

**Authority:** Item 7, Planning and Economic  
Development Committee  
Report 05-026 (PED05159)  
CM: November 23, 2005

**Bill No. 372**

**CITY OF HAMILTON**

**BY-LAW NO. 05-372**

**To Amend Zoning By-law No. 6593  
Respecting Lands Located at 50 & 52 Fraser Avenue, and Part of 57 Argyle  
Avenue, City of Hamilton**

**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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Item 7 of Report 05-026 of the Planning and Economic Development Committee at its meeting held on the 15<sup>th</sup> day of November, 2005, 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:

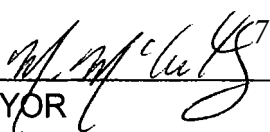
1. That Sheet No. E-53 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended, with regard to the lands composed of 50 and 52 Fraser Avenue, and part of 57 Argyle Avenue, the lands the extent and


**By-law Respecting 50 & 52 Fraser Avenue and Part of 57 Argyle Avenue (Page 2 of 3)**

boundaries of which are shown on a plan hereto annexed as Schedule "A", on the following basis:

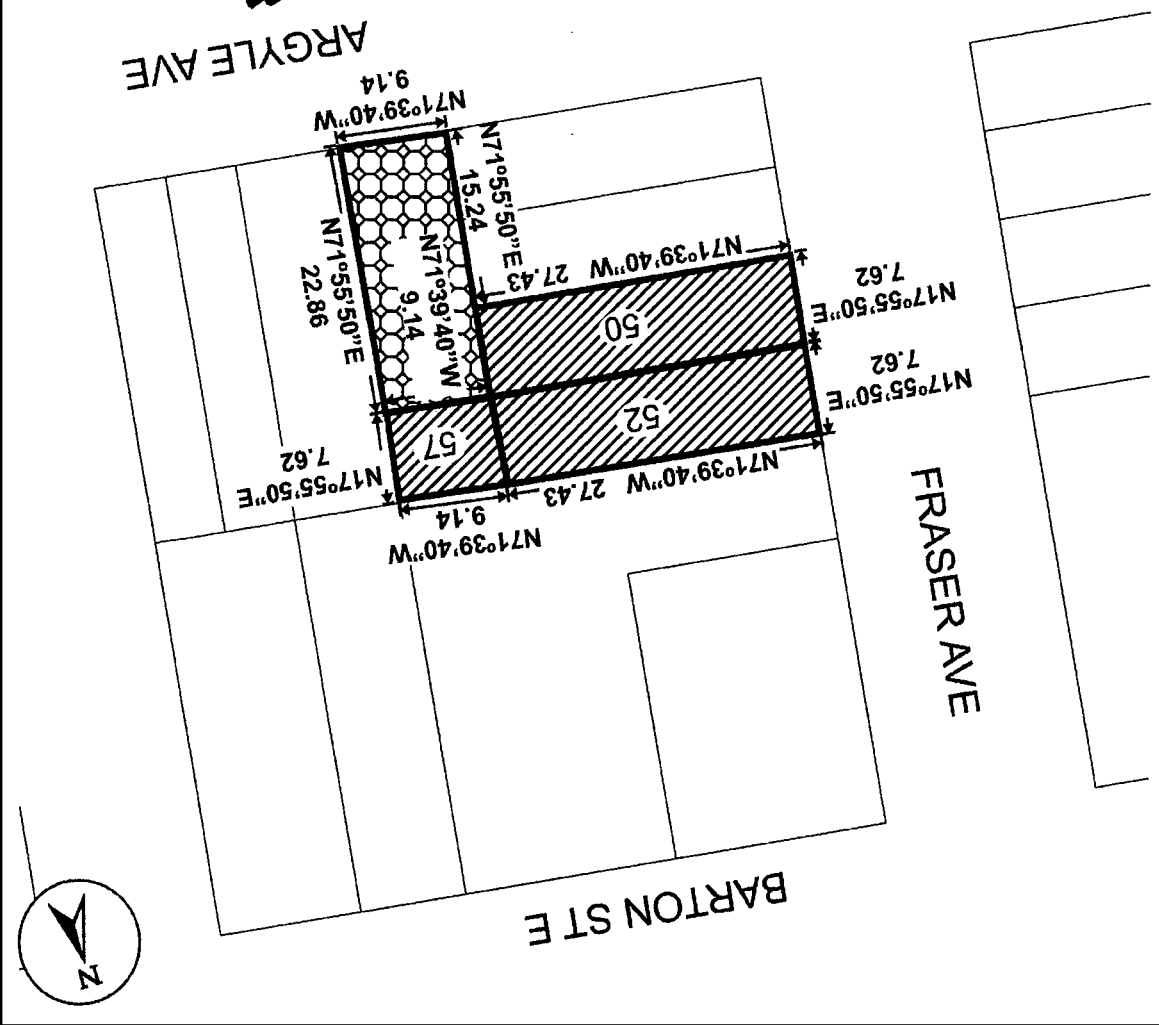
- (i) That Block "1" be rezoned from the "D" (Urban Protected Residential- One and Two Family Dwellings, Etc.) District to the "H" (Community Shopping and Commercial, Etc.) District.
  - (ii) That Block "2" be rezoned from the "D" (Urban Protected Residential- One and Two Family Dwellings, Etc.) District to the "D/S-1535" ((Urban Protected Residential- One and Two Family Dwellings, Etc.) District.
2. That the "D" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands municipally known as 57 Argyle Avenue, be modified to include the following special requirements:
    - (a) Notwithstanding Subsections 10 (3) (iii) and 10 (4) (i) of Zoning By-law No. 6593, a rear yard of a depth of at least 4.9 metres shall be provided and maintained, and a minimum lot width of 9.1 metres and minimum lot area of 295 square metres shall be provided and maintained.
  3. No building or structure on Block "1" 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 "H" (Community Shopping and Commercial, Etc.) District provisions.
  4. No building or structure on Block "2" 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 "D" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District provisions, subject to the special requirements referred to in Section 2.
  5. 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 14<sup>th</sup> day of December, 2005.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK



ZAC-05-72  
OPA-05-12



This is Schedule "A" to By-Law No. 05-372  
 Passed the 14th day of December, 2005

*[Signature]*  
 Clerk

*[Signature]*  
 Mayor

<b>Subject Property</b> 50 & 52 Fraser Avenue and 57 Argyle Avenue (Olympia Banquet Centre)	
Block 1 - Change in Zoning from the "D" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District to the "H" (Community Shopping and Commercial, Etc.) District	
Block 2 - Change in Zoning from the "D" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District to the "D/S-1535" (Urban Protected Residential - One and Two Family Dwellings, Etc.) District	
T&C File Name:	August 5, 2005
Planner/Technician:	JM/LMM
Scale:	Not to Scale
File Name/Number:	ZAC-05-72 & OPA-05-12

**Schedule "A"**  
 Map Forming Part of  
 By-Law No. 05-372  
 to Amend By-Law No. 6593

Hamilton  
 Planning and Economic Development Department