

**Authority:** Item 23, Economic Development  
and Planning Committee  
Report: 09-002PED09018)  
CM: January 28, 2009

**Bill No. 029**

**CITY OF HAMILTON**

**BY-LAW NO. 09-029**

**To Amend Zoning By-law No. No. 90-145-Z (Flamborough),  
Respecting Lands Located at 163 Dundas Street East**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. 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 Town of Flamborough" and is the successor to 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

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

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 23 of Report 09-002 of the Economic Development and Planning Committee at its meeting held on the 20<sup>th</sup> day of January, 2009, recommended that Zoning By-law No. 90-145-Z (Flamborough), be amended as hereinafter provided;

**AND WHEREAS** this By-law will be in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough), approved by the Minister under the Planning Act on September 27<sup>th</sup>, 1988, upon approval of Official Plan Amendment No. 113 proposed by the City of Hamilton but not yet approved in accordance with the provisions of the Planning Act;

**By-law Respecting Lands Located at 163 Dundas Street East**

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

1. That Schedule No. "A-30" attached to and forming part of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following subsection:

"23.3 "P-1" (see Schedule A-30)

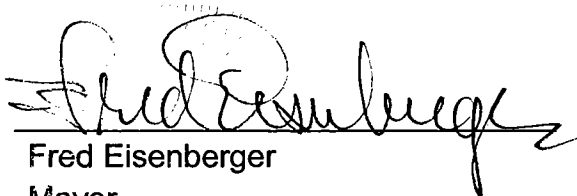
Permitted Uses:

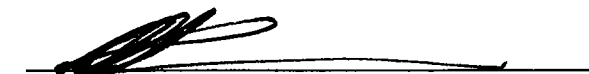
- (a) Any use permitted in a P zone.
- (b) Private Professional Offices, excluding Medical Offices.

Zone Provisions:

- (a) The provisions of Subsection 2.3 shall apply.
2. That no building or structure shall be erected, altered, extended or enlarged; nor shall any building or structure or part thereof be used; nor shall any land be used, except in accordance with the Public Use "P-1" Zone provisions.
3. 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 and ENACTED** this 11th day of February, 2009

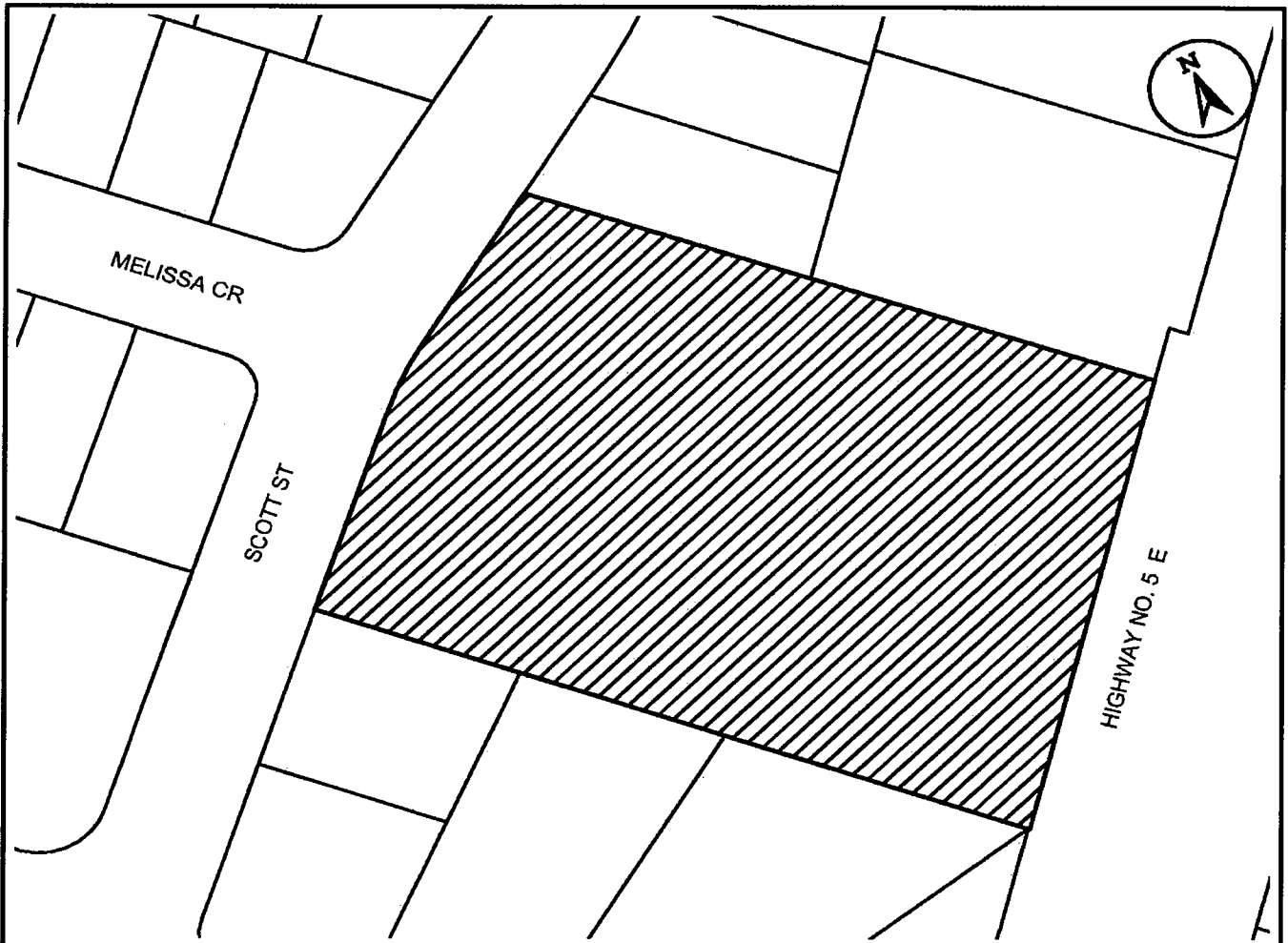
  
Fred Eisenberger  
Mayor

  
Kevin C. Christenson  
City Clerk

CI-08-L

By-law Respecting Lands Located at 163 Dundas Street East

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This is Schedule "A" to By-Law No. 09-029

Passed the 11th day of February, 2009

*[Signature]*  
 Clerk  
*[Signature]*  
 Mayor

**Schedule "A"**

Map Forming Part of  
 By-Law No. 09-029

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

**Subject Property**



163 Dundas Street East, Waterdown

Modification to the Public Use (P) Zone.

Scale:  
 N.T.S.

File Name/Number:  
 CI-08-L

Date:  
 October 28, 2008

Planner/Technician:  
 TH/AL



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT