

**Authority:** Item 6, Planning Committee  
Report 17-015 (PED17061)  
CM: September 27, 2017  
Ward: 6

**Bill No. 209**

**CITY OF HAMILTON**

**BY-LAW NO. 17-209**

**To Amend Zoning By-law No. 6593  
Respecting Lands Located at 1275 Upper Gage Avenue, 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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** 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 6 of Report 17-015 of the Planning Committee at its meeting held on the 11<sup>th</sup> day of October 2017, which recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**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. The Sheet No. E49b of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by the following:
  - (a) By changing the zoning from the “C” (Urban Protected Residential, etc.) District to the “R-4/S-1750” (Small Lot Single Family Dwelling) District, Modified (Block 1) on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

To Amend Zoning By-law No. 6593  
Respecting Lands Located at 1275 Upper Gage Avenue, Hamilton

(Page 2 of 3)

- (b) By changing the zoning from the “AA” (Agricultural) District to the “R-4/S-1750” (Small Lot Single Family Dwelling) District, Modified (Block 2) on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. That the “R-4” (Small Lot Single Family Dwelling) District provisions, as contained in Section 9A of Zoning By-law No. 6593, pertaining to the land zoned “R-4/S-1750” District shall include the following special provisions:
- (a) That notwithstanding Subsection 9A(3)b)1.(i) of By-law No. 6593, a front yard having a depth of not less than 3.0 metres.
  - (b) That notwithstanding Subsection 9A(3)b)1.(ii) of By-law No. 6593, a side yard adjacent to Upper Gage Avenue having a width of not less than 1.0 metre.
  - (c) That notwithstanding Subsection 9A(3)b)1.(iii) of By-law No. 6593, a rear yard having a depth of not less than 3.6 metres.
  - (d) That notwithstanding Subsection 9A(3)c)1.(ii) of By-law No. 6593, a lot area of not less than 320.0 square metres.
  - (e) That notwithstanding Subsection 18A(1)f), a minimum manoeuvring space of 3.5 metres shall be provided and maintained.
3. No building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or park thereof be used, nor shall any land be used, except in accordance with the “R-4” (Small Lot Single Family Dwelling) District provisions, subject to the special requirements referred to in Section 2 of this By-law.
4. 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 11<sup>th</sup> day of October, 2017.

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F. Eisenberger  
Mayor

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R. Caterini  
City Clerk

ZAC-16-058

To Amend Zoning By-law No. 6593  
 Respecting Lands Located at 1275 Upper Gage Avenue, Hamilton

(Page 3 of 3)



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| This is Schedule "A" to By-law No. 17-<br><br>Passed the ..... day of ....., 2017 | -----<br>Mayor<br><br>-----<br>Clerk |
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| <h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of<br/>By-law No. 17-_____</p> <p style="margin: 0 0 0 0;">to Amend By-law No. 6593</p> | <p><b>Subject Property</b><br/>1275 Upper Gage Avenue</p> <p> <b>Block 1</b> - Change in Zoning from "C" (Urban Protected Residential, etc.) District to "R-4/S-1750" (Small Lot Single Family Dwelling) District, Modified</p> <p> <b>Block 2</b> - Change in Zoning from "AA" (Agricultural) District to "R-4/S-1750" (Small Lot Single Family Dwelling) District, Modified</p> |
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