

**Authority:** Item [REDACTED], Economic  
Planning Committee  
Report PED14198  
CM: [REDACTED]

**Bill No.** [REDACTED]

**CITY OF HAMILTON**

**BY-LAW NO. [REDACTED]**

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended,  
Respecting Lands located at 1605 Kirkwall 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Section [REDACTED] of Report [REDACTED] of the Planning Committee at its meeting held on the [REDACTED] day of [REDACTED], 2014, 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 Rural Hamilton Official Plan;

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

1. Schedule No. A-15, attached to and forming part of Zoning By-Law 90-145-Z (Flamborough), as amended, is hereby amended by changing the zoning from

the "A" Agricultural Zone to the "R3-6" – 'H' Estate Residential Holding Zone;

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

2. That the "R3" Estate Residential Zone regulations, as contained in Section 8 of Zoning By-law No. 90-145-Z, be modified to include the following special requirements:

"R3-6" (See Schedule A-15)

Permitted Uses

- (a) Subsection 6.1 shall apply.

Zoning Provisions

- (a) Lot Area (minimum) 5,500 sq. m.
- (b) All other zone provisions of Subsection 8.2 shall apply.

3. That the 'H' symbol shall only be removed conditional upon:
  - (i) The owner entering into a Consent Agreement with the City of Hamilton, which will include required private servicing and monitoring conditions to the satisfaction of the Manager of Source Protection Planning, Public Works Department and Senior Director of Growth Management.
4. 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.

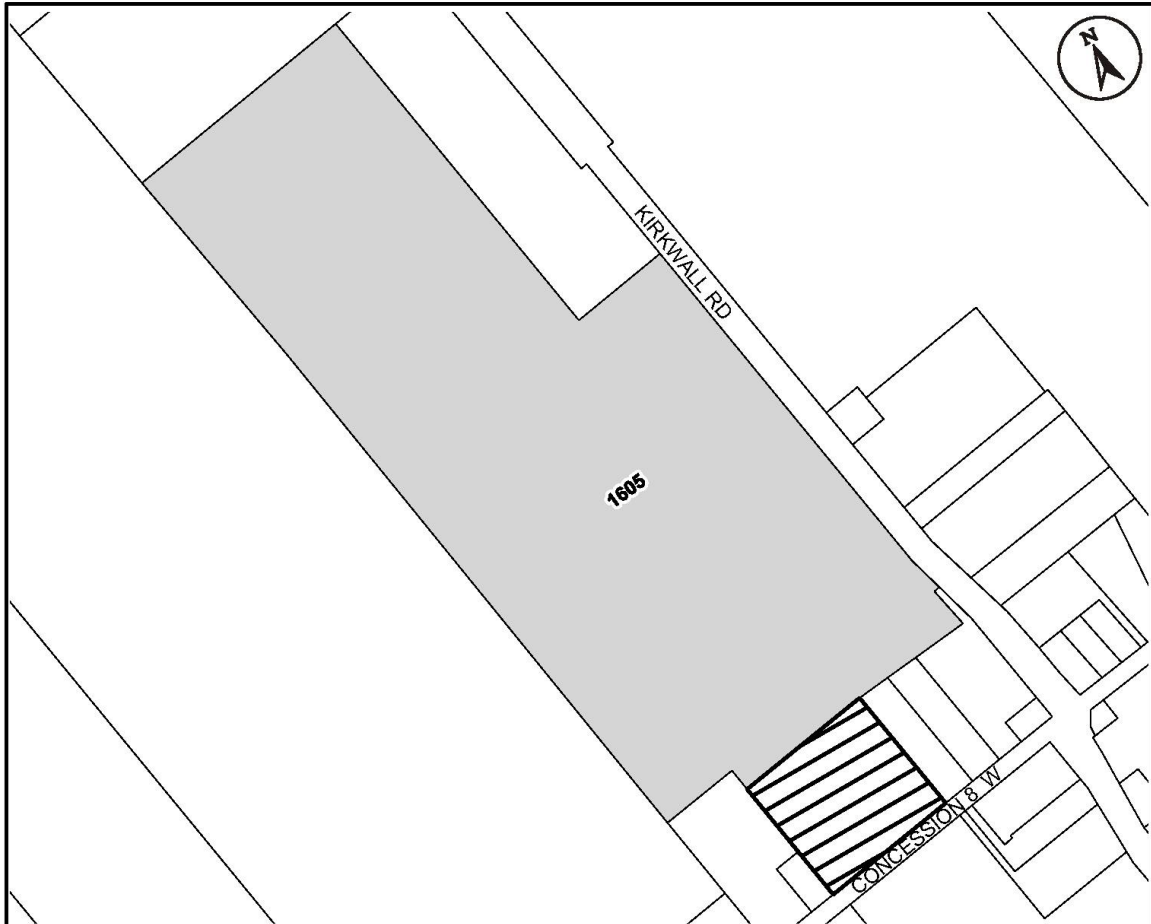
**PASSED and ENACTED** this [redacted] day of [redacted], 2014.

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R. Bratina  
Mayor

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Rose Caterini  
Clerk



<p>This is Schedule "A" to By-law No. 14-</p> <p>Passed the ..... day of ....., 2014</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 14-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 90-145-Z</p>	<p><b>Subject Property</b> 1605 Kirkwall Road</p> <p> Lands to be Rezoned from the Agricultural (A) Zone to the Estate Residential "R3-6"-H' Holding Zone, Modified</p> <p> Remaining Lands</p>
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<p><b>Scale:</b> N.T.S.</p>	<p><b>File Name/Number:</b> ZAC-13-030</p>	
<p><b>Date:</b> August 13, 2014</p>	<p><b>Planner/Technician:</b> DB/GS</p>	
<p style="text-align: center; font-size: small;">PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		