

**Authority:** Item 4, Planning Committee  
Report: 17-014  
September 13, 2017  
Ward: 15  
**Bill No. 193**

**CITY OF HAMILTON**  
**BY-LAW NO. 17-193**

**To Amend Zoning By-law No. 90-145-Z (Flamborough),  
Respecting Lands Located at 100 Hamilton Street North (Flamborough)**

**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";

**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";

**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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**WHEREAS**, Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

**WHEREAS**, the Council of the City of Hamilton, in adopting Item 4 of Report 17-014 of the Planning Committee, at its meeting held on the 13<sup>th</sup> day of September, 2017, which recommended that Zoning By-law No. 90-145-Z (Flamborough), be amended as hereinafter provided;

**WHEREAS**, this By-law is in conformity with the Urban Hamilton Official Plan.

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

1. That Schedule No. "A-31", attached to and forming part of Zoning By-law 90-145-Z (Flamborough), as amended, is hereby amended by changing from the Urban Commercial "UC" Zone to the Urban Commercial "UC-17" Zone, Modified, the extent and boundaries of which more particularly shown on Schedule "A" annexed hereto and forming part of this By-law.
2. That the Urban Commercial "UC" Zone regulations, as contained in Section 17 of Zoning By-law No. 90-145-Z, applicable to the subject lands, be modified to include the following special requirements:

"17.3.17 "UC-17" (See Schedule A-31)

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Permitted Uses:

- (a) In addition to the uses permitted in Section 17.1, an Apartment Building and a Retirement Home shall also be permitted either as stand-alone uses or in conjunction with any other use permitted in Section 17.1.

Zone Provisions

Notwithstanding Sub-Section 17.2 (c), (d), (g)(i) and (i), the following provisions shall apply:

- |  |            |
|--|------------|
| (c) Height (maximum)   | 28 metres  |
| (d) Lot Coverage (maximum)<br>for all permitted uses           | 55%        |
| (g) Interior Side Yard (minimum)                               |            |
| (i) Abutting a Residential Zone                                | 2.7 metres |
| (i) Planting Strip (minimum)                                   | 0.0 m      |
| (e) All other zone provisions of Sub-section 17.2 shall apply. |            |

Sections 5.12.2(a), 5.12.2(c), 5.21.5(c), 5.21.5(e), 5.21.5(f) and 5.21.11(b) shall not apply.

3. That the amending By-law be added to Schedule "A-31" of Flamborough Zoning By-law No. 90-145-Z.
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*.

**PASSED** this 13<sup>th</sup> day of September, 2017.

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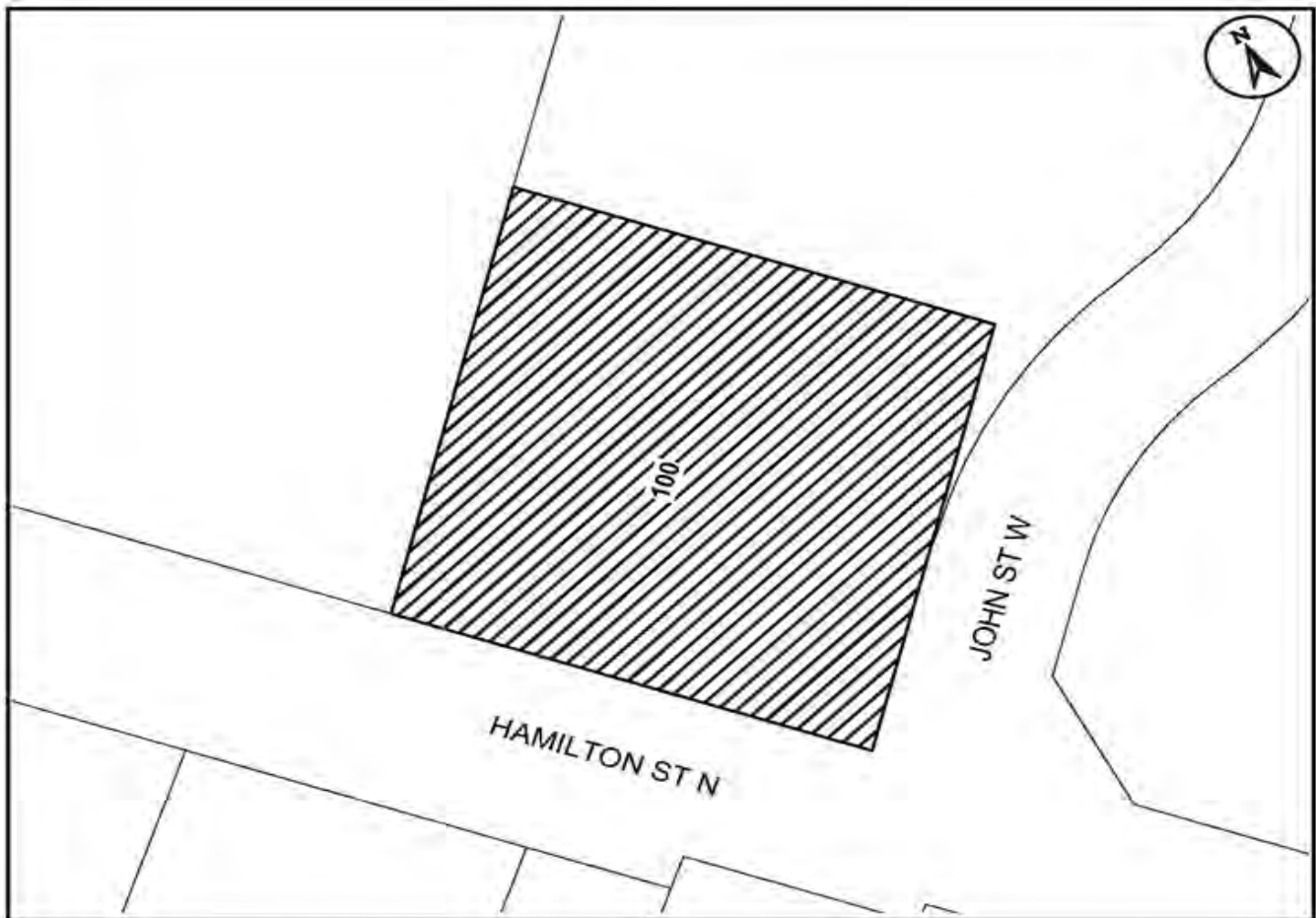
F. Eisenberger  
Mayor  
ZAR-15-058

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J. Pilon  
Acting City Clerk

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This is Schedule "A" to By-law No. 17-  
 Passed the ..... day of ....., 2017

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 Mayor

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 Clerk

**Schedule "A"**

Map Forming Part of  
 By-law No. 17-\_\_\_\_\_

to Amend By-law No. 90-145-Z

**Subject Property**

100 Hamilton Street North, Flamborough



Change in Zoning from the Urban Commercial  
 "UC" Zone to the Urban Commercial "UC-17"  
 Zone, Modified.

Scale:

N.T.S.

File Name/Number:

ZAR-15-058

Date:

July 6, 2017

Planner/Technician:

GMVS



**Hamilton**

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT