

Authority: Item 3, Planning Committee
Report 15-002 (PED15010)
CM: February 11, 2015

Bill No. 052

CITY OF HAMILTON

BY-LAW NO. 15-

To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended, Respecting Lands located at 548 Millgrove Side 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 3 of Report 15-002 of the Planning Committee at its meeting held on the 11th day of February, 2015, 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-11, attached to and forming part of Zoning By-Law 90-145-Z (Flamborough), as amended, is hereby amended by changing the zoning from the Agricultural "A" Zone to the Agricultural "A-94" Zone, Modified; the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That notwithstanding the Agricultural “A” Zone regulations, as contained in Section 33 of Zoning By-law No. 90-145-Z, be modified to include the following special requirements:

“A-94” (See Schedule A-11)

Permitted Uses:

- a) Any use permitted in an A Zone.
- b) Kennel, Accessory to an Agricultural Use.
- c) Accessory Retail for a Kennel, occupying no greater than 5 percent of the gross floor area.

Definitions:

For the purpose of this By-law, a Kennel shall be defined as follows:

Any lot, building or structure used at any time for the breeding, raising, keeping, training, grooming or boarding of four or more cats.

Zone Provisions:

- (i) Kennel
 - (a) Maximum of 120 cats.
 - (b) That all buildings or structures for the use of a Kennel be restricted to a maximum gross floor area of 300 sq. m.
 - (c) Front Yard (Minimum) 15 metres
 - (d) Front Yard (Maximum) 17 metres
 - (e) Notwithstanding the provisions of Section 5.21 – Parking Regulations, a minimum of 4 parking spaces shall be provided and maintained for the Kennel.
 - (f) Notwithstanding the provisions of Section 5.13 – Loading Regulations, no loading space shall be required for the Kennel.
 - (g) All other zone provision of Subsection 33.2 shall apply.

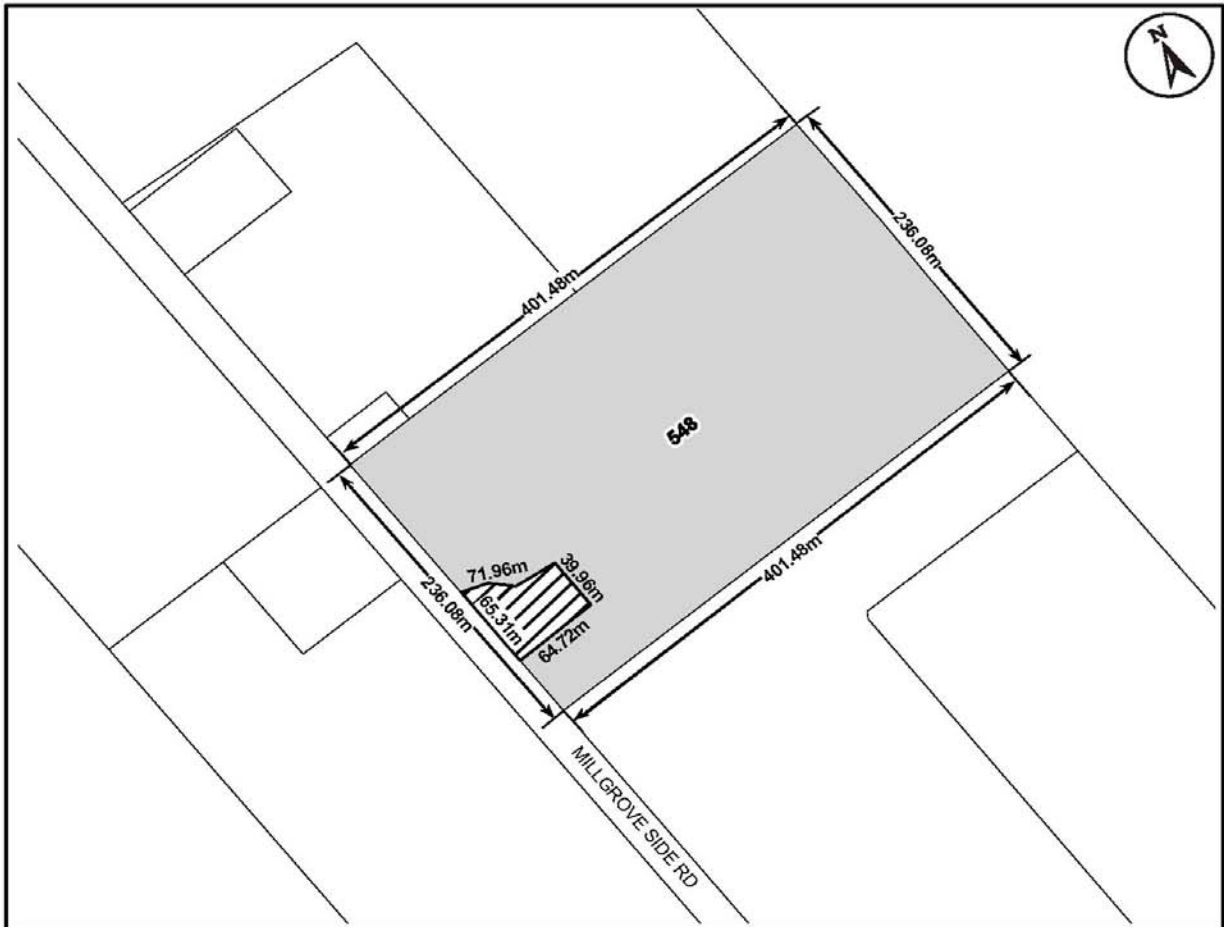
3. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED this 11th day of February, 2015.

Fred Eisenberger
Mayor

Rose Caterini
City Clerk

ZAR-13-057



This is Schedule "A" to By-law No. 15- Passed the day of, 2015	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> <h3 style="margin: 0;">Map Forming Part of By-law No. 15-_____</h3> <h3 style="margin: 0;">to Amend By-law No. 90-145-Z</h3>	<p>Subject Property 548 Millgrove Side Road, Flamborough</p> <p> Lands to be Rezoned from the Agricultural "A" Zone to the Agricultural "A-94" Zone Modified</p> <p> Remaining Lands</p>
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Scale: N.T.S.	File Name/Number: ZAR-13-057	
Date: Dec. 19, 2014	Planner/Technician: DB/VS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		