayor
ZAR-10-049



R. Caterini
City Clerk





This is Schedule "A" to By-Law No. 11- 140
 Passed the ..25.th. day of ...May....., 2011

Alan Jackson
 Clerk
Tom Jackson
 Mayor
(DEPUTY ACTING)

Schedule "A"
 Map Forming Part of
 By-Law No. 11- 140
 to Amend By-law No. 90-145-Z

Subject Property
 23 Orchard Drive

 **Block 1** - Change in zoning from the Urban Residential "R1-6" Zone, Modified to the Urban Residential "R1-56" Zone, Modified

 **Block 2** - Change in zoning from the Urban Residential "R1-6" Zone, Modified to the Urban Residential "R1-57" Zone, Modified

Scale: N.T.S.	File Name/Number: ZAR-10-049
Date: March 30, 2011	Planner/Technician: TL / AL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

