

Authority: Item 3, Planning Committee
Report 17-012 (PED17115)
CM: July 14, 2017
Ward: 14

Bill No. 151

CITY OF HAMILTON

BY-LAW NO. 17-151

To Amend Zoning By-law No. 05-200, Respecting Lands Located at 49 Inksetter Road, Flamborough

WHEREAS, the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by Virtue of the *City of Hamilton Act*, 1999 S.O. 1999, Chap. 14;

WHEREAS, the City of Hamilton is the lawful successor of the former Municipalities identified in Section 1.7 of By-law No, 05-200;

WHEREAS, the first stage of Zoning By-law, being By-law No. 05-200 came into force and effect on the 25th day of May, 2005;

WHEREAS, the Council of the City of Hamilton, in adopting Item 3 of Report 17-012 of the Planning Committee, at its meeting held on the 14th day of July, 2017, which recommended that Zoning By-law No. 05-200 be amended as hereinafter provided; and,

WHEREAS, this By-law amendment is in conformity with the Rural Hamilton Official Plan;

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

1. That Map Nos. 113 and 114 of Schedule "A" to Zoning By-law No. 05-200 is amended by changing the zoning from the Rural (A2) Zone and Conservation / Hazard Land – Rural (P6) Zone to the Rural (A2, 613) Zone and Conservation / Hazard Land - Rural (P6, 616) Zone, to the extent and boundaries of which are shown on Schedule "A" annexed hereto and forming part of this By-law.
2. That Schedule "C" Special Exceptions, of By-law No. 05-200 is amended by adding an additional exception, 613 as follows:

"613. Within the lands Zoned Rural (A2) Zone, and identified on Map Nos. 113 and 114 of Schedule "A" Zoning Maps and described as 49 Inksetter Road, the following special provisions shall apply:

- (a) Notwithstanding Section 12.1.1 of Zoning By-law No. 05-200, a single detached dwelling and residential care facility shall be prohibited.
- (b) Notwithstanding Section 12.2.3.1 a) of Zoning By-law No. 05-200, the minimum lot area shall be 37hectares.

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3. That Schedule "C" Special Exceptions, of By-law No. 05-200 is amended by adding an additional exception, 616 as follows:

"616. Within the lands Zoned Conservation / Hazard Land - Rural (P6) Zone, and identified on Map Nos. 113 and 114 of Schedule "A" Zoning Maps and described as 49 Inksetter Road, the following special provision shall apply:

- (a) Notwithstanding Section 7.6.1 of Zoning By-law No. 05-200, a single detached dwelling shall be prohibited.

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. 17-151 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 14th day of July, 2017.

F. Eisenberger
Mayor

R. Caterini
City Clerk

ZAA-17-026



This is Schedule "A" to By-law No. 17-

Passed the day of, 2017

 Mayor

 Clerk

Schedule "A"

Map Forming Part of
 By-law No. 17-_____

to Amend By-law No. 05-200
 Map 113 & 114

Subject Property

49 Inksetter Road



Block 1 - Change in zoning from Rural (A2) Zone to Rural (A2, 613) Zone



Block 2 - Change in zoning from Conservation / Hazard Land – Rural (P6) Zone to Conservation / Hazard Land – Rural (P6, 616) Zone



Lands Subject to NEC Development Control



Lands within Copetown Rural Settlement Area

Scale:
 N.T.S.

File Name/Number:
 ZAA-17-026

Date:
 May 26, 2017

Planner/Technician:
 RF/AL



Hamilton