

**Authority:** Item 7, Planning Committee  
Report: 12-010 (PED12112)  
CM: June 27, 2012

**Bill No. 149**

**CITY OF HAMILTON**

**BY-LAW NO. 12-149**

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as Amended,  
Respecting Lands located at 592 Westover Road (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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 7 of Report 12-010 of the Planning Committee, at its meeting held on the 27th day of June, 2012, recommended that Zoning By-law No. 90-145-Z (Flamborough), be amended as hereinafter provided;

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

1. That Schedule No. A-22, attached to and forming part of Zoning By-law 90-145-Z (Flamborough), as amended, is hereby amended;
  - a) by changing the zoning from the Recreational Open Space "O3-6" Zone, Modified, to the Recreational Open Space "O3-12" Zone, Modified, for lands shown as Block "1";

- b) by changing the zoning from the Recreational Open Space "O3-6" Zone, Modified, to the Conservation Management "CM" Zone, for lands shown as Block "2";

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That the Recreational Open Space "O3" District regulations, as contained in Section 26 of Zoning By-law No. 90-145-Z, be modified to include the following special requirements:

"O3-12" (See Schedule A-22)

Permitted Uses:

- (a) Sub-section 26.1 shall apply.

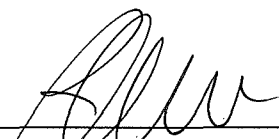
Zoning Provisions for one accessory dwelling unit for maintenance and/or security purposes

- |  |                   |
|--|-------------------|
| (a) Front Yard (minimum)                                       | 375 metres        |
| (b) Exterior Side Yard (minimum)                               | 200 metres        |
| (c) Rear Yard (minimum)  | 465 metres        |
| (d) Maximum Distance from Clubhouse                            | 130 metres        |
| (e) Maximum Gross Floor Area                                   | 120 square metres |
| (f) All other zone provisions of Sub-section 26.2 shall apply. |                   |

3. That the amending By-law be added to Schedule "A-22" of Flamborough Zoning By-law No. 90-145-Z.
4. 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 27<sup>th</sup> day of June, 2012.

  
\_\_\_\_\_  
R. Bratina  
Mayor

  
\_\_\_\_\_  
R. Caterini  
City Clerk







This is Schedule "A" to By-Law No. 12-149  
 Passed the .27.th.. day of ..June....., 2012


*R. Bratina*  
 Mayor  
*[Signature]*  
 Clerk

**Schedule "A"**

Map Forming Part of  
 By-Law No. 12- 149

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

- Subject Property**  
 592 Westover Road
-  **Block 1** - Change in zoning from the Recreation Open Space "O3-6" to the Recreation Open Space "O3-12" Zone
  -  **Block 2** - Change in zoning from the Recreational Open Space "O3-6" to the Conservation Management "CM" Zone
  -  **Block 3** - Lands to remain Conservation Management "CM" Zone
  -  **Block 4** - Lands to remain Agricultural "A" Zone

Scale: N.T.S.	File Name/Number: ZAR-11-044	 <b>Hamilton</b>
Date: May 31, 2012	Planner/Technician: DM/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		