

**CITY OF HAMILTON**

**BY-LAW XXX-XXXX**

**To Amend Zoning By-law No. 90-145-Z (Flamborough),  
Respecting Lands Located at Concession 3, Part of Lots 2 and 3 (East  
Flamborough),  
in the former Town of 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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> 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 by the Ontario Municipal Board on August 16, 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-X, attached to and forming part of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby amended:
  - (a) By changing from the Agricultural "A" Zone to the Urban Residential "R1-69" Zone, for lands comprised in **Block 1**;
  - (b) By changing from the Agricultural "A" Zone to the Urban Residential "R1-70" Zone, for lands comprised in **Block 2**;
  - (c) By changing from the Agricultural "A" Zone to the Medium Density Residential "R6-39" Zone, for lands comprised in **Block 3**;
  - (d) By changing from the Agricultural "A" Zone to the Medium Density Residential "R6-40" Zone, for lands comprised in **Block 4**;

- (e) By changing from the Agricultural "A" Zone to the Medium Density Residential "R6-41(H)" Zone, Holding, for lands comprised in **Block 5**;
- (f) By changing from the Agricultural "A" Zone to the Medium Density Residential "R6-42(H)" Zone, Holding, for lands comprised in **Block 6**;
- (g) By changing from the Urban Commercial "UC(H)" Zone to the Urban Commercial "UC-16" Zone, for lands comprised in **Block 7**;
- (h) By changing from the Agricultural "A" Zone to the Urban Commercial "UC-15 (H)" Zone, Holding, for lands comprised in **Block 8**;
- (i) By changing from the Urban Commercial "UC(H)" Zone, Holding to the Medium Density Residential "R6-42(H)" Zone, Holding, for lands comprised in **Block 9**.

to the extent and boundaries of which are more particularly shown on Schedule "A" annexed hereto and forming part of this by-law.

2. For the purposes of this By-law, the following definitions shall apply:
- 2.1 Boxout: A projection that is a maximum of 3.0 metres wide with or without a foundation and may contain floor area.
  - 2.2 Dwelling, Live-Work: A Street Townhouse or Townhouse dwelling that may contain residential uses and the following commercial uses on the ground floor:
    - a. Retail Establishment, Personal Service Shop, Service Shop, Office, Dry Cleaning Distribution Station.
  - 2.3 Dwelling, Maisonette: A building containing a minimum of 6 and no more than 16 dwelling units that is divided vertically and where each unit is divided by common walls, including a common rear wall without a rear yard setback, and whereby each unit has an independent entrance to the unit from the outside accessed through the front yard or exterior side yard.
  - 2.4 Dwelling, Rear Lane Townhouse: A Townhouse dwelling where driveway vehicle access is provided in the rear yard from a *lane*.
  - 2.5 Fireplace Projection: An interior fireplace may project outward from the dwelling wall/face with or without foundation.
  - 2.6 Lane: A public or private thoroughfare which provides secondary means of access to abutting lots and which is not intended for general traffic circulation.

2.7 Porch: A structure abutting a main wall of a building having a roof with walls that are open or enclosed.

2.8 Window, Bay, Bow or Box: A window that projects outward from the dwelling wall/face with or without foundation.

3. Section 6- Urban Residential (R1) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following sub-section:

6.3 EXCEPTION NUMBERS

6.3.69 **"R1-69" (LD1- Block "1")**

Permitted Uses:

- (a) Single Detached Dwelling

Zone Provisions:

- |                                      |  |
|--------------------------------------|--|
| (a) Lot Area (minimum):              | 245 square metres Interior<br>315 square metres Corner   |
| (b) Lot Frontage (minimum):          | 9.1metres  |
| (c) Height (maximum):                | 12.5 metres  |
| (d) Lot Coverage (maximum):          | N/A  |
| (e) Front Yard Setback (minimum):    | 2.7 metres, except 5.8 metres to an attached garage or attached carport.   |
| (f) Rear Yard Setback (minimum)      | 7.0 metres   |
| (g) Interior Yard Setback (minimum): | i) 1.2 metres on the garage side and 0.6 metres on non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2 metres, with said maintenance easement permitting encroachment |

for maintenance purposes only for no more than 0.6 metres into the side yard with a side yard setback less than 1.2 metres. A 0.6 metre side yard setback shall not be permitted adjacent to any side lot line less than 1.2 metres.

- ii) On a lot where an emergency/overland flow route shall be located or where back-to-front drainage is proposed, a minimum 2.0 metre side yard separation between buildings shall be provided and maintained along one common lot line.

(h) Exterior Side Yard (minimum)

On a corner lot, the minimum side yard abutting the flankage street shall be 2.4 metres, except that an attached garage which fronts on the flankage street shall not be located within 5.8 metres of the flankage street line.

(i) Landscaped Open Space:

N/A

(j) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted Into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters, eaves, or gutters	All	0.65 metres
Bay, Bow or Box Window with or without a foundation.	Required front, required rear, and required exterior side yard	1.0 metres plus a further 0.3 metres for eaves

Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches-2.2 metres Steps-0.6 metres from the streetline
Setback of all structures from a corner sight (daylighting) triangle	Required front, required rear, and required exterior side yard	0.15 metres minimum setback from the hypotenuse of a sight triangle
Boxout with or without a foundation to a maximum of two storeys	Required rear yard	3.0 metres maximum length along the face of the dwelling with 0.6 metres maximum projection

(k) Landscape Open Areas - General Provisions 5.12.1 shall not apply.

(l) Planting Strip- General Provisions 5.12.2 shall not apply.

(m) General Provisions- Other than contained herein, the provisions of Section 5 shall apply.

4. Section 6- Urban Residential (R1) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following sub-section:

6.3 EXCEPTION NUMBERS

6.3.70 **"R1-70" (LD1- Block "2")**

Permitted Uses:

- (a) Single Detached Dwelling

Zone Provisions:

In accordance with the provisions of the "R1-69" Zone, with the following exception:

- (a) Front Yard Setback (minimum) : 3.0 metres, except 5.8 metres to an attached garage or attached carport.
- (b) Rear Yard Setback (minimum): 6.7 metres

5. Section 6 – Medium Density Residential (R6) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following sub-section:

9.3 EXCEPTION NUMBERS

6.3.39 **"R6-39" (LD1- Block "3")**

Permitted Uses:

- (a) Street Townhouse

Zone Provisions for Street Townhouse:

(a) Lot Area (minimum):	160 square metres
(b) Lot Frontage (minimum):	6.5 metres - Interior 8.2 metres - Interior End 9.6 metres - Corner
(c) Height (maximum):	12.0 metres
(d) Lot Coverage (maximum):	N/A
(e) Front Yard Setback (minimum):	3.0 metres, except 5.8 metres to an attached garage or attached carport.
(f) Rear Yard Setback (minimum):	6.9 metres
(g) Interior Yard Setback (minimum):	1.2 metres, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 metres shall be provided.
(h) Exterior Yard Setback (minimum):	2.4 metres
(i) Planting Strip:	N/A
(j) Landscaped Open Space:	N/A

(k) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted Into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65 metres
Bay, Bow or Box Window with or without a foundation.	Required front, required rear, and required exterior side yard	1.0 metres plus a further 0.3 metres for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches-2.0 metres Steps-0.6 metres from the streetline
Setback of all structures from a corner sight (daylighting) triangle	Required front, required rear, and required exterior side yard	0.3 metres minimum setback from the hypotenuse of a sight triangle

- (l) Dimension of Parking Spaces- all required surface parking spaces shall have minimum dimensions of 2.6 x 5.8m.
  - (m) Landscape Open Space- General Provisions 5.12. shall not apply.
  - (n) General Provisions- Other than contained herein, the provisions of Section 5 shall apply.
6. Section 6 - Medium Density Residential (R6) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following sub-section:

9.3                    EXCEPTION NUMBERS

6.3.40                “R6-40” (LD1- Block “4”)

Permitted Uses:

- (a) Street Townhouse

Zone Provisions for Street Townhouse:

In accordance with the provisions of the “R6-39” Zone, with the following exceptions:

- (a) Rear Yard Setback (minimum): 5.5 metres

- 7. Section 11- Medium Density Residential (R6) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following sub-section:

11.3 EXCEPTION NUMBERS

11.3.41 **“R6-41” (MD- Block “5”)**

Permitted Uses:

- (a) Townhouse
- (b) Rear Lane Townhouse

Zone Provisions for (a) Townhouses along a Common Element Road:

- (a) Lot Area (minimum): 105 square metres
- (b) Lot Frontage (minimum): 6.0 metres
- (c) Height (maximum): 12.5 metres
- (d) Lot Coverage (minimum): N/A
- (e) Front Yard Setback (minimum): 3.0 metres, except 5.8 metres to an attached garage or attached carport
- (f) Rear Yard Setback (minimum): 6m
- (g) Interior Yard Setback (minimum): 1.2 metres, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 metres shall be provided



- (h) Exterior Yard Setback (minimum): 2.4 metres
- (i) Density (maximum): N/A
- (j) Landscaped Open Space: N/A
- (k) Yard Encroachments in accordance with the following:

<b>Structure or Item</b>	<b>Yard Into Which Encroachment is Permitted</b>	<b>Maximum Encroachment Permitted Into Required Yard</b>
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters, eaves, or gutters	All	0.65 metres
Bay, Bow or Box Window with or without a foundation at 1 or 2 storeys, 3m wide	Required front, required rear, and required exterior side yard	1.0 metres plus a further 0.3 metres for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches-2.0 metres Steps-0.6 metres from the streetline
Setback of all structures from a corner sight triangle on a common element road	Required front, required rear, and required exterior side yard	0.3 metres minimum setback from the hypotenuse of a sight triangle

- (l) Subsection 5.12.1(d) (Landscaped Areas) shall not apply.
- (m) The private condominium road shall be considered a public road for the purposes of individual lot frontage
- (n) Parking – Notwithstanding General Provisions 5.12, parking shall be based on 2 spaces per dwelling unit, which include a garage and driveway space, and 0.4 spaces per unit for visitors.
- (o) General Provisions- Other than contained herein, the provisions of Section 5 shall apply

Zone Provisions for (b) Rear Lane Townhouse along a Common Element Road:

- (a) Lot Area (minimum): 90 square metres
- (b) Lot Frontage (minimum): 6.0 metres
- (c) Height (maximum): 13.0 metres
- (d) Lot Coverage (maximum): N/A
- (e) Front Yard Setback (minimum): 2.0 metres
- (f) Rear Yard Setback (minimum): 3.25 metres, except 0.6 metres to an attached garage or attached carport
- (g) Interior Yard Setback (minimum): 1.2 metres, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 metres shall be provided
- (h) Exterior Yard Setback (minimum): 2.4 metres
- (i) Landscaped Open Space (minimum): N/A
- (j) Planting Strip (minimum): N/A
- (k) Density (maximum) N/A
- (l) Access is to be provided via a Common Element road which shall serve as a rear lane.
- (m) Yard Encroachments in accordance with the following:

<b>Structure or Item</b>	<b>Yard Into Which Encroachment is Permitted</b>	<b>Maximum Encroachment Permitted Into Required Yard</b>
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters, eaves, or gutters	All	0.65 metres
Bay, Bow or Box Window	Required front,	1.0 metres plus a

with or without a foundation at 1, 2, or 3 storeys, 3m wide	required rear, and required exterior side yard	further 0.3 metres for eaves
Steps, enclosed and unenclosed porches/decks, and balconies	Required front, required rear, and required exterior side yard	Porches-2.0 metres Steps-0.6 metres from the streetline
Setback of all structures from a corner sight triangle on a common element road	Required front, required rear, and required exterior side yard	0.3 metres minimum setback from the hypotenuse of a sight triangle

- (n) Subsection 5.12.1(d) (Landscaped Areas) shall not apply.
  - (o) Planting Strip - General Provisions 5.12.2 shall not apply.
  - (p) The Common Element condominium road shall be considered a public road for the purposes of individual lot frontage.
  - (q) The East-West Corridor shall be deemed the Front Lot Line.
  - (r) Parking – Notwithstanding General Provisions 5.12, parking shall be based on 2 spaces per dwelling unit and 0.4 spaces per unit for visitors.
  - (s) General Provisions- Other than contained herein, the provisions of Section 5 shall apply
8. Section 11- Medium Density Residential (R6) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following sub-section:

11.3 EXCEPTION NUMBERS

11.3.42 **“R6-42” (MD- Block “6” and Block “9”)**

Permitted Uses:

- (a) Townhouse
- (b) Rear Lane Townhouse
- (c) Maisonette Townhouse

Zone Provisions for (a) Townhouse along a Common Element Road:

- (a) Lot Area (minimum): 130 square metres.
- (b) Lot Frontage (minimum): 7.0 metres
- (c) Height (maximum): 12.5 metres
- (d) Lot Coverage (minimum): N/A
- (e) Front Yard Setback (minimum): 3.0 metres, except 5.8 metres to an attached garage or attached carport
- (f) Rear Yard Setback (minimum): 7 metres
- (g) Interior Yard Setback (minimum): 1.2 metres, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0m shall be provided
- (h) Exterior Yard Setback (minimum): 2.4 metres
- (i) Density (maximum): N/A
- (j) Landscaped Open Space: N/A
- (k) Planting Strip (minimum): N/A
- (l) Yard Encroachments in accordance with the following:

<b>Structure or Item</b>	<b>Yard Into Which Encroachment is Permitted</b>	<b>Maximum Encroachment Permitted Into Required Yard</b>
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters, eaves, or gutters	All	0.65m
Bay, Bow or Box Window with or without a foundation at 1 or 2 storeys, 3m wide	Required front, required rear, and required exterior side yard	1.0m plus a further 0.3m for eaves

Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches-2.0m Steps-0.6m from the streetline
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- (m) Subsection 5.12.1(d) (Landscaped Areas) shall not apply.
- (n) Planting Strip- General Provisions 5.12.2 shall not apply.
- (o) The Common Element condominium road shall be considered a public road for the purposes of individual lot frontage.
- (p) Parking – Notwithstanding General Provisions 5.12, parking shall be based on 2 spaces per dwelling unit, which include a garage and driveway space, and 0.4 spaces per unit for visitors.
- (q) General Provisions- Other than contained herein, the provisions of Section 5 shall apply.

Zone Provisions for (b) Rear Lane Townhouse along a Common Element Road:

- (a) Lot Area (minimum): 90 square metres
- (b) Lot Frontage (minimum): 6.0 metres
- (c) Height (maximum): 13.0 metres
- (d) Lot Coverage (maximum): N/A
- (e) Front Yard Setback (minimum): 2.0 metres
- (f) Rear Yard Setback (minimum): 3.25 metres, except 0.6 metres to an attached garage or attached carport
- (g) Interior Yard Setback (minimum): 1.2 metres, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 metres shall be provided
- (h) Exterior Yard Setback (minimum): 2.4 metres

- (i) Landscaped Open Space (minimum): N/A
- (j) Planting Strip (minimum): N/A
- (k) Density (maximum) N/A
- (l) Dundas Street East shall be deemed the Front Lot Line.
- (m) Access is to be provided via a Common Element Road which shall serve as a rear lane.
- (n) Yard Encroachments in accordance with the following:

<b>Structure or Item</b>	<b>Yard Into Which Encroachment is Permitted</b>	<b>Maximum Encroachment Permitted Into Required Yard</b>
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters, eaves, or gutters	All	0.65 metres
Bay, Bow or Box Window with or without a foundation at 1, 2, or 3 storeys, 3m wide	Required front, required rear, and required exterior side yard	1.0 metres plus a further 0.3 metres for eaves
Steps, enclosed and unenclosed porches/ decks, and balconies	Required front, required rear, and required exterior side yard	Porches-2.0 metres into front yard (Dundas Street East)
Setback of all structures from a corner sight triangle on a common element road	Required front, required rear, and required exterior side yard	0.3 metres minimum setback from the hypotenuse of a sight triangle

- (o) Landscape Open Space- General Provisions 5.12.1 shall not apply.
- (p) Planting Strip- General Provisions 5.12.2 shall not apply.

- (q) The private condominium road shall be considered a public road for the purposes of this by-law.
- (r) Parking – Notwithstanding General Provisions 5.12, parking shall be based on 2 spaces per dwelling unit and 0.40 spaces per unit for visitors.
- (s) General Provisions- Other than contained herein, the provisions of Section 5 shall apply.

Zone Provisions for (c) Maisonette Townhouse along a Common Element Road:

- (a) Lot Area (minimum): 80 square metres
- (b) Lot Frontage (minimum): 6.0 metres
- (c) Height (maximum): 13.5 metres
- (d) Lot Coverage (maximum): N/A
- (e) Front Yard Setback (minimum): 2.0 metres, except 5.8 metres to an attached garage or attached carport
- (f) Rear Yard Setback (minimum): 0 metres
- (g) Interior Yard Setback (maximum): 1.2 metres, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 metres shall be provided
- (h) Exterior Yard Setback (minimum): 2.3 metres
- (i) Landscaped Open Space: N/A
- (j) Density (maximum): N/A
- (k) Planting Strip (minimum): N/A
- (l) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted Into
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		<b>Required Yard</b>
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters, eaves, or gutters	All	0.65m
Bay, Bow or Box Window with or without a foundation.	Required front, required rear, and required exterior side yard	1.0m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches and balconies	Required front, required rear, and required exterior side yard	Porches-2.0m Steps-0.6m from the streetline
Setback of all structures from a corner sight triangle on a common element road	Required front, required rear, and required exterior side yard	0.3m minimum setback from the hypotenuse of a sight triangle

- (m) Landscape Open Space- General Provisions 5.12.1 shall not apply.
- (n) Planting Strip- General Provisions 5.12.2 shall not apply.
- (o) The private condominium road shall be considered a public road for the purposes of this by-law.
- (p) Parking – Notwithstanding General Provisions 5.12, parking shall be based on 2 spaces per dwelling unit, which include a garage and driveway space, and 0.40 spaces per unit for visitors.
- (q) General Provisions- Other than contained herein, the provisions of Section 5 shall apply.

9. Section 17- Urban Commercial (UC) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following sub-section:

17.3 EXCEPTION NUMBERS

17.3.16 **“UC-16” (MIXED USE MEDIUM DENSITY RESIDENTIAL- Block “7”)**



Permitted Uses:

In addition to the uses permitted in section 17.1, the following additional uses shall also be permitted:

- (a) Live-Work Unit.

Zone Provisions for (a) – Live-Work Unit:

- (a) Lot Area (minimum): 165 square metres
- (b) Lot Frontage (minimum): 6.0 metres
- (c) Height (maximum): 12.5 metres
- (d) Lot Coverage (maximum): N/A
- (e) Front Yard Setback (minimum): 1.5 metres
- (f) Rear Yard Setback (minimum): 6.0 metres
- (g) Interior Yard Setback (minimum): 1.2 metres, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0 metres shall be provided.
- (h) Exterior Yard Setback (minimum): 2.5 metres
- (i) Landscaped Open Space (minimum): N/A
- (j) Planting Strip N/A
- (k) Gross Leasable Area (minimum) N/A
- (l) Yard Encroachments in accordance with the following:

<b>Structure or Item</b>	<b>Yard Into Which Encroachment is Permitted</b>	<b>Maximum Encroachment Permitted Into Required Yard</b>
Sills, beltcourses, cornices, fireplaces,	All	0.65m

chimney breasts, pilasters, eaves, or gutters		
Bay, Bow or Box Window with or without a foundation.	Required front, required rear, and required exterior side yard	1.0m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches-2.0m Steps-0.6m from the streetline
Setback of all structures from a corner sight triangle on a common element road	Required front, required rear, and required exterior side yard	0.3m minimum setback from the hypotenuse of a sight triangle

- (m) Principal building entrances for Commercial uses shall face Spring Creek Drive which shall be deemed the front yard.
  - (n) Spring Creek Drive shall be deemed the front lot line.
  - (o) Notwithstanding Section 5.21, any commercial uses at-grade shall be exempt from the applicable parking requirement.
  - (p) Commercial Uses – Permitted only within the at-grade portion of the unit except accessory storage may be permitted on floors below grade.
  - (q) Landscape Open Space- General Provisions 5.12.1 shall not apply.
  - (r) Planting Strip- General Provisions 5.12.2 shall not apply.
  - (s) The private condominium road shall be considered a public road for the purposes of this by-law.
  - (t) General Provisions- in accordance with Section 5 hereof.
10. Section 17- Urban Commercial (UC) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following sub-section:

17.3                    EXCEPTION NUMBERS

17.3.15 **"UC-15" (MIXED USE MEDIUM DENSITY RESIDENTIAL - Block "8")**

Permitted Uses:

Notwithstanding the uses permitted in section 17.1, the following uses shall only be permitted within the building existing at the date of passing of the By-law:

- (a) Use existing at the passing of this by-law not in conjunction with any other permitted use;
- (b) Art Gallery, Museum or Public Use;
- (c) Custom Work Shop;
- (d) Financial Institution;
- (e) Funeral Home;
- (f) Personal Service Establishment;
- (g) Professional Office;
- (h) Retail Establishment;
- (i) Service Shop.

Zone Provisions:

- (a) Parking Space Access - Notwithstanding section 5.21.6 the minimum two-way vehicular driveway width from Dundas Street shall be 5.0m
- (b) Dimension of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6 x 5.8m.
- (c) Planting Strip (minimum) – 3m across Dundas Street East, and in accordance with the provisions of Section 5.12.2 (a) and (c), except where an existing building or structure encroaches.
- (d) Landscape Open Space (minimum) – the provisions of Section 5.12.1((a), (b) and (c) shall apply.
- (e) General Provisions- Other than contained herein, the provisions of Section 5 shall apply.

11. (H) Holding Symbol

Where an (H) Symbol is prefixed to a Zone identified in Schedule "A", the following condition must be fulfilled, to the satisfaction of the City, prior to the lifting of the (H) Holding provision on any portion of the lands:

- i) That a detailed stormwater management report is approved demonstrating that site controls are designed in accordance with the quantity and quality targets identified in the Stormwater Management Report for Mattamy (Waterdown) Phase 2, prepared by R.J. Burnside and Associates Limited, dated April 2015, to the satisfaction of Conservation Halton and the City of Hamilton, Senior Director, Growth Management.
12. 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 and ENACTED** this XXX day of XXXX, 2015

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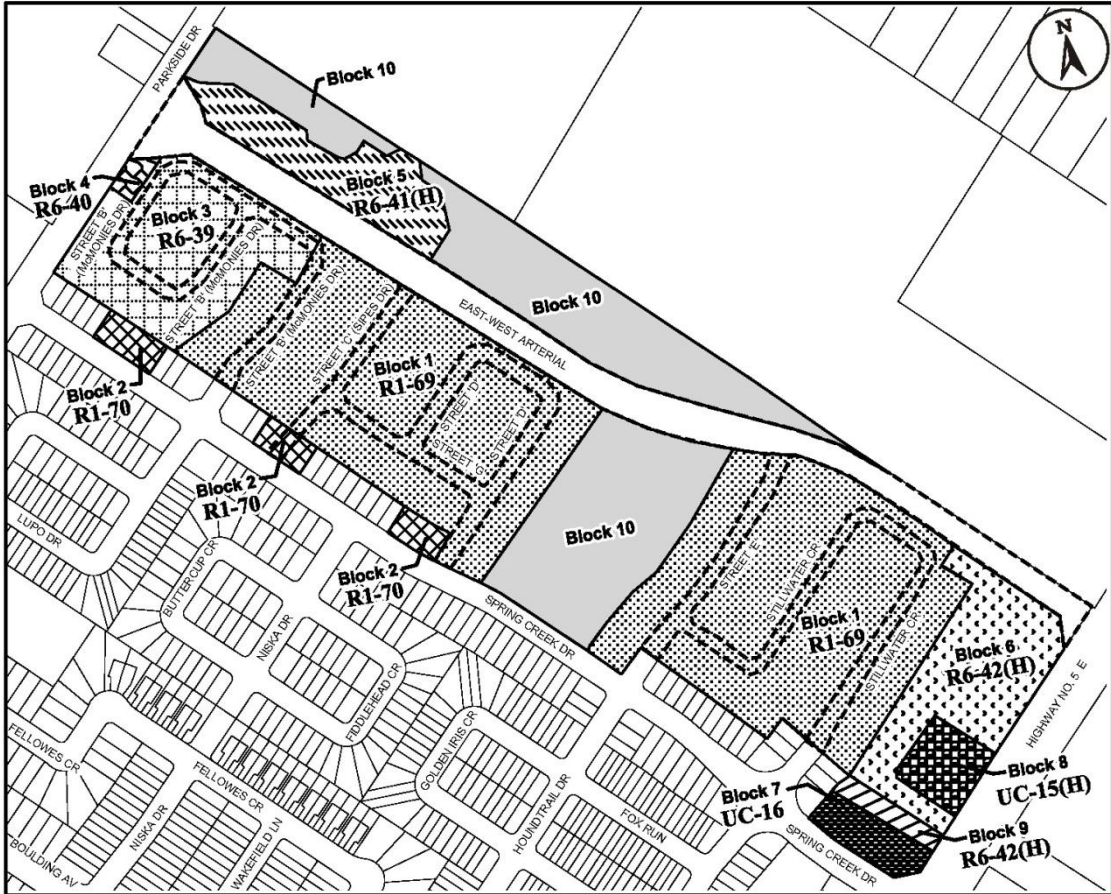
F. Eisenberger  
Mayor

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R. Caterini  
Clerk

ZAC-13-055





<p>This is Schedule "A" to By-law No. 15-</p> <p>Passed the ..... day of ....., 2015</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. 15-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 90-145-Z</p>	<p><b>Subject Property</b> 470 Parkside Drive and 478 &amp; 493 Dundas Street East</p> <ul style="list-style-type: none"> <li> <b>Block 1</b> - Change in zoning from the Agricultural "A" Zone to the Urban Residential "R1-69" Zone</li> <li> <b>Block 2</b> - Change in zoning from the Agricultural "A" Zone to the Urban Residential "R1-70" Zone</li> <li> <b>Block 3</b> - Change in zoning from the Agricultural "A" Zone to the Medium Density Residential "R6-39" Zone</li> <li> <b>Block 4</b> - Change in zoning from the Agricultural "A" Zone to the Medium Density Residential "R6-40" Zone</li> <li> <b>Block 5</b> - Change in zoning from the Agricultural "A" Zone to the Medium Density Residential "R6-41(H)" Holding Zone</li> <li> <b>Block 6</b> - Change in zoning from the Agricultural "A" Zone to the Medium Density Residential "R6-42(H)" Holding Zone</li> <li> <b>Block 7</b> - Change in zoning from the Urban Commercial "UC-H" Holding Zone to the Urban Commercial "UC-16" Zone</li> <li> <b>Block 8</b> - Change in zoning from the Agricultural "A" Zone to the Urban Commercial "UC-15(H)" Holding Zone</li> <li> <b>Block 9</b> - Change in zoning from the Urban Commercial "UC-H" Holding Zone to the Medium Density Residential "R6-42(H)" Holding Zone</li> <li> <b>Block 10</b> - Refer to By-law 05-200</li> </ul>
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Scale: N.T.S.	File Name/Number: 25T201308/ZAC-13-055/UHOPA-15-003
Date: July 16, 2015	Planner/Technician: CT/VS
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

