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Authority: Item 16, Planning and Economic
Development Committee
Report: 06-003 (PED06034)
CM: March 1, 2006

Bill No. 052

CITY OF HAMILTON

BY-LAW NO. 06-052

**To Amend Zoning By-law No. 90-145-Z (Flamborough),
respecting lands described as being Part of Lot 30,
Concession 5 (Beverly), in the former Town of
Flamborough, now in the City of Hamilton**

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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;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 day of November, 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 16 of Report 06-003 of the Planning and Economic Development Committee at its meeting held on the 1st day of March, 2006, 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 (Formerly the Town of Flamborough Official Plan), in accordance with the provisions of the Planning Act.

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

1. Schedule No. A-42, attached to and forming part of Zoning By-law No. 90-145-Z, is hereby amended by changing the zoning from Settlement Residential Holding "R2(H)" Zone to the following:

- (i) the Settlement Residential "R2-28" Zone for lands comprised in **Block 1**; and,
- (ii) the Settlement Residential "R2-29" Zone for lands comprised in **Block 2**;
- (iii) the Conservation Management "CM" Zone for lands comprised in **Block 3**;

the extent and boundaries of which are set out in Schedule "A" annexed hereto and forming part of this By-law.

2. Section 7 – Settlement Residential Zone of Zoning By-law No. 90-145-Z (Flamborough) is hereby amended by adding thereto the following subsections:

"7.3.28 'R2-28' (see Schedule A-42)

Permitted Uses:

In accordance with Section 7.1

Zone Provisions:

- (a) Minimum setback from Conservation Management "CM" Zone 30 metres for all buildings and structures, including septic systems, swimming pools and driveways.

(c) All other provisions of Subsection 7.2 "R2" Zone shall apply."

"7.3.29 'R2-29' (see Schedule A-42)

Permitted Uses:

In accordance with Section 7.1

Zone Provisions:

- (a) Minimum setback from Conservation Management "CM" Zone 30 metres for all buildings and structures, including septic

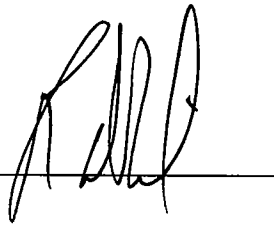
systems, swimming pools and driveways.

- (b) Minimum Lot Frontage 20 metres
- (c) Minimum Setback from an "O2" Zone 1 metre for all buildings, structures and fences
- (d) All other provisions of Subsection 7.2 "R2" Zone shall apply."

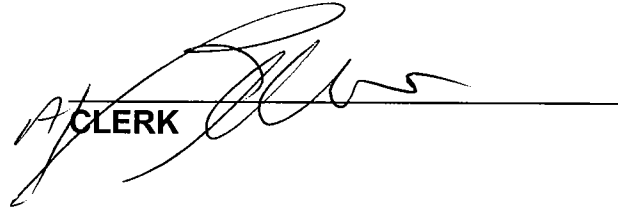
3. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

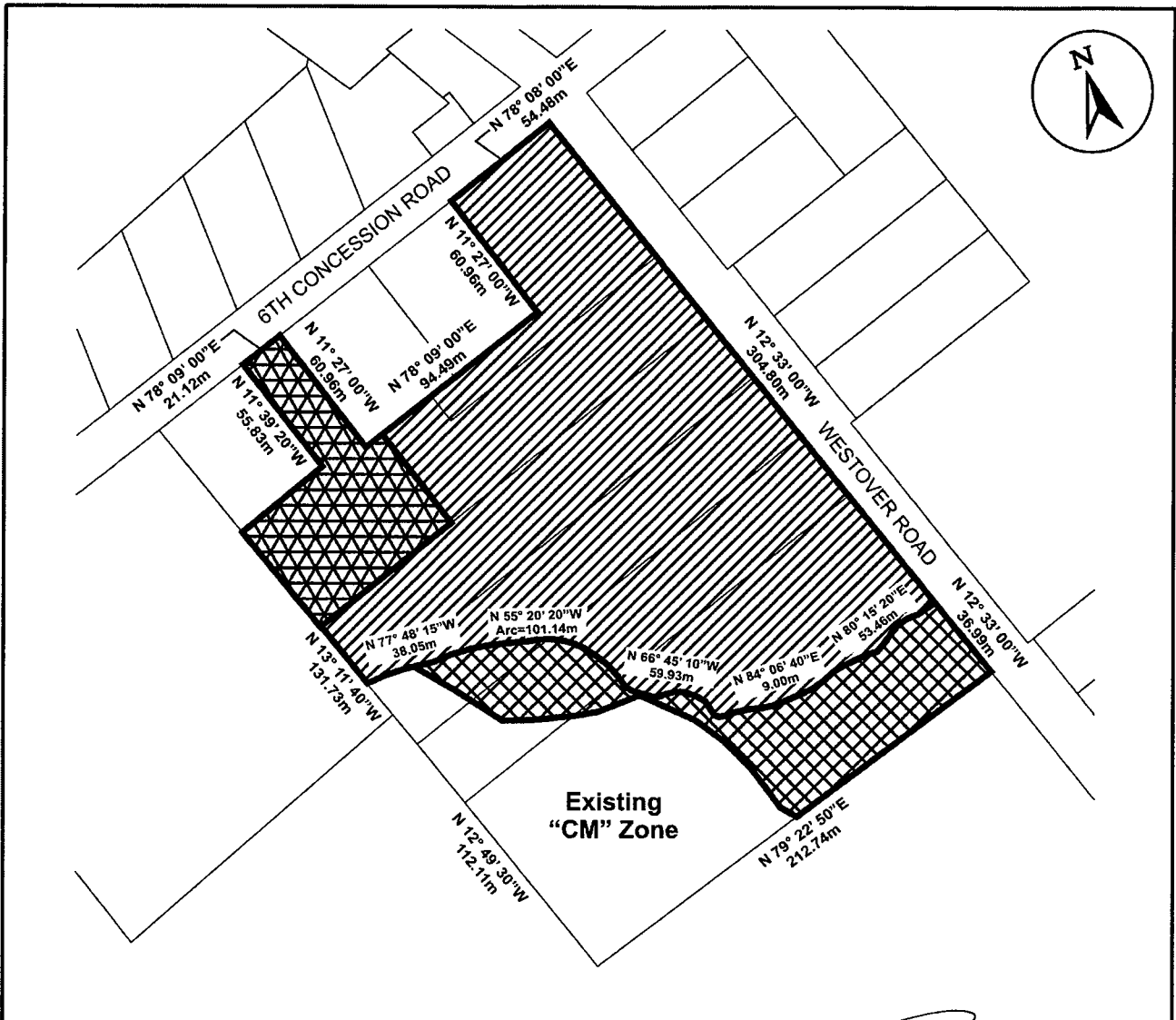
PASSED and ENACTED this 1st day of March, 2006.

MAYOR



CLERK





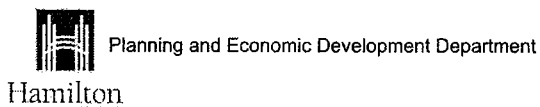
This is Schedule "A" to By-Law No. 06-052

Passed the 1st day of March, 2006




[Signature]
 Mayor


Schedule "A"

Map Forming Part of
 By-Law No. 06-052
 to Amend By-Law No. 90-145-Z



Subject Property

-  **Block 1** - Lands to be Rezoned to Settlement Residential "R2-28" Zone
-  **Block 2** - Lands to be Rezoned to Settlement Residential "R2-29" Zone
-  **Block 3** - Lands to be Rezoned to Conservation Management "CM" Zone

	Scale: Not to Scale	File Name/Number: 25T89001 / ZAR-05-117
	Date: January 6, 2006	Planner/Technician: CT/MC