

Authority: Item 4, Planning Committee
Report 18-013 (PED18161)
CM: September 12, 2018
Ward: 15

Bill No. 259

CITY OF HAMILTON

BY-LAW NO. 18-259

To Amend Zoning By-law No. 05-200 Respecting Lands Located at 163 and 167 Highway No. 5 West, formerly in the Town of Flamborough, now in the City of Hamilton

WHEREAS Council approved Item 4 of Report 18-013 of the Planning Committee, at the meeting held on September 12, 2018;

AND WHEREAS this By-law will be in conformity with the Rural Hamilton Official Plan.

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

1. That Map No. 85 of Schedule "A" to Zoning By-law No. 05-200 is amended by changing the zoning from the Open Space (P4, 80) Zone to the Rural (A2, 104) Zone (Block 1) and from the Rural (A2, 104) Zone to the Open Space (P4, 80) Zone (Block 2), to the lands the extent and boundaries of which are shown as Schedule "A" to this By-law.
2. That Schedule "C": Special Exceptions of Zoning By-law No. 05-200, as amended, is hereby further amended by repealing and replacing subsection b) ii) of the site specific Rural (A2, 104) Zone with the following provisions:
 - ii) The Garden Centre located at 163 Highway No. 5 West, the following regulations shall apply:
 1. In accordance with Section 12.2.3.1 b), and d).
 2. Notwithstanding Section 12.3.3.1 c), the minimum side yard setback shall be 11 metres.
 3. Notwithstanding Section 12.2.3.1 f), outdoor storage existing on the date of the passing of this by-law shall be permitted.
 4. Notwithstanding Section 12.2.3.1 g), accessory buildings shall be permitted 0.4 metres from the required side yard.
4. That 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*.

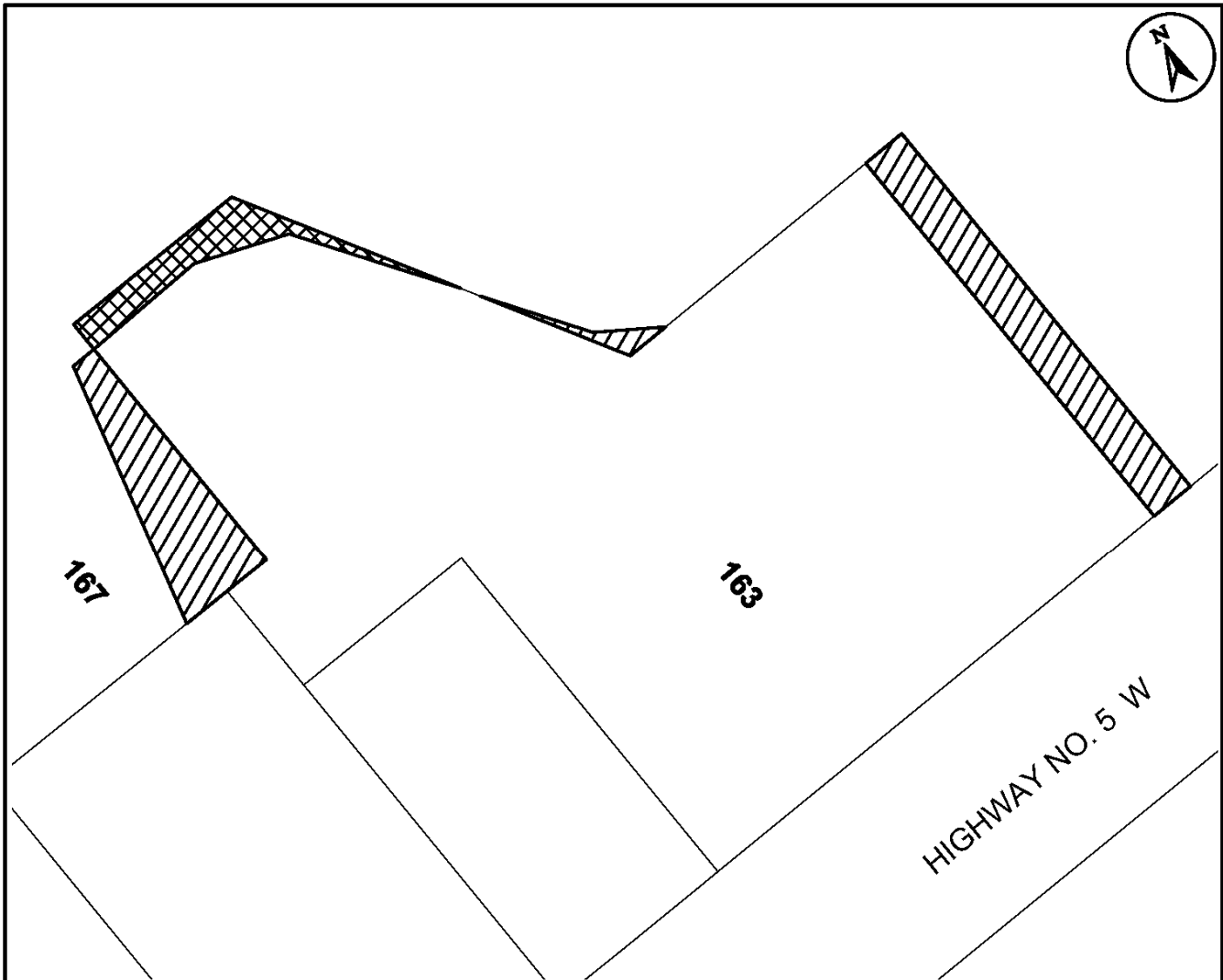
5. That this By-law No. 18-259 shall come into force and deemed to come into force in accordance with Subsection 34(21) of the *Planning Act*, either upon the date of passage of the By-law or as otherwise provided by the said subsection.

PASSED this 12th day of September, 2018.

F. Eisenberger
Mayor

J. Pilon
Acting City Clerk

RHOPA-18-019
ZAC-18-019




This is Schedule "A" to By-law No. 18-
 Passed the day of, 2018


 Mayor

 Clerk

Schedule "A"
 Map Forming Part of
 By-law No. 18-_____
 to Amend By-law No. 05-200
 Map 85

Subject Property
 163 and 167 Highway No. 5 West

 **Block 1** - Change in Zoning from the
 Open Space (P4, 80) Zone to the
 Rural (A2, 104) Zone

 **Block 2** - Change in Zoning from the
 Rural (A2, 104) Zone to the
 Open Space (P4, 80) Zone

Scale:
 N.T.S.

File Name/Number:
 ZAR-18-019

Date:
 June 19, 2018

Planner/Technician:
 RF/NB



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT