

**Authority:** Item 18, Economic Development  
and Planning Committee  
Report: 10-20 (PED10223)  
CM: October 13, 2010

**Bill No. 259**

## **CITY OF HAMILTON**

### **BY-LAW NO. 10-259**

#### **To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 45 Brian Boulevard (Flamborough)**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario 1999 Chap. 14, Schedule C did incorporate, as of January 1<sup>st</sup>, 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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5<sup>th</sup> of November 1990 and approved by the Ontario Municipal Board on the 21<sup>st</sup> of December, 1991;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 18 of Report 10-020 of the Economic Development and Planning Committee, at its meeting held on the 13<sup>th</sup> day of October, 2010, 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 (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-30" of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by rezoning from the Urban Residential "R1-6" Zone, Modified, to the Urban Residential "R1-47" Zone, Modified, (Block 1) and the Urban Residential "R1-25" Zone, Modified, (Block 2), 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 6 - Urban Residential (Single-Detached) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Subsection:

6.3 Exception Numbers

6.3.47 "R1-47" (See Schedule A-30)

Permitted Uses:

(a) Subsection 6.1 shall apply.

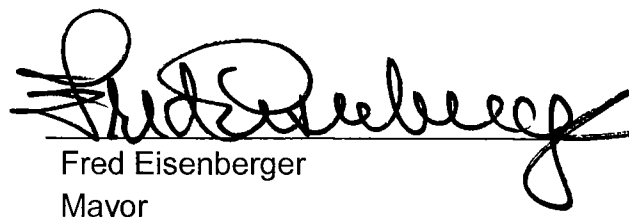
Zone Provisions:


- |  |   |
|--|---|
| (a) Lot Area (minimum)                                       | 900 square metres   |
| (b) Lot Frontage (minimum)                                   | 30 metres   |
| (c) Lot Coverage (maximum)                                   | 30%   |
| (d) Rear Yard (minimum)                                      | 5.2 metres for the dwelling existing on the date of passing of the By-law, being the 13 <sup>th</sup> day of October, 2010. |
| (e) All other zone provisions of Subsection 6.2 shall apply. |   |

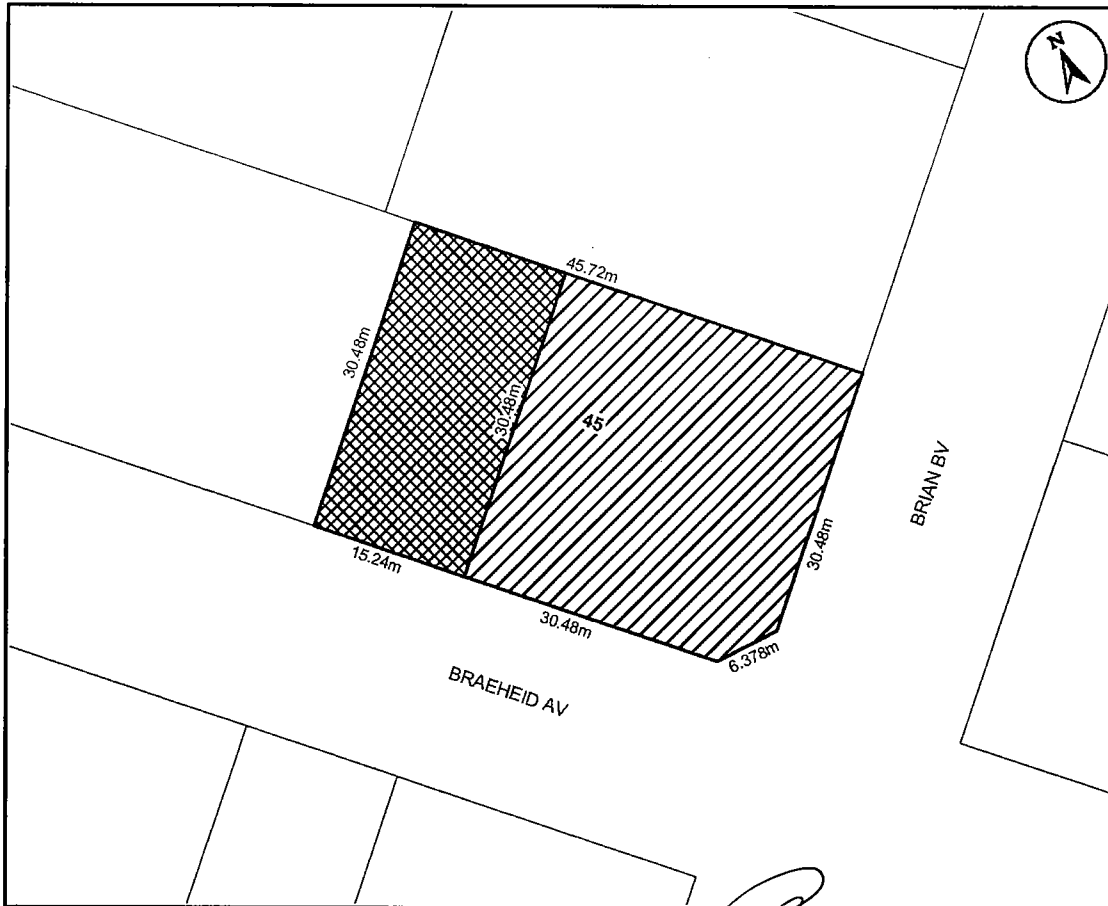
3. That By-law No. 90-145-Z (Flamborough) is amended by adding this By-law to Section 6 as "R1-47".

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

**PASSED** this 13th day of October, 2010

  
Fred Eisenberger  
Mayor

  
Rose Caterini  
City Clerk



This is Schedule "A" to By-Law No. 10-259


Passed the 13th day of October, 2010


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


**Schedule "A"**

Map Forming Part of  
 By-Law No. 10-259  
 to Amend By-law No.90-145-Z

**Subject Property**  
 45 Brian Boulevard

 **Block 1** - Change in Zoning from the Urban Residential "R1-6" Zone, Modified to Urban Residential "R1-47" Zone, Modified

 **Block 2** - Change in Zoning from the Urban Residential "R1-6" Zone, Modified to Urban Residential "R1-25" Zone, Modified

Scale: N.T.S.	File Name/Number: ZAR-10-030	
Date: August 27, 2010	Planner/Technician: TL/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		