

Authority: Item 5, Planning Committee
Report: 14-010 (PED14127)
CM: June 25, 2014

Bill No. 155

CITY OF HAMILTON

BY-LAW NO. 14-155

**To Amend Zoning By-law No. 90-145-Z (Flamborough),
Respecting Lands Located at 111 Parkside Drive,
Part of Lot 11, Concession 4 (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 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 this By-law is in conformity with the Urban Hamilton Official Plan approved August 17, 2013 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-6" of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended;
 - (a) by changing from the Medium Density Residential "R6-22" Zone to the Urban Residential "R4-7 Zone (Blocks "1" and "2");

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- (b) by changing from the Medium Density Residential “R6-22” Zone to the Medium Density Residential “R6-34” Zone (Block “3”);
- (c) by changing from the Medium Density Residential “R6-22” Zone to the Medium Density Residential “R4-7-H” Holding Zone (Blocks “4” and “5”);

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 9 - Urban Residential Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section “R4-7”:

9.3 EXCEPTION NUMBERS

9.3.26 “R4-7”

Permitted Uses:

- (a) Semi-Detached Dwelling

Zone Provisions:

In accordance with the zoning provisions of Subsection 9.3.4 with the exception of the following:

- (a) Lot Area (Minimum): 188 sq. m. per dwelling unit
- (b) Lot Frontage (Minimum): 7.1 m, except 8.3m for a temporary corner lot abutting Eager Drive
- (c) Temporary Visibility Triangles Minimum 5 m X 5 m visibility triangles shall be provided on lots which abut Eager Drive.

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General Provisions:

Other than contained herein, all other the provisions of the Flamborough Zoning By-law shall apply.

- 3. That Section 9 - Urban Residential Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section "R4-7-H":

9.3 EXCEPTION NUMBERS

9.3.26 "R4-7-H"

Permitted Uses:

- (a) Semi-Detached Dwelling

Zone Provisions:

- (a) In accordance with the R4-7 Zone, with the addition of the following Holding provisions:

Holding Removal: The Holding Provision "H" shall remain in effect until the following matters have been addressed to the satisfaction of the Director of Planning and the Senior Director of Growth Management:

- (i) The owner has provided a Record of Site Condition for the lands within Eager Drive to the satisfaction of the Senior Director of Growth Management and the Director of Planning.
- (ii) An alternative access has been provided to the subdivision to allow for the creation of the lots within Eager Drive, either on the adjacent DiMarco Estates or by means of the East-West Corridor to the satisfaction of the Senior Director of Growth Management and the Director of Planning.

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- (iii) The temporary watermains servicing the Silverwoods Subdivision within Eager Drive have been decommissioned to the satisfaction of the Senior Director of Growth Management.

General Provisions:

Other than contained herein, all other the provisions of the Flamborough Zoning By-law shall apply.

- 4. That Section 11 – Medium Density Residential Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section “R6-34”:

11.3 EXCEPTION NUMBERS

11.3.26 “R6-34”

Permitted Uses:

- (a) Street Townhouse Dwelling

Zone Provisions:

In accordance with the zoning provisions of Subsection 11.3.22, with the exception of the following:

- (a) Lot Area (Minimum): 165 sq. m. per dwelling unit
- (b) Lot Frontage (Minimum): 6.2 m, except 8.8 m for a temporary corner lot abutting Eager Drive.
- (c) Temporary Visibility Triangles: Minimum 5 m X 5 m visibility triangles shall be provided on lots which abut Eager Drive.

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General Provisions:

Other than contained herein, all other the provisions of the Flamborough Zoning By-law shall apply.

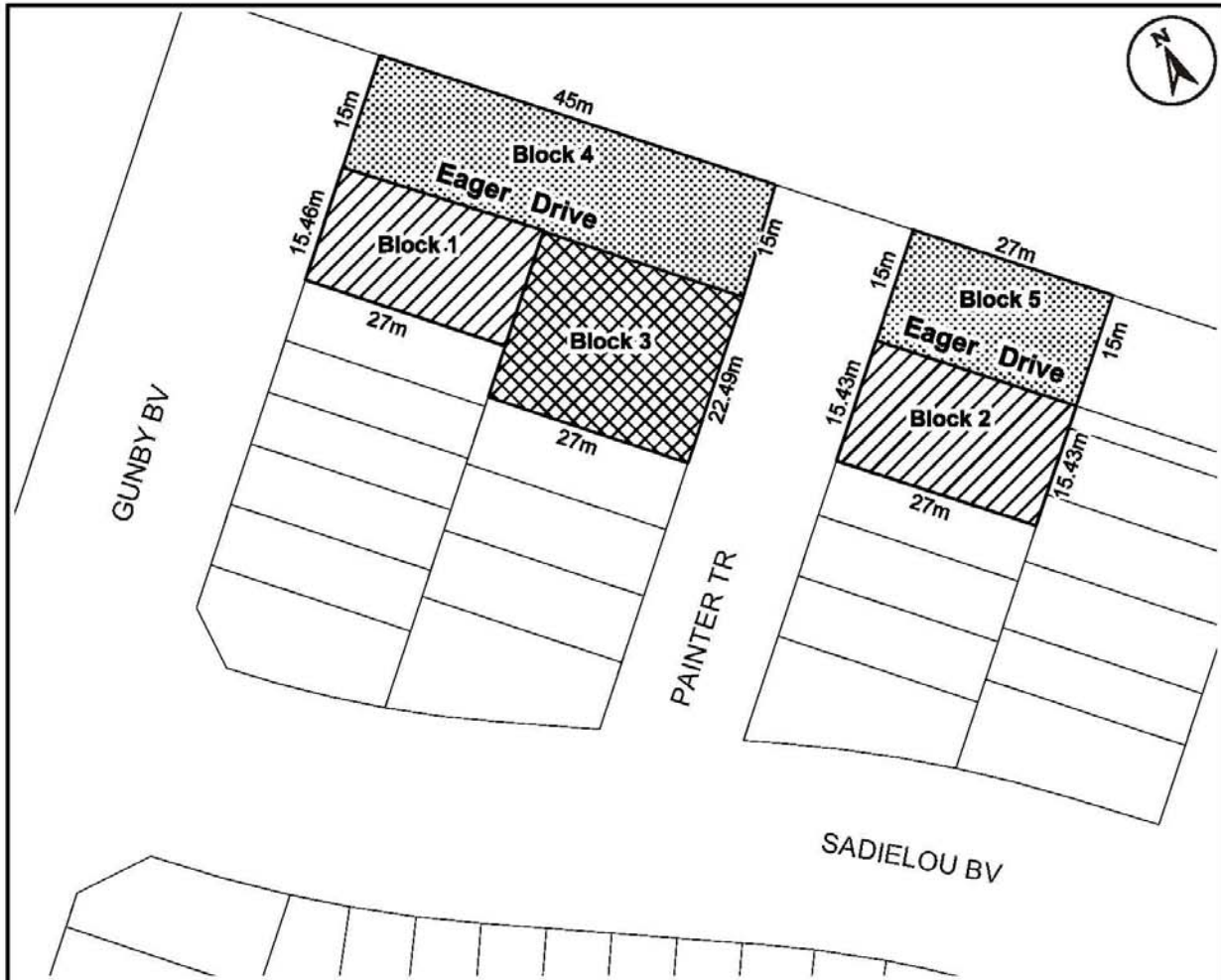
- 5. That the amending By-law be added to Schedule “A-6” of Flamborough Zoning By-law No. 90-145-Z.
- 6. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED this 25th day of June, 2014.

R. Bratina
Mayor
ZAC-13-028

R. Caterini
City Clerk

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This is Schedule "A" to By-law No. 14-
 Passed the day of, 2014

 Mayor


 Clerk


Schedule "A"


Map Forming Part of
 By-law No. 14-_____

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

Subject Property
 111 Parkside Drive, Waterdown

 **Blocks 1 & 2** - Change from the Medium Density "R6-22" Zone to the Urban Residential "R4-7" Zone

 **Block 3** - Change from the Medium Density "R6-22" Zone to the Medium Density Residential "R6-34" Zone

 **Blocks 4 & 5** - Change from the Medium Density "R6-22" Zone to the Urban Residential "R4-7-H" Holding Zone

Scale: N.T.S.	File Name/Number: ZAC-13-028_25CDM-201305 OPA-13-006	
Date: May 21, 2014	Planner/Technician: CT/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		<u>Hamilton</u>

Note: Blocks located within any portion of Eager Drive are subject to Specific Holding Provisions