

ISSUE DATE:
November 16, 2007



PL000800

07-364
By-law 07-363

Ontario
Ontario Municipal Board
Commission des affaires municipales de l'Ontario

836769 Ontario Inc. has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended from Council's refusal or neglect to enact a proposed amendment to the Official Plan for Town of Flamborough to redesignate lands composed of from "Open Space and Recreation" to a Site Specific Designation to permit a 15 unit mobile home park and a 150 site recreational camping establishment

OMB File Number: O000142.

836769 Ontario Inc. has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law 90-145-Z of the Town of Flamborough to rezone lands respecting Part of Lot 35, Concession 4, formerly in the Township of Beverly from "Recreation Open Space Zone (O3-3)" to a Site Specific Residential Mobile Home Holding in order to allow for the conversion of a portion of the property from seasonal camping to year-round mobile home sites

OMB File Number: Z000111

BEFORE:

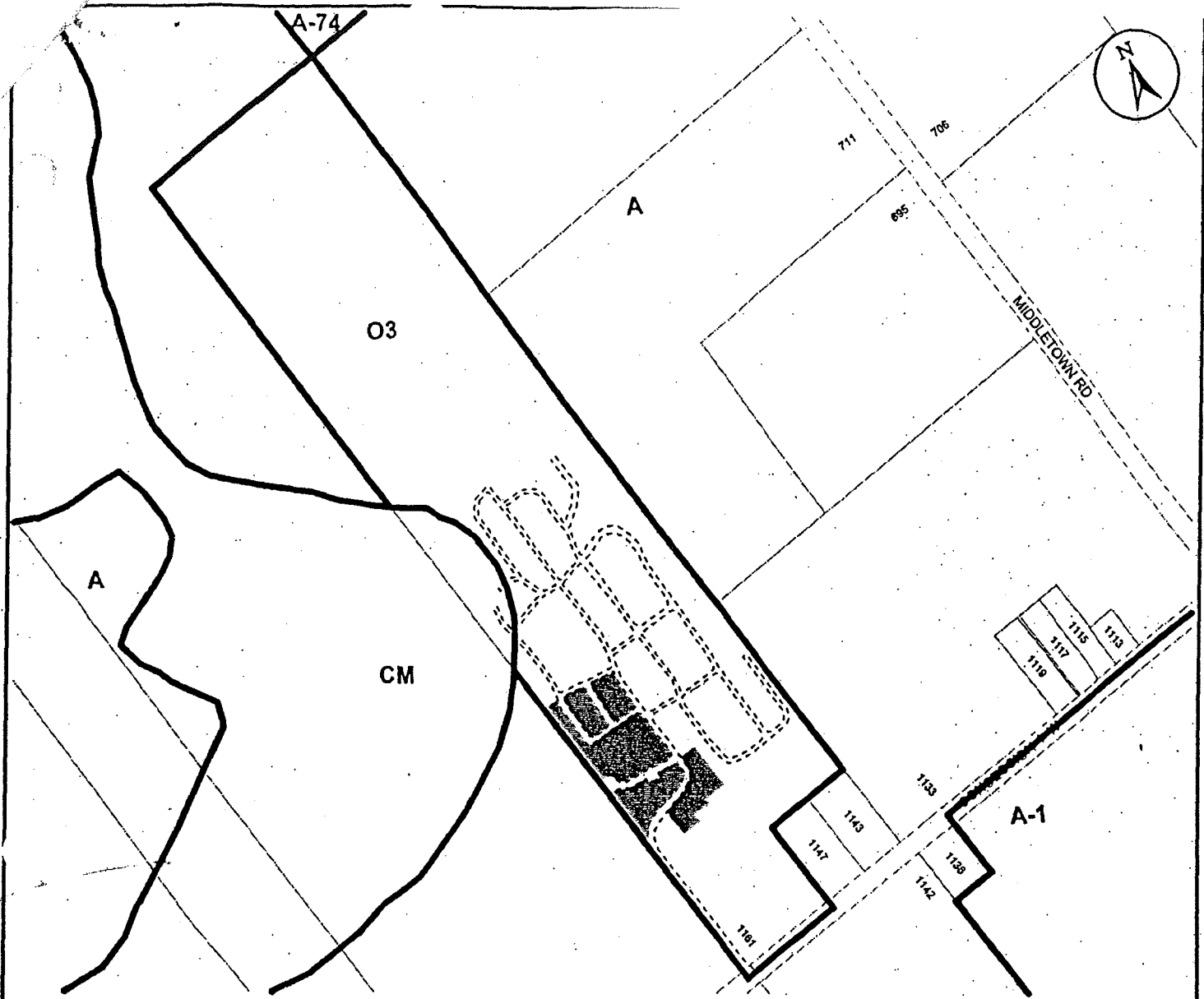
J. de P. Seaborn)
Vice Chair)
Friday, the 9th day
of November, 2007

UPON APPEAL TO THIS BOARD, and the Board having been advised by correspondence received from the City of Hamilton that the original Schedule "A", which was included with Decision/Order 1043, omitted four of the approved fifteen sites.

THE BOARD ORDERS that Decision/Order 1043, issued on June 29, 2001, is hereby amended by replacing Schedule "A" with the attached Schedule "A", dated September 13, 2007.

In all other respects the Decision remains the same.

SECRETARY



This is Schedule "A" to By-Law No. 07-

Passed the day of, 2007

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 07-_____

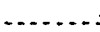
to Amend By-law No. 90-145-Z

Subject Property

1161 Concession 4 West, Flamborough



Lands to be Rezoned from "O3" to "R9(H)"



Private Road Network

Scale:
N.T.S.

File Name/Number:
Olympia Village

Date:

Sept. 13, 2007

Planner/Technician:
CT / MB



Hamilton

**THE CORPORATION OF THE TOWN OF FLAMBOROUGH
BY-LAW NO. _____.**

To amend Zoning By-law No. 90-145-Z, as
amended, of the Town of Flamborough

**NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN
OF FLAMBOROUGH ENACTS AS FOLLOWS:**

Schedule No. A-22 attached to and forming part of Zoning By-law No. 90-145-Z, as amended, of the Town of Flamborough, is hereby amended by changing the zoning from Recreation Open Space "O3-~~X~~" zone and Conservation Management "CM" zone, to Residential Mobile Home Holding "R-9 ___(H)" zone, Recreation Open Space "O3-3" zone, and Conservation Management "CM" zone, those lands being Part of Lot 35, Concession 4, formerly the Township of Beverly, now in the Town of Flamborough, and more particularly shown on Schedule 'A' attached hereto and forming part of this By-law.

Section 14 – Residential Mobile Home Zone – R-9, is hereby amended by adding the following subsection to Subsection 14.3; EXCEPTION NUMBERS:

14.3.2 R9- ___ (H)

Permitted Uses

- (a) Mobile Home Park.
- (b) Administrative facilities necessary to the operation of the park.
- (c) Existing convenience retail to a maximum of 300 square feet.
- (d) Existing laundry and washroom facilities.
- (e) Existing single detached dwelling.
- (f) Uses accessory to the above permitted uses.

Zone Provisions

- (i) Mobile Home Park
 - (a) A maximum area of three (3) acres.
 - (b) A maximum of 15 sites for Mobile Homes.
 - (c) A maximum height of 11 metres.
 - (d) General Provisions in accordance with Section 5 of Zoning By-law 90-145-Z.
- (ii) Mobile Home Site
 - (a) A minimum area of 370 square metres.
 - (b) A minimum frontage of 12 metres.

- (c) A maximum coverage of 35%.
- (d) A minimum front yard of 3 metres.
- (e) A minimum rear yard of 3 metres.
- (f) A minimum interior side yard of 1.5 metres.
- (g) A minimum exterior side yard of 3 metres.
- (h) A minimum landscaped open space of 10%.
- (i) General Provisions in accordance with Section 5 of Zoning By-law 90-145-Z

(iii) Holding Zone Provisions

The purpose of the Holding Provision (H) is to ensure the orderly development of the portion the property re-zoned from Recreation Open Space (O3-~~X~~) to Site Specific Exception Mobile Home Zone R9-__ (H). Prior to the removal of the Holding Provision, the uses permitted on the lands subject to the Holding Provision shall be limited to existing uses. Upon removal of the Holding Provision, the lands may be used in accordance with the regulations of the Residential Mobile Home R9-__ Zone.

Council may remove the Holding provision by amendment to this By-law, subject to the requirements of Section 36 of the Planning Act, when satisfied that:

- (a) A Site Plan Agreement has been entered into between the owners of the property and the Approval Authority.
- (b) The Owner has entered into a Financial Assurance agreement with the Ministry of the Environment for the installation and operation a communal sewage disposal system on the property.
- (c) The owner has installed to the satisfaction of the Ministry of the Environment a communal sewage disposal system that will provide suitable sewage disposal for the portion of the property zoned as R9-__ and Recreation Open Space O3-3.

This By-law shall come into force pursuant to the requirements of the Planning Act, R.S.O. 1990, as amended.