

Bill No. 179

CITY OF HAMILTON

BY-LAW NO. 20-179

**To Amend Zoning By-law No. 6593,
Respecting Lands Located at 1406 Upper Gage Avenue, Hamilton**

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule 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Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 1 of Report 20-008 of the Planning Committee, at its meeting held on the 21st day of August 2020, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

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 Sheet No. E38c of the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended by changing the zoning from “L-mr-1/S-401” (Planned Development) District, Modified, to the “C/S-1802 - H” (Urban Protected Residential etc.) District, Modified, Holding on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. That the ‘H’ symbol applicable to the lands referred to in Section 1 of this By-law, shall be removed conditional upon:

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- i) Submission and approval of a Stage 3 and, if required a Stage 4 archaeological assessment, to the satisfaction of the Director of Planning and Chief Planner and the Ministry of Heritage, Sport, Tourism and Culture Industries.
- 3. That 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 "C/S-1802 - H" (Urban Protected Residential etc.) District, Modified, Holding.
- 4. That Sheet No. E38c of the District Maps is amended by marking the lands referred to in Section 2 of the By-law as "C/S-1802 - H" (Urban Protected Residential etc.) District, Modified, Holding.
- 5. 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 21st day of August, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAR-20-005

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<p>This is Schedule "A" to By-law No. 20-</p> <p>Passed the day of, 2020</p>		<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
<p>Schedule "A"</p> <p>Map forming Part of</p> <p>By-law No. 20-_____</p> <p>to Amend By-law No. 6593</p>		<p>Subject Property</p> <p>1406 Upper Gage Avenue, Hamilton</p> <p> Change in zoning from "L-mr-1/S-401" (Planned Development) District, Modified to the "C/S-1802-H" (Urban Protected Residential etc.) District, Modified Holding</p>
<p>Scale: N.T.S</p>	<p>File Name/Number: ZAR-20-005</p>	 Hamilton
<p>Date: July 13, 2020</p>	<p>Planner/Technician: MF/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		