CITY OF HAMILTON

BY-LAW NO. 09-075

To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended by By-law No. 94-67-Z respecting lands located at 65 Oak Avenue, 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”;

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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS this By-law is in conformity with the Official Plan of the Town of Flamborough approved by the Minister under the Planning Act on September 27, 1998;

AND WHEREAS the Council of the City of Hamilton, in adopting Section 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April, 2006 recommended that the Director of Development and Real Estate be authorized to give notice and prepare by-laws for presentation to Council, to remove the “H” Holding provision from By-laws where the conditions have been met;
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule “A-38” of the Zoning By-law No. 90-145-Z (Flamborough), as amended by By-law No. 94-67-Z, is further amended, by changing from the “R2-24”(H) Settlement Residential Holding Zone, Modified to the “R2-24” Settlement Residential Zone, Modified, the extent and boundaries of which are more particularly shown on Schedule “A” annexed hereto and forming part of this By-law.

2. All other regulations of the Modified Settlement Residential “R2-24” Zone, as amended and the General Provision of Zoning By-law No. 90-145-Z (Flamborough) shall continue to 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 15th day of April, 2009.

Fred Eisenberger
Mayor
ZAH-08-078

Kevin C. Christenson
City Clerk
By-law respecting 65 Oak Avenue, Flamborough

This is Schedule "A" to By-Law No. 09-075
Passed the 15th day of April, 2009

Schedule "A"
Map Forming Part of By-Law No. 09-075
to Amend By-law No.90-145-Z

Subject Property
65 Oak Avenue

Area Subject to Holding Removal
Removal of the Holding "H" Provision in the Settlement Residential "R2-24" Zone, Modified

Date: March 28, 2009
Planner/Technician: DB/GL
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT