

Authority: Item 7, Planning Committee
Report: 17-001 (PED17009)
CM: January 25, 2017

Bill No. 009

CITY OF HAMILTON

BY-LAW NO. 17-009

To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended, Respecting Lands located at 10 Dennis Avenue (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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 7 of Report 17-001 of the Planning Committee, at its meeting held on the 25th day of January, 2017, which 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 Urban Hamilton Official Plan.

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

1. That Schedule No. "A-30", attached to and forming part of Zoning By-law 90-145-Z (Flamborough), as amended, is hereby amended by changing from the Urban Residential (Single Detached) "R1-35" Zone to the Medium Density Residential "R6-45" Zone, Modified, the extent and boundaries of which more particularly

shown on Schedule "A" annexed hereto and forming part of this By-law.

2. That the Medium Density Residential "R6" Zone regulations, as contained in Section 11 of Zoning By-law No. 90-145-Z, applicable to the subject lands, be modified to include the following special requirements:

"11.3.45 "R6-45" (See Schedule A-30)

Permitted Uses:

- a) Street Townhouse

Zone Provisions

Notwithstanding Section 11.2 (ii), (a), (f), (g), and (h), the following provisions shall apply:

- | | |
|--|--|
| (a) Lot Area (Minimum) | 205 sq m |
| (b) Rear Yard (Minimum) | 7.5 m, except 5.4 m for a corner lot. |
| (c) Interior Side Yard (Minimum) | 1.5 m for an end unit, except 0.0 m for common interior wall |
| (d) Exterior Side Yard (Minimum) | 3.75 m |
| (e) All other zone provisions of Sub-section 11.2 shall apply. | |

Notwithstanding Section 5.12.2, a Planting Strip shall not be required.

Notwithstanding Section 5.21.5 (a), required parking spaces shall be permitted within the required front yard.

Notwithstanding Section 5.30, an unenclosed porch may encroach 2.5 m into the required exterior side yard.

3. That the amending By-law be added to Schedule "A-30" of Flamborough Zoning By-law No. 90-145-Z.

4. 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 January, 2017.

F. Eisenberger
Mayor

R. Caterini
City Clerk

ZAC-16-050



| | |
|---|--------------------------------------|
| This is Schedule "A" to By-law No. 17- Passed the day of, 2017 | ----- Mayor ----- Clerk |
|---|--------------------------------------|

| | |
|---|---|
| <h2>Schedule "A"</h2> <h3>Map Forming Part of By-law No. 17-_____</h3> to Amend By-law No. 90-145-Z | Subject Property 10 Dennis Avenue, Flamborough Change in Zoning from the Residential (Single Detached) "R1-35" Zone, Modified, to the Medium Density Residential "R6-45" Zone, Modified. |
|---|---|

| | | | |
|---|--|--|--------------------------------------|
| Scale: N.T.S. | File Name/Number: ZAC-16-050 | | Date: Oct. 24, 2016 |
| PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT | | | Planner/Technician: DM/V/S |