

**Authority:** Item 3, Economic Development  
and Planning Committee  
Report: 10-012 (PED10122)  
CM: June 9, 2010

**Bill No. 139**

## **CITY OF HAMILTON**

### **BY-LAW NO. 10-139**

#### **To Amend Zoning By-law No. 90-145-Z Respecting Lands Located at 11 Carruthers Lane, 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 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 "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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**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 3 of Report 10-012 of the Economic Development and Planning Committee, at its meeting held on the 9<sup>th</sup> day of June, 2010, recommended that Zoning By-law No. 90-145-Z, be amended as hereinafter provided;

**AND WHEREAS** this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough) in accordance with the provisions of the Planning Act.

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

1. That Schedule A-43 of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by changing the zoning from the Public Use "P" Zone to the Settlement Commercial "SC-18" Zone, Modified, on the lands the extent and boundaries of which are more particularly shown on Schedule "A" annexed hereto and forming part of this by-law.
2. That Section 19: Settlement Commercial Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following subsection:

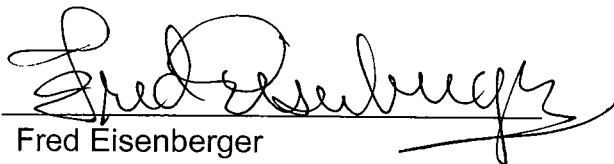
**SC-18**

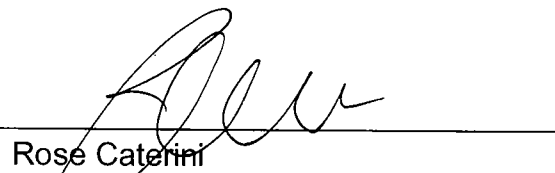
- (1) That notwithstanding the provisions of Subsection 19 of Zoning By-law No. 90-145-Z (Flamborough), the following special provisions shall apply to the lands zoned "SC-18":

Zone Provisions:

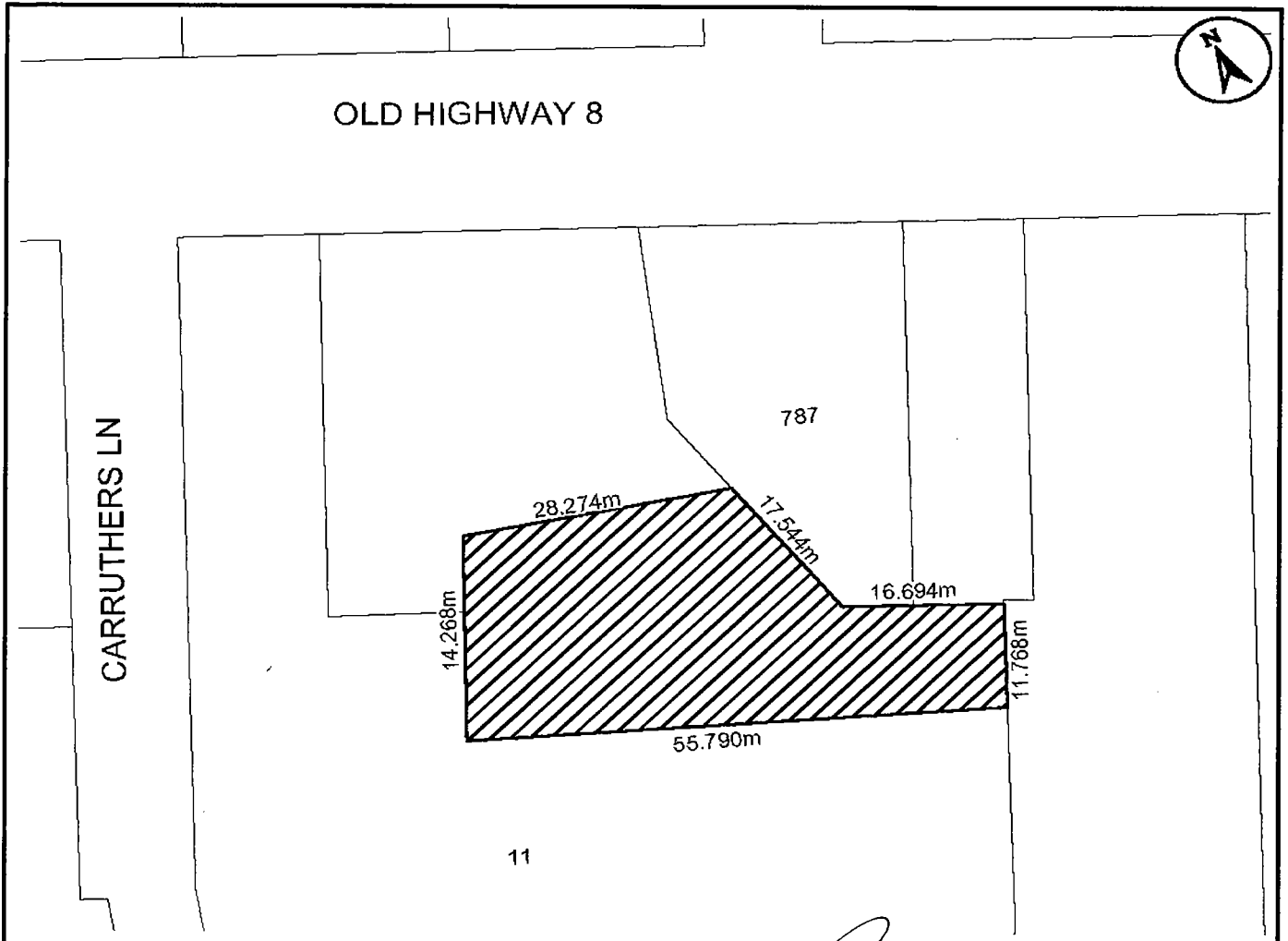
- a) The building existing on the date of the passing of this by-law, being the 9<sup>th</sup> day of June, 2010, shall be deemed to comply with all the provisions of Section 19.2; and,
  - b) All other provisions of Section 19 shall apply.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED** this 9<sup>th</sup> day of June, 2010.

  
Fred Eisenberger  
Mayor

  
Rose Caterini  
City Clerk

ZAC-10-014




This is Schedule "A" to By-Law No. 10- 139  
 Passed the ..9th..... day of ..June....., 2010


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

**Schedule "A"**

Map Forming Part of  
 By-Law No. 10- 139  
 to Amend By-law No.90-145-Z

**Subject Property**

 Change in Zoning from the Public Use "P" Zone  
 to the Settlement Commercial "SC-18" Zone modified.

Scale: N.T.S.	File Name/Number: ZAC-10-014	 <b>Hamilton</b>
Date: March 10, 2010	Planner/Technician: KM/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		