

**Authority:** Item 3, Planning Committee  
Report 16-019 (PED16204)  
CM: November 9, 2016

**Bill No. 16-300**

## **CITY OF HAMILTON**

### **BY-LAW NO. 16-300**

#### **To Amend Zoning By-law No. 05-200, Respecting Lands Located at 151 Highway No. 8 (Flamborough)**

**WHEREAS** the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, S.O. 1999, Chap. 14;

**AND WHEREAS** it is desirable to enact a new Zoning By-law to comprehensively deal with zoning throughout the City;

**AND WHEREAS** the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

**AND WHEREAS** Zoning By-law No. 05-200 was enacted on the 25<sup>th</sup> day of May, 2005;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 3 of Report 16-019 of the Planning Committee, at its meeting held on the 9<sup>th</sup> day of November, 2016, which recommended that Zoning By-law No. 05-200 be amended as hereinafter provided;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan.

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

1. That Map No. 106 of Schedule "A" – Zoning Maps, of Zoning By-law No. 05-200, be amended by changing the zoning from the Settlement Commercial (S2, 79) Zone to the Settlement Residential (S1) Zone, for the lands, the extent and boundaries of which are shown as "Block 2" on Schedule "A" annexed hereto and forming part of this By-law.
2. That Schedule "C" – Special Exceptions, of By-law No. 05-200, is amended by repealing Special Exception 79 and replacing it with the following:
  - "79. Notwithstanding Section 12.4.1, on those lands zoned Settlement Commercial (S2) Zone, identified on Map 106 of Schedule "A" – Zoning Maps and described as 151 Highway No. 8, the following special provisions shall apply:

a) The following uses shall be permitted:

- i) Single Detached Dwelling existing on the date of the passing of this By-law
- ii) Construction, Haulage and Swimming Pool Contracting Establishment existing on the date of the passing of this By-law.

b) Notwithstanding Sections 12.4.3 d), h) and i), the following regulations shall apply to the Construction, Haulage and Swimming Pool Contracting Establishment:

- i) Minimum Rear Yard            6.64 m
- ii) No Planting strip is required.
- iii) A Visual Barrier shall be maintained along the length of the rear lot line and along the side lot lines for a distance of 30 m from the rear lot line.

c) That for the purposes of this By-law, the lot line abutting Highway No. 8 shall be deemed to be the front lot line.

d) That in addition to Section 4.21, the following regulations shall apply to a Home Business:

- i) Maximum Floor Area            50.2 sq m

e) Notwithstanding Section 4.8.1 f), the following minimum westerly side yard setbacks shall apply:

- i) Existing Frame Shed            3.0 m
- ii) Existing Concrete Bin            4.0 m

3. 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*.

4. That this By-law No. 16-300 shall come into force and be deemed to come into force in accordance with Subsection 34(21) of the *Planning Act*, either upon the date of passage of this By-law or as otherwise provided by the said subsection.

**PASSED** this 9<sup>th</sup> day of November, 2016.

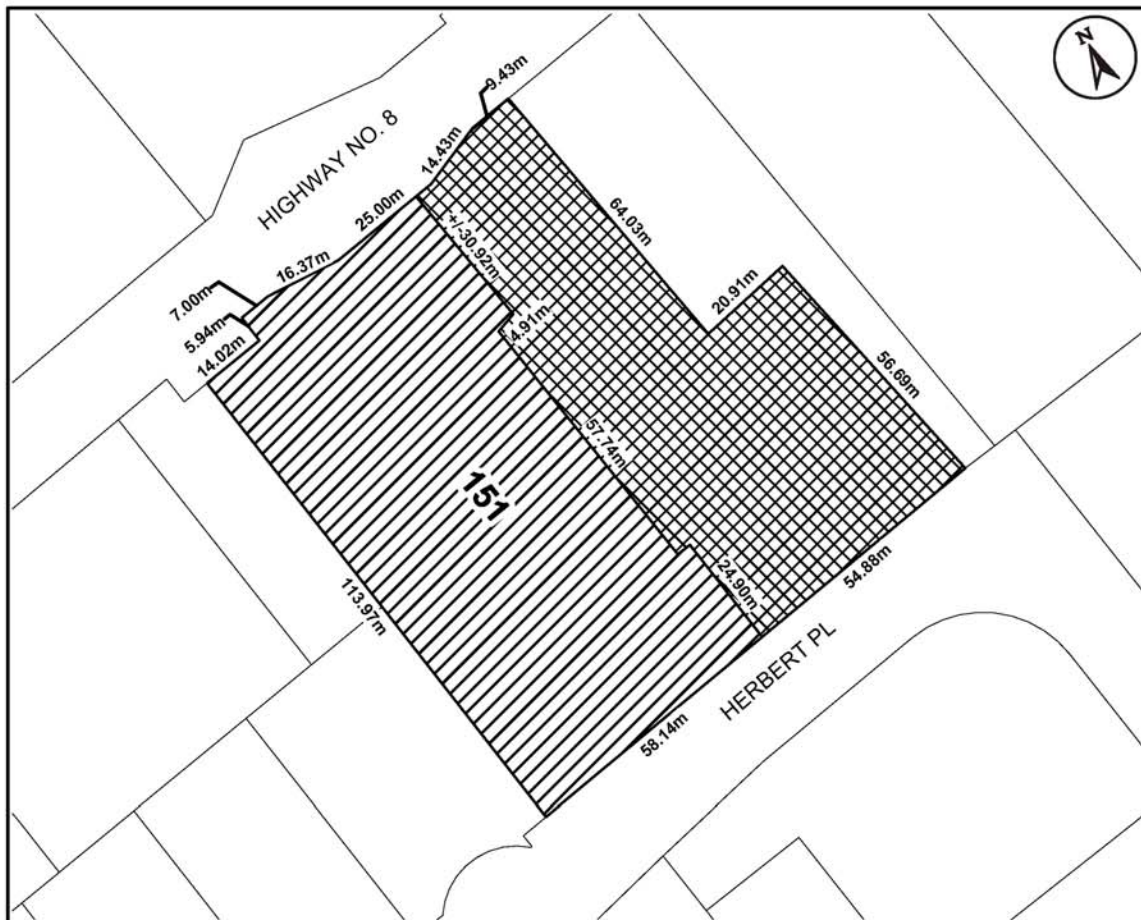
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F. Eisenberger  
Mayor

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R. Caterini  
City Clerk

ZAR-16-036



This is Schedule "A" to By-law No. 16-

Passed the ..... day of ....., 2016

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Mayor

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Clerk

## Schedule "A"

Map Forming Part of  
By-law No. 16-\_\_\_\_\_

to Amend By-law No. 05-200  
Map 106

Scale:  
N.T.S.

File Name/Number:  
ZAR-16-036

Date:  
Sept. 13, 2016

Planner/Technician:  
DM/VS

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT



### Subject Property

151 Highway No. 8, Flamborough



**Block 1** - Further Modification to the Settlement  
Commercial (S2, 79) Zone



**Block 2** - Change in Zoning from the  
Settlement Commercial (S2, 79) Zone to the  
Settlement Residential (S1) Zone