TO: Chairs and Members
Economic Development and Planning Committee

WARD Affected: WARD 15

COMMITTEE DATE: October 5, 2010

SUBJECT/REPORT NO:
Application to Amend Flamborough Zoning By-law 90-145-Z for Property Located at 111 Parkside Drive (Flamborough) (PED10226) (Ward 15)

SUBMITTED BY:
Tim McCabe
General Manager
Planning and Economic Development Department

PREPARED BY:
Timothy Lee (905) 546-2424, Ext. 1249

SIGNATURE:

RECOMMENDATION

That approval be given to Zoning Application ZAR-10-032, by Silverwood Homes, Owner, for changes in zoning from the Urban Residential “R1-40” Zone, Modified to the Urban Residential “R4-4” Zone, Modified, with a Special Exception (Blocks 1 & 2); from the Urban Residential “R4-4” Zone, Modified to the Urban Residential “R1-40” Zone, Modified, with a Special Exception (Block 3); from the Urban Residential “R4-4” Zone, Modified to the Urban Residential “R1-52” Zone, Modified, with a Special Exception (Block 4); from the Medium Density Residential “R6-22” Zone, Modified to the Urban Residential “R4-4” Zone, Modified, with a Special Exception (Block 5); and from the Urban Residential “R4-4” Zone, Modified, to the Medium Density Residential “R6-22” Zone, Modified, with a Special Exception (Block 6), for lands located at 111 Parkside Drive (Flamborough), as shown as Appendix “A” to Report PED10226, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED10226, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
(b) That the amending By-law be added to Section 6 of Zoning By-law No. 90-145-Z as “R1-52”.

(c) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan, the Town of Flamborough Official Plan, and the North Waterdown Secondary Plan.

EXECUTIVE SUMMARY

The purpose of the application is to amend the Flamborough Zoning By-law on the southerly portion of lands located at 111 Parkside Drive, as shown in Appendix “A”. The effect of the application is to change the zoning to permit the relocation of proposed single-detached, semi-detached, and townhouse units within the existing approved Draft Plan of Subdivision (25T-200621), known as Silverwood Homes, as shown in Appendix “E”. There will be no additional increase in the overall total number of units or change in the mixture of units within the approved Plan of Subdivision.

The proposal is in conformity with the Hamilton-Wentworth Official Plan, the Town of Flamborough Official Plan, and the North Waterdown Secondary Plan. In addition, the proposed modifications to the zoning will maintain the general streetscape of the community with respect to lot frontage and housing types.

Alternatives for Consideration – See Page 10

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial: None

Staffing: None

Legal: As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider an application for a Zoning By-law Amendment.

HISTORICAL BACKGROUND

Zoning By-law Amendment/Draft Plan of Subdivision (ZAC-07-039/25T-200621)

A Zoning By-law Amendment and Draft Plan of Subdivision applications were submitted in 2007 and 2006, respectively. The purposes of these applications was to rezone lands from agricultural to residential and parkland uses to permit development as proposed in the Draft Plan of Subdivision (see Appendix “E”) consisting of 188 residential units within the North Waterdown Secondary Plan area.
These applications were subsequently appealed to the Ontario Municipal Board in 2007 (PL070395) due to Council’s lack of decision on the application. A board decision was issued on December 11, 2008, and the Board approved a Zoning By-law Amendment as per Appendix “D”.

The proposed development is divided in three phases, where Phase 1 consists of approximately 165 units with 18 single-detached, 70 semi-detached, and 70 street townhouse dwellings, 1 block for 7 townhouse dwellings, and a block for a stormwater management pond and a park. The extent of this Zoning By-law Application is within Phase 1 of the approved Draft Plan of Subdivision. Phases 2 and 3 consist of future development to the north of Phase 1.

**Current Zoning By-law Amendment (ZAR-10-032)**

The purpose of the application is to permit the relocation of a portion of the proposed single-detached, semi-detached, and townhouse units within the Board-approved Draft Plan of Subdivision (25T-200621) (see Appendix “E”). There will be no additional increase in the overall total number of units to the subdivision. In addition, the application only affects portions of Phase 1 of the Board-approved Plan of Subdivision and not future phases of the subdivision. The purpose of relocating the lots is to accommodate a more appropriate mix of residential uses within the subdivision.

The application involves six zoning blocks, four of which are located along Street “E” and two are located on the south side of Street “C”, as shown in Appendix “C”. The following modifications are being proposed:

- Blocks 1, 2, and 4: Change in zoning to permit semi-detached dwellings from single-detached dwellings;
- Block 3: Change in zoning to permit single-detached dwellings from semi-detached and link dwellings;
- Block 5: Change in zoning to permit semi-detached units from street townhouse dwellings; and,
- Block 6: Change in zoning to permit street townhouses from semi-detached dwellings.

As the Board approved Plan of Subdivision has not been registered as of September 1 2010, red-lined revisions of the Plan of Subdivision must be submitted for approval by the Director of Planning.

**Chronology**

**July 16, 2010:** Submission of Application ZAR-10-032 by Metropolitan Consulting Inc.
July 23, 2010: Circulation of the Application to internal departments and external agencies.

September 17, 2010: Circulation of Notice of Public Meeting to all residents within 120 Metres of the subject lands.

**Details of Submitted Application:**

**Location:** 111 Parkside Drive

**Owner:** Silverwood Homes Ltd.

**Property Description:**

**Frontage:** 227.2 metres

**Lot Depth:** 435.45 metres

**Area:** 22.51 ha

**EXISTING LAND USE AND ZONING:**

<table>
<thead>
<tr>
<th>Subject Lands:</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject Lands:</td>
<td>Agricultural/Vacant</td>
<td>Urban Residential (Single-Detached) “R1-40” Zone, Modified; Urban Residential (Semi-detached and Link) “R4-4” Zone, Modified; Medium Density Residential “R6-22 Zone, Modified; Neighbourhood Park (P1) Zone; and, Conservation/Hazard Lands (P5) Zone</td>
</tr>
</tbody>
</table>

**Surrounding Lands:**

<table>
<thead>
<tr>
<th></th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>West</td>
<td>Agricultural</td>
<td>Agricultural “A” Zone</td>
</tr>
<tr>
<td>North</td>
<td>Agricultural</td>
<td>Agricultural “A” Zone</td>
</tr>
<tr>
<td>East</td>
<td>Agricultural</td>
<td>Agricultural “A” Zone</td>
</tr>
</tbody>
</table>
South Single-Detached Dwellings Urban Residential (Single-Detached) “R1-1” Zone, Modified

POLICY IMPLICATIONS

Provincial Growth Plan for the Greater Golden Horseshoe

The application has been reviewed with respect to the Provincial Growth Plan for the Greater Golden Horseshoe (Places to Grow). The application is consistent with the policies that direct new growth to the built up areas, as per the Policies contained in Sections 2.2.2 and 2.2.3 of the Places to Grow Plan. The proposal maintains the intent to develop and create complete communities which provide for housing opportunities. Therefore, the application is consistent with the Places to Grow Growth Plan for the Greater Golden Horseshoe.

Provincial Policy Statement

The application is consistent with the Provincial Policy Statement, in that it focuses growth in Settlement Areas and implements Policies 1.1.1, 1.1.3.2, and 1.4.1, which speak to the provision of densities that efficiently use land and to provide a mix of housing types. Therefore, the application is consistent with the Provincial Policy Statement.

Hamilton Wentworth Regional Official Plan

The subject property is designated “Urban Area” in the Hamilton-Wentworth Official Plan. Policy 3.1 outlines that a wide range of uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas.

Urban Areas are intended to accommodate approximately 96% of new residential housing units in the Region to the year 2020. The proposed changes in zoning conform to the policies of the Hamilton-Wentworth Official Plan.

Town of Flamborough Official Plan

The subject property is designated “Mixed Use” and “Residential” on Schedule “A”, Waterdown Urban Area Land Use Plan, in the Town of Flamborough Official Plan, where the designation permits a variety of commercial and residential uses.

The Official Plan also contains policies for the provision of housing and intensification:

Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.
Values: Honesty, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork
“E.3.1.1(vii) Council encourages and supports private sector initiatives in the provision of affordable housing units, including the implementation of senior government programs, involvement of community groups and innovative design and construction techniques.

E.3.1.1(xii) When considering all new housing development or redevelopment, Council will require consideration of the following:

- That development or redevelopment is compatible with the surrounding uses;
- That adequate off-street parking is provided and maintained;
- That the existing pattern of the streetscape and landscape is maintained or improved; and,
- That adequate separations are maintained through distance and/or buffering features between residential and adjacent land uses, particularly involving the privacy areas of adjacent residences.”

The proposed relocation of residential uses will continue to conform to the above policies in particular providing for affordable housing in the form of townhouse and semi-detached dwellings.

The subject property is also located within the Waterdown North Secondary Planning Area, and is described below. As the proposed application is to redistribute existing approved development and will not add additional units to the approved Draft Plan of Subdivision, the application conforms to the Town of Flamborough Official Plan.

**Waterdown North Secondary Plan**

The subject lands are designated “Special Policy Area 1” which permits low density residential uses such as single-detached, semi-detached, and townhouse dwellings, subject to the following:

“A.8.4.2.2. With respect to street townhouse dwellings, street townhouse dwellings shall be permitted to a maximum of 22% of housing types in this designation; and,

A.8.4.2.4. With respect to maximum net residential density, a maximum net residential density of 38 units per net residential hectare shall be permitted in this designation.”
As this Zoning By-law Amendment is to relocate a variety of residential types within the Board approved Plan of Subdivision and where no additional units are being added, the proposed development conforms to the Waterdown North Secondary Plan.

**New Urban Hamilton Official Plan (Council Adopted)**

The New Urban Hamilton Official Plan was adopted by Council on July 9, 2009. The Plan has been forwarded to the Province for approval, but is not in effect. The subject lands are designated “Neighbourhoods” on Schedule E - Urban Structure and Schedule E-1 Urban Land Use Designations of the New Urban Hamilton Official Plan. The following policies apply to the “Neighbourhood” land use designation:

- **E.3.1.3** Plan and designate lands for a range of housing types and densities, taking into account affordable housing needs.

- **E.3.2.1** Areas designated Neighbourhoods shall function as complete communities, including the full range of residential dwelling types and densities, as well as supporting uses intended to serve the local residents.

- **E.3.4.3** Uses permitted in low density residential areas include single-detached, semi-detached, duplex, triplex, and street townhouse dwellings.”

The subject lands are also located within the Waterdown North Secondary Plan Area of the Urban Hamilton Official Plan. The application conforms to Policies 4.2.4.3.a) with respect to single-detached, semi-detached, and townhouse dwellings as a permitted use in the Low Density Residential Designation 2. In addition, the proposed development conforms to policies within the “Special Policy A” designation as there will be no new net increase in the number of units proposed in the approved Plan of Subdivision 25T-200621.

As the Urban Official Plan is not in force and effect, the Waterdown North Secondary Plan within the Flamborough Official Plan continues to be in effect. Based on the foregoing, the proposal conforms to the Urban Hamilton Official Plan.

**Staging of Development Plan**

The proposal is consistent with the Criteria for Staging of Development, in that utilities and services are available, there are no budgetary impacts, it supports a healthy growing economy, provides for additional assessment and Development Charges revenue, provides housing opportunities, and complies to the Official Plan. Furthermore, priority is to be given to the processing of unidentified ‘infill’ development.
RELEVANT CONSULTATION

The following Departments and Agencies had no comments or objections.

- Traffic Engineering Section, Public Works Department.
- Urban Forestry Section, Public Works Department.
- Hamilton Municipal Parking Services.
- Taxation, Corporate Services.

Environment and Sustainable Infrastructure, Public Works

Recommendations from the City of Hamilton Storm Water Master Plan should be incorporated into the servicing plans.

Public Consultation

In accordance with Council’s Public Participation Policy, the application was precirculated as part of the Notice of Complete Application to 93 residents within 120 metres of the subject lands on August 11, 2010. No letters of objection have been received by staff.

Notice of the Public Meeting was given in accordance with the requirements of the Planning Act through circulation to property owners within 120 metres of the subject lands. In addition, a Public Notice Sign was posted on the property on August 27, 2009.

ANALYSIS / RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:
   (i) It is consistent with the Provincial Policy Statement and the Places to Grow Growth Plan;
   (ii) It conforms to the Hamilton-Wentworth Regional Official Plan, the Town of Flamborough Official Plan, the Waterdown North Secondary Plan, and the New Urban Hamilton Official Plan; and,
   (iii) It is compatible with planned development in the surrounding area and the Board approved Plan of Subdivision.

2. The purpose of the application is to relocate single-detached, semi-detached, and townhouse dwellings within Phase 1 of the Board approved Plan of Subdivision (25T-200621). The proposed development of the subject property will not increase the number of lots that were already approved by the Ontario Municipal Board on December 11, 2008 (PL070395). In addition, the Subdivision
Vision: To be the best place in Canada to raise a child, promote innovation, engage citizens and provide diverse economic opportunities.
Values: Honesty, Accountability, Innovation, Leadership, Respect, Excellence, Teamwork

and zoning will conform to the “Special Policy A” designation of the Waterdown North Secondary Plan. The relocation of the residential units will continue to maintain the general compatibility of the streetscape and uses in the surrounding area and within the approved Plan of Subdivision.

3. The applicant has requested that residential units be relocated and reallocated within the existing Board approved Plan of Subdivision (25T-200621). The portions of land that are affected by this application are shown on Appendix “C”, Blocks 1-6, and the Board approved By-law is shown in Appendix “D” where the site specific zoning provisions are shown for Blocks 1 to 6:

- **Blocks 1 & 2:** Change in zoning from Urban Residential “R1-40” Zone, Modified to Urban Residential “R4-4” Zone, Modified, to permit semi-detached dwellings with a minimum lot frontage of 8.2 metres.
- **Block 3:** Change in zoning from Urban Residential “R4-4” Zone, Modified to Urban Residential “R1-40” Zone, Modified, to permit single-detached dwellings with a minimum lot frontage of 10.5 metres.
- **Block 4:** Change in zoning from Urban Residential “R4-4” Zone, Modified to Urban Residential “R1-52” Zone, Modified, to permit single-detached dwellings with a minimum lot frontage of 10.0 metres.
- **Blocks 5:** Change in zoning from the Medium Density Residential “R6-22” Zone, Modified to Urban Residential “R4-4” Zone, Modified, to permit semi-detached dwellings with a minimum lot frontage of 8.2 metres.
- **Block 6:** Change in zoning from the Urban Residential “R4-4” Zone, Modified to Medium Density Residential “R6-22” Zone, Modified, to permit street townhouse dwellings with a minimum lot frontage of 7.0 metres.

Block 4 will be rezoned to a new Urban Residential “R1-52” Zone, Modified to permit single-detached dwellings with a minimum lot frontage of 10.0 metres and retain zoning provisions from the Urban Residential “R1-40” Zone, Modified with respect to lot coverage, lot area, setbacks, landscaped areas, and yard encroachments.
The proposed rezoning of portions of the approved Draft Plan of Subdivision can be considered as good planning as the streetscape and residential use will be maintained, and that it will not add additional residential units. The zoning modifications to the Blocks will also maintain the general lot frontages, lot area, and lot coverages.

4. Development Engineering staff will address any engineering concerns with regard to any impacts the application may have on Stormwater Management during their review of the revised Plan of Subdivision.

**ALTERNATIVES FOR CONSIDERATION**

Should the application be denied, the subject property would remain zoned to permit a variety of residential uses such as single-detached, semi-detached, and townhouse units, and the subject property could continue to be developed as identified in the Plan of Subdivision 25T-200621, as approved by the Ontario Municipal Board on December 11, 2008 (PL070395).

**CORPORATE STRATEGIC PLAN**


**Financial Sustainability**
- Generate assessment growth/non-tax revenues

**Social Development**
- Everyone has a home they can afford that is well maintained and safe

**Healthy Community**
- Plan and manage the built environment

**APPENDICES / SCHEDULES**

- Appendix “A”: Location Map
- Appendix “B”: Draft By-law
- Appendix “C”: Draft Zoning Schedule
- Appendix “D”: Board Approved By-law for the Subject Property (Approved December 11, 2008)
- Appendix “E”: Survey of Plan of Subdivision

:TL
Attachs.(5)
Appendix "A" to Report PED10226 (Page 1 of 1)

Location Map

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number: ZAR-10-032
Date: Sept. 14, 2010

Appendix "A"

Scale: N.T.S.
Planner/Technician: TL/AL

Subject Property
111 Parksides Drive (Part of Lot 11, Concession 4 - East Flamborough), Waterdown

- Blocks 1 & 2 be rezoned from the Urban Residential "R1-40" Zone, Modified to the Urban Residential "R4-4" Zone, Modified
- Block 3 be rezoned from the Urban Residential "R4-4" Zone, Modified to the Urban Residential "R1-40" Zone, Modified
- Block 4 be rezoned from the Urban Residential "R4-4" Zone, Modified to the Urban Residential "R1-52" Zone, Modified
- Block 5 be rezoned from the Urban Residential "R6-22" Zone, Modified to the Urban Residential "R4-4" Zone, Modified
- Block 6 be rezoned from the Urban Residential "R4-4" Zone, Modified to the Medium Density Residential "R6-22" Zone, Modified

Ward 15 Key Map N.T.S.
CITY OF HAMILTON

BY-LAW NO. 

To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 111 Parkside Drive (Flamborough)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario 1999 Chap. 14, Schedule 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 Town of Flamborough”, and is the successor of 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 or the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th of November 1990 and approved by the Ontario Municipal Board on the 21st of December, 1991;

AND WHEREAS the Council of the City of Hamilton, in adopting Item of Report 10- of the Economic Development and Planning Committee, at its meeting held on the day of , 2010, 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 Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough) in accordance with the provisions of the Planning Act.

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

1. The Schedule “A-6” of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended as follows:
(a) That Blocks 1 and 2 be rezoned from the Urban Residential “R1-40” Zone, Modified, to the Urban Residential “R4-4” Zone, Modified;

(b) That Block 3 be rezoned from the Urban Residential “R4-4” Zone, Modified, to the Urban Residential “R1-40” Zone, Modified;

(c) That Block 4 be rezoned from the Urban Residential “R4-4” Zone, Modified to the Urban Residential “R1-52” Zone, Modified;

(d) That Block 5 be rezoned from the Medium Density Residential “R6-22” Zone to the Urban Residential “R4-4” Zone, Modified; and,

(e) That Block 6 be rezoned from the Urban Residential “R4-4” Zone, Modified, to the Medium Density Residential “R6-22” Zone, Modified;

on the lands the extent and boundaries of which are more particularly shown on Schedule “A” annexed hereto and forming part of this By-law.

2. That Section 6 – Urban Residential (Single Detached) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following subsection:

6.3 Exception Numbers

6.3.48 “R1-52” (See Schedule A-6)

Zone Provisions:

(a) Lot Frontage (minimum) 10.0 metres

(b) All other zone provisions of the Urban Residential (Single Detached) “R1-40” Zone, Modified shall apply.

3. That By-law No. 90-145-Z (Flamborough) is amended by adding this By-law to Section 6 as “R1-52”

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

PASSED and ENACTED this □□□ day of □□, 2010.

______________________________  ________________________________
Fred Eisenberger                    Rose Caterini
Mayor                              Clerk

ZAR-10-032
Schedule "A"

Map Forming Part of By-Law No. 10—____

to Amend By-law No. 90-145-Z

Subject Property

111 Paraside Drive (Part of Lot 11, Concession 4 – East Flamborough), Waterdown

Blocks 1 & 2 be rezoned from the Urban Residential "R1-40" Zone, Modified, to the Urban Residential "R4-4" Zone, Modified

Block 3 be rezoned from the Urban Residential "R4-4" Zone, Modified, to the Urban Residential "R1-40" Zone, Modified

Block 4 be rezoned from the Urban Residential "R4-4" Zone, Modified, to the Urban Residential "R1-52" Zone, Modified

Block 5 be rezoned from the Urban Residential "R8-22" Zone, Modified to the Urban Residential "R4-4" Zone, Modified

Block 6 be rezoned from the Urban Residential "R4-4" Zone, Modified, to the Medium Density Residential "R6-32" Zone, Modified
Draft Zoning Schedule
By-Law No. 90-145-Z
Part of Lot 11, Concession 4
Formerly in the Township of East Flamborough
Now in the City of Hamilton

Subject Property
111 Parkside Drive
Block 1- add semi-detached dwellings as a permitted use
Block 2- add semi-detached dwellings as a permitted use
Block 3- add single detached dwellings as a permitted use
Block 4- add single detached dwellings as a permitted use
Block 5- add semi-detached dwellings as a permitted use
Block 6- add street townhouses as a permitted use
Block 7- Lands to be Zoned Conservation/Hazard Lands (P5) Zone
Block 8- Lands to be Zoned Neighbourhood Park (P1) Zone
ATTACHMENT "3"

OMB File No.'s PL070395, PL080150 & PL080167

Authority:

Bill No.

CITY OF HAMILTON

BY-LAW NO. ________

To Amend Zoning By-law No. 90-145-Z (Flamborough),
Respecting Lands Located at 111 Parkside Drive, Concession 4, Part of Lot 11 (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 5th 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 Official Plan of the City of Hamilton (the
Official Plan of the Former Town of Flamborough, approved by the Minister under the Planning
Act on September 27th, 1988) in accordance with the provisions of the Planning Act;

NOW THEREFORE the Ontario Municipal Board Orders as follows:

1. Schedule "A-6" attached to and forming part of Zoning By-law No. 90-145-Z
(Flamborough), as amended, is hereby amended:

   (a) by changing from the Agriculture "A" Zone to the Urban Residential "R.1-4D" Zone,
       for lands comprised in Blocks "2", "4", and "6";

   (b) by changing from the Agriculture "A" Zone to the Urban Residential "R44" Zone,
       for lands comprised in Blocks "1", "3", "5" and "13";
Appendix “D” to Report PED10226 (Page 2 of 13)

By-law respecting 111 Parkside Drive, Part of Lot 11, Concession 4, East Flamborough
OMB File No.'s PL070395, PL080150 & PL080167
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(c) by changing from the Agriculture "A" Zone to the Urban Residential "R4-5" Zone, for lands comprised in Block "10";

(d) by changing from the Agriculture "A" Zone to the Medium Density Residential "R6-22" Zone, for lands comprised in Blocks "7", "8", "11" and 12;

(e) by changing from the Agriculture "A" Zone to the Medium Density Residential "R6-23" Zone, for lands comprised in Block "9"; and,

(f) by changing from the Agriculture "A" Zone to the Medium Density Residential "R6-24" Zone, for lands comprised in Block "14".

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

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

6.3 EXCEPTION NUMBERS

6.3.40 "R1-40" (See Schedule A-6)

Permitted Uses

Single Detached Dwelling

Zone Provisions

(a) Lot Area (minimum): 270 square metres

(b) Lot frontage (minimum): 10.5 metres

(c) Lot Coverage (maximum): N/A

(d) Front Yard (minimum): 4.5 metres, except 6.0 metres to an attached garage or attached carport

(e) Rear Yard (minimum): 7.0 metres, except 20 metres from any hydrocarbon transmission line

(f) Interior Side Yard (minimum): 1.2 metres one side, and 0.60 metres other side wall.
By-law respecting 111 Parkside Drive, Part of Lot 11, Concession 4, East Flamborough
OMB File No.’s PL070395, PL080150 & PL080167
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(g) Exterior Side Yard (minimum) 2.4 metres, except that an attached garage or carport which fronts on the flankage lot line shall not be located within 6.0 metres of the flankage lot line

(h) Landscape Open Space N/A

(i) Yard Encroachments in accordance with the following:

<table>
<thead>
<tr>
<th>Structure or Item</th>
<th>Yard Into Which Encroachment is Permitted</th>
<th>Maximum Encroachment Permitted into Required Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sills, beltcourses, cornices, chimney breasts, plaisters, eaves or gutters</td>
<td>All</td>
<td>0.65 metres</td>
</tr>
<tr>
<td>Bay Windows with or without a foundation</td>
<td>Required front and required exterior side yard</td>
<td>1.00 metres</td>
</tr>
<tr>
<td>Steps and unenclosed porches</td>
<td>Required front and required rear and required exterior side yard</td>
<td>Porches – 2.0 metres Steps – 0.60 metres from the streetline</td>
</tr>
<tr>
<td>Setback of all structures from the sight triangles</td>
<td>Required front and required exterior side yard</td>
<td>0.30 metre minimum setback from a sight triangle</td>
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</tbody>
</table>

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

(k) All other zone provisions of Subsection 6.2 shall apply.

3. Section 9 – Urban Residential Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following subsection:

9.3 Exception Numbers

9.3.4 *R4-4* (See Schedule A-6)

Permitted Uses

(a) Semi-Detached Dwelling
(b) Link Dwelling

Zone Provisions

(a) Lot Area (minimum): 218 square metres, except on a corner lot the minimum lot area shall be 260 square metres.

(b) Lot frontage (minimum):

(i) Semi-Detached Dwelling 8.2 metres
(ii) Link Dwelling 9.0 metres

(c) Lot Coverage (maximum) N/A

(d) Front Yard (minimum) 4.5 metres, except 6.0 metres to an attached garage or attached carport

(e) Rear Yard (minimum) 7.0 metres, except 20 metres from any hydrocarbon transmission line

(f) Interior Side Yard (minimum)

(i) Semi-Detached Dwelling 1.2 metres, except 0 metres on the common side wall
(ii) Link Dwelling 1.2 metres on one side and 0.80 metres on the other common side wall

(g) Exterior Side Yard (minimum) 2.4 metres, except that an attached garage or carport which fronts on the flankage lot line shall not be located within 6.0 metres of the flankage lot line

(h) Landscape Open Space N/A

(i) Yard Encroachments in accordance with the following:

<table>
<thead>
<tr>
<th>Structure or Item</th>
<th>Yard Into Which</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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<table>
<thead>
<tr>
<th>Encroachment is Permitted</th>
<th>Encroachment Permitted into Required Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sills, beltcourses, cornices, chimney breasts, pilasters, eaves or gutters</td>
<td>All</td>
</tr>
<tr>
<td>Bay Windows with or without a foundation</td>
<td>Required front and required exterior side yard</td>
</tr>
<tr>
<td>Steps and unenclosed porches</td>
<td>Required front, required rear and required exterior side yard</td>
</tr>
<tr>
<td>Setback of all structures from the sight triangles</td>
<td>Required front and required exterior side yard</td>
</tr>
</tbody>
</table>

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

(k) All other zone provisions of Subsection 9.2 shall apply.

4. Section 9 – Urban Residential Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following subsection:

9.3 EXCEPTION NUMBERS

9.3.5 ‘R4-5’ (See Schedule A-6)

Permitted Uses

(a) Semi-Detached Dwelling

(b) Link Dwelling

Zone Provisions

(a) Lot Area (minimum): 225 square metres

(b) Lot frontage (minimum): 9 metres

(c) Lot Depth (minimum): 25 metres

(d) Lot Coverage (maximum): N/A
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(e) Front Yard (minimum) 4.5 metres, except 6.0 metres to an attached garage or attached carport
(f) Rear Yard (minimum) 7.0 metres
(g) Interior Side Yard (minimum)
   (i) Semi-Detached Dwelling 1.2 metres, except 0 metres on the common side wall
   (ii) Link Dwelling 1.2 metres on one side and 0.60 metres on the other common side wall
(g) Exterior Side Yard (minimum)
   2.4 metres, except that an attached garage or carport which fronts on the flankage lot line shall not be located within 6.0 metres of the flankage lot line

(h) Landscape Open Space N/A

(i) Yard Encroachments in accordance with the following:

<table>
<thead>
<tr>
<th>Structure or Item</th>
<th>Yard Into Which Encroachment is Permitted</th>
<th>Maximum Encroachment Permitted into Required Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sills, beltcourses, cornices, chimney breasts, plasters eaves or gutters</td>
<td>All</td>
<td>0.65 metres</td>
</tr>
<tr>
<td>Bay Windows with or without a foundation</td>
<td>Required front and required exterior side yard</td>
<td>1.00 metres</td>
</tr>
<tr>
<td>Steps and unenclosed porches</td>
<td>Required front, required rear and required exterior side yard</td>
<td>Steps - 2.0 metres from the streetline</td>
</tr>
<tr>
<td>Setback of all structures from the sight triangles</td>
<td>Required front and required exterior side yard</td>
<td>0.30 metre minimum setback from a sight triangle</td>
</tr>
</tbody>
</table>
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(i) General Provisions – Other than contained herein, the provisions of Section 5 shall apply.

(k) All other zone provisions of Subsection 9.2 shall apply.

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

11.3 EXCEPTION NUMBERS
11.3.22 “R6-22” (See Schedule A-6)

Permitted Uses
(a) Street Townhouses

Zone Provisions
(a) Lot Area (minimum): 182.0 square metres per dwelling unit, except on a corner lot the minimum lot area shall be 230 square metres per dwelling unit.

(b) Lot frontage (minimum) 7.0 metres
(c) Lot Coverage (maximum) N/A
(d) Front Yard (minimum) 4.5 metres, except 6.0 metres to an attached garage or attached carport
(e) Rear Yard (minimum) 7.0 metres
(f) Interior Side Yard (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
(g) Exterior Side Yard (minimum) 2.4 metres, except that an attached garage or carport which fronts on the flankage
(h) **Landscape Open Space**

N/A

(i) **Yard Encroachments in accordance with the following:**

<table>
<thead>
<tr>
<th>Structure or Item</th>
<th>Yard Into Which Encroachment is Permitted</th>
<th>Maximum Encroachment Permitted into Required Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sills, beltcourses, cornices, chimney breasts, pilasters eaves or gutters</td>
<td>All</td>
<td>0.65 metres</td>
</tr>
<tr>
<td>Bay Windows with or without a foundation</td>
<td>Required front and required exterior side yard</td>
<td>1.00 metres</td>
</tr>
<tr>
<td>Steps and unenclosed porches</td>
<td>Required front, required rear and required exterior side yard</td>
<td>Porches – 2.0 metres Steps – 0.80 metres from the streetline</td>
</tr>
<tr>
<td>Setback of all structures from the sight triangles</td>
<td>Required front and required exterior side yard</td>
<td>0.30 metre minimum setback from a sight triangle</td>
</tr>
</tbody>
</table>

(j) **General Provisions** – Other than contained herein, the provisions of Section 5 shall apply.

(k) **All other zone provisions of Subsection 11.2 shall apply.**

6. **Section 11 – Medium Density Residential Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following subsection:**

11.3 **EXCEPTION NUMBERS**

11.3.23 "R6-23" (See Schedule A-6)

**Permitted Uses**

(a) Street Townhouses
Zone Provisions

(a) Lot Area (minimum): 175.0 square metres per dwelling unit, except on a corner lot the minimum lot area shall be 220 square metres.

(b) Lot frontage (minimum) 7.0 metres

(c) Lot Coverage (maximum) N/A

(d) Front Yard (minimum) 4.5 metres, except 6.0 metres to an attached garage or attached carport

(e) Rear Yard (minimum) 7.0 metres

(f) Interior Side Yard (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

(g) Exterior Side Yard (minimum) 2.4 metres, except that an attached garage or carport which fronts on the flanking lot line shall not be located within a minimum of 6.0 metres of the flanking lot line

(h) Landscape Open Space N/A

(i) Yard Encroachments in accordance with the following:

<table>
<thead>
<tr>
<th>Structure or Item</th>
<th>Yard Into Which Encroachment is Permitted</th>
<th>Maximum Encroachment Permitted into Required Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sills, beltcourses, cornices, chimney breasts, pilasters</td>
<td>All</td>
<td>0.85 metres</td>
</tr>
</tbody>
</table>
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<table>
<thead>
<tr>
<th>eaves or gutters</th>
<th>Required front and required exterior side yard</th>
<th>1.00 metres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bay Windows with or without a foundation</td>
<td>Required front and required exterior side yard</td>
<td>2.0 metres</td>
</tr>
<tr>
<td>Steps and unenclosed porches</td>
<td>Required front and required exterior side yard</td>
<td>0.80 metres from the streetline</td>
</tr>
<tr>
<td>Setback of all structures from the sight triangles</td>
<td>Required front and required exterior side yard</td>
<td>0.30 metre minimum setback from a sight triangle</td>
</tr>
</tbody>
</table>

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

(k) All other zone provisions of Subsection 11.2 shall apply.

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

7.1.3 EXCEPTION NUMBERS

7.1.3.24 "R5-24" (See Schedule A-6)

Permitted Uses

(a) Townhouses

Zone Provisions

(a) Lot Area (minimum) 0.19 hectares of total parcel area and 182 square metres per dwelling unit

(b) Lot Frontage (minimum) 45 metres of total parcel frontage and 7 metres per dwelling unit

(c) Lot Coverage (maximum) N/A

(d) Front Yard (minimum) 4.0 metres, except 6.0 metres to an attached garage or
(e) Rear Yard (minimum) 6.5 metres
(f) Interior Side Yard (minimum) 1.2 metres, except for the side yard related to the common wall, in which case a minimum side yard of 0.0 metres shall be provided
(g) Exterior Side Yard (minimum) 4.2 metres, except 1.5 metres to the hypotenuse to a sight triangle
(h) Planting Strip (minimum) 3.0 metres width across all lot lines adjacent to a street, except 1.5 metres to the hypotenuse to a sight triangle
(i) Landscape Open Space N/A
(j) Maximum Density 38 dwelling units per net residential hectare

(k) Yard Encroachments in accordance with the following:

<table>
<thead>
<tr>
<th>Structure or Item</th>
<th>Yard Into Which Encroachment is Permitted</th>
<th>Maximum Encroachment Permitted into Required Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sills, beltcourses, cornices, chimney breasts, pilasters eaves or gutters</td>
<td>All</td>
<td>0.95 metres</td>
</tr>
<tr>
<td>Bay Windows with or without a foundation</td>
<td>Required front and required exterior side yard</td>
<td>1.00 metres</td>
</tr>
<tr>
<td>Steps and unenclosed porches</td>
<td>Required front, required rear and required exterior side yard</td>
<td>Porches – 2.0 metres Steps – 0.60 metres from the streetline</td>
</tr>
<tr>
<td>Setback of all structures from the sight triangles</td>
<td>Required front and required exterior side yard</td>
<td>1.5 metre minimum setback from a sight triangle</td>
</tr>
</tbody>
</table>
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(I) Parking

2 spaces per dwelling unit

(m) For the purposes of this By-law a private condominium road for
two-way vehicular movement shall have a minimum unobstructed
width of not less than 6.0 metres.

(n) In addition, to the provisions of Definitions Section 3 – "Street" a
private condominium road shall also be considered to be a
highway for the purpose of creating lot frontage and front yard
setback.

(o) For the purposes of this By-law the front lot line for the total parcel
area shall be considered the lot line abutting Parkside Drive.

(p) For the purpose of this By-law townhouses fronting onto a
private condominium road shall be considered a block townhouse
development.

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

(r) All other zone provisions of Subsection 11.2 shall apply.

6. That the amending By-law be added to Schedule "A-6" of Flamborough Zoning By-law
No. 90-145-Z.

9. 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 day of , 2008.

Fred Eisenberger
MAYOR

Kevin C. Christenson
CLERK

ZAC-07-039