

Authority: Item 13, Planning and
Economic Development
Committee Report 04-022
(PD043 15)
CM: December 15,2004

Bill No. 311

CITY OF HAMILTON

BY-LAW NO. 04-311

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 95 Owen Place**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 13 of Report 04-022 of the Planning and Economic Development Committee at its meeting held on the 7th day of December, 2004, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

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

1. Sheet Nos. E-105 and E-106 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton) are amended,

- (a) by changing from the "C", (Urban Protected Residential) District, Modified, to the "R4" (Small Lot Single Family Dwelling) District, Modified,
- the land the extent and boundaries of which are shown on the map hereto annexed as Schedule "A".
2. The "R4" (Small Lot Single Family Dwelling) District provisions, as contained in Section 9 A of Zoning By-law No. 6593, applicable to the land the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements that,
- (a) Notwithstanding the provisions of paragraph (2)(b)(1)(i) of Section 9A – "R-4" District, of By-law No. 6593, a minimum front yard of 3.0 metres to the dwelling and a minimum of 6.0 metres to the attached/detached garage shall be provided and maintained.
- (b) Notwithstanding the provisions of paragraph (xa) of Section Two, INTERPRETATION AND DEFINITIONS, of By-law No. 6593, a common elements condominium road shall be considered to be a "Highway".
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R4" (Small Lot Single Family Dwelling) District provisions, subject to the special requirements referred to in Section 2.
4. By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-1516.
5. Sheet No. E-105 and E-106 of the District Maps are amended by marking the lands referred to in Section 1 of this by-law as S-1516.
6. 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.

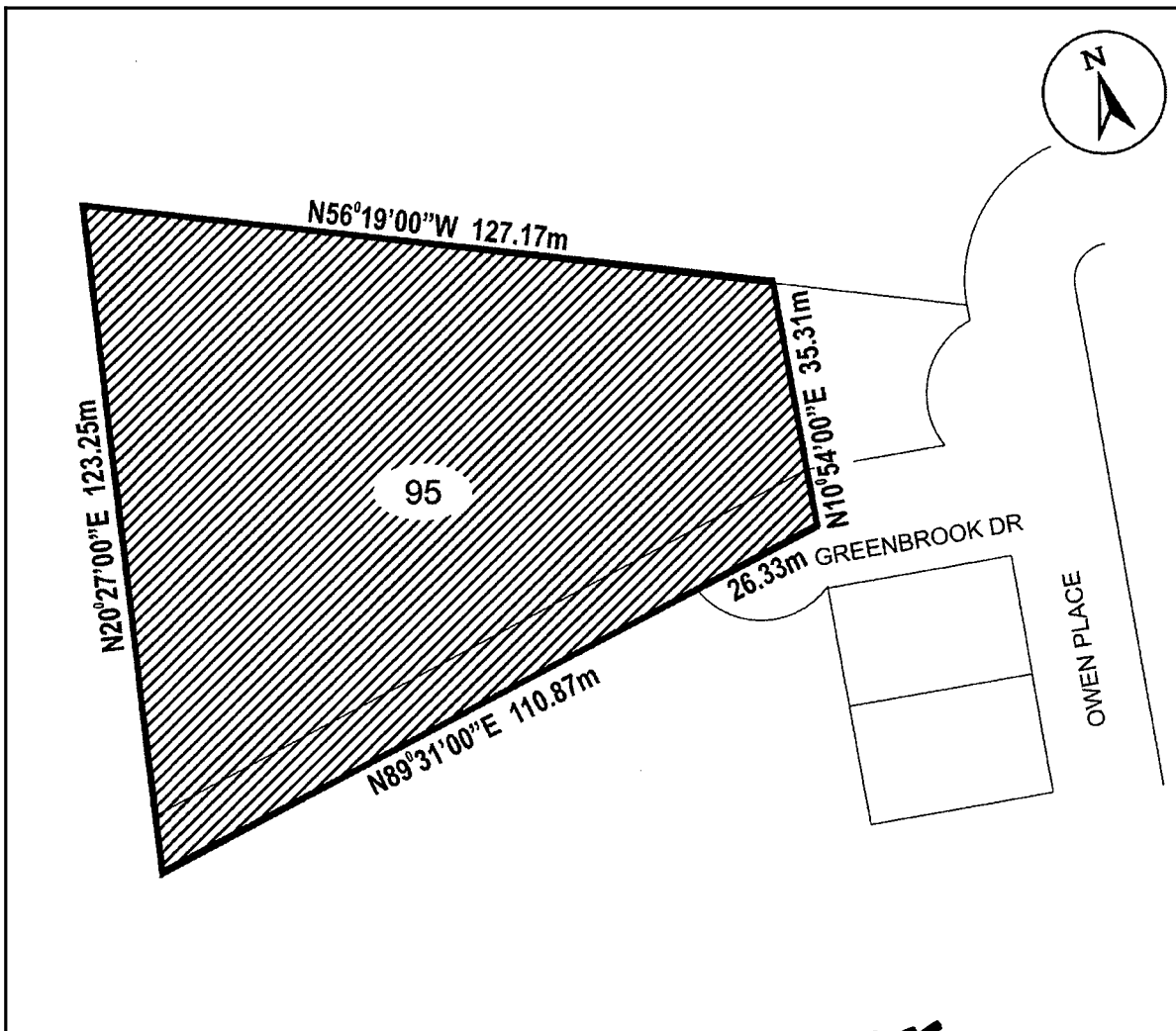
PASSED and ENACTED this 15th

day of December, 2004.

MAYOR

CLERK

ZAR-03-87



This is Schedule "A" to By-Law No 04- 311

Passed the 15th day of December, 2004


[Handwritten Signature]
Clerk

Schedule "A"

Map Forming Part of
By-Law No. 04- 311
to Amend By-Law No.6593



Subject Property 95 Owen Place

 Change from the "C" (Urban Protected Residential) District to the R4" (Small Lot Single Family Dwelling) District, Modified

North



Scale:
Not to Scale

Date:
October 25, 2004

File Name/Number:
ZAC-03-87

Planner/Technician:
PM/NB

T&C File Name