

Authority: Item 11, Planning and
Economic Development
Committee
Report 04-018 (PD04263)
CM: October 27, 2004

Bill No. 266

CITY OF HAMILTON

BY-LAW NO. 04-266

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 1127 Upper Paradise Road**

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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 11 of Report 04-018 of the Planning and Economic Development Committee at its meeting held on the 27th day of October, 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 No. W-27d of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton) is amended,
 - (a) by changing from “AA” (Agricultural) District to “C” (Urban Protected Residential, etc.) District, the lands, the extent and boundaries of

By-law respecting 1127 Upper Paradise

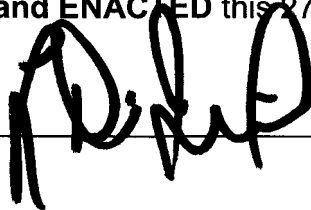
which are shown as Blocks 1 and 2 on a plan hereto annexed as Schedule "A."

2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the land the extent and boundaries of which are shown as Block 2 on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements,
 - (a) That notwithstanding Section 9(3)(i) of Zoning By-law 6593, a front yard of a depth of at least 4.0 metres to the main wall of the dwelling, and a front yard of a depth of at least 6.0 metres to the garage, shall be provided and maintained;
 - (b) That notwithstanding Section 9(3)(iii) of Zoning By-law 6593, a rear yard of a depth of at least 6.0 metres shall be provided and maintained; and,
 - (c) That notwithstanding Section 9(4) of Zoning By-law 6593, every lot or tract of land shall have an area of at least 335 square metres.
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 "C" (Urban Protected Residential, etc) 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-1511.
5. Sheet No. E-84 of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1511.
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 27th

day of October, 2004.

MAYOR

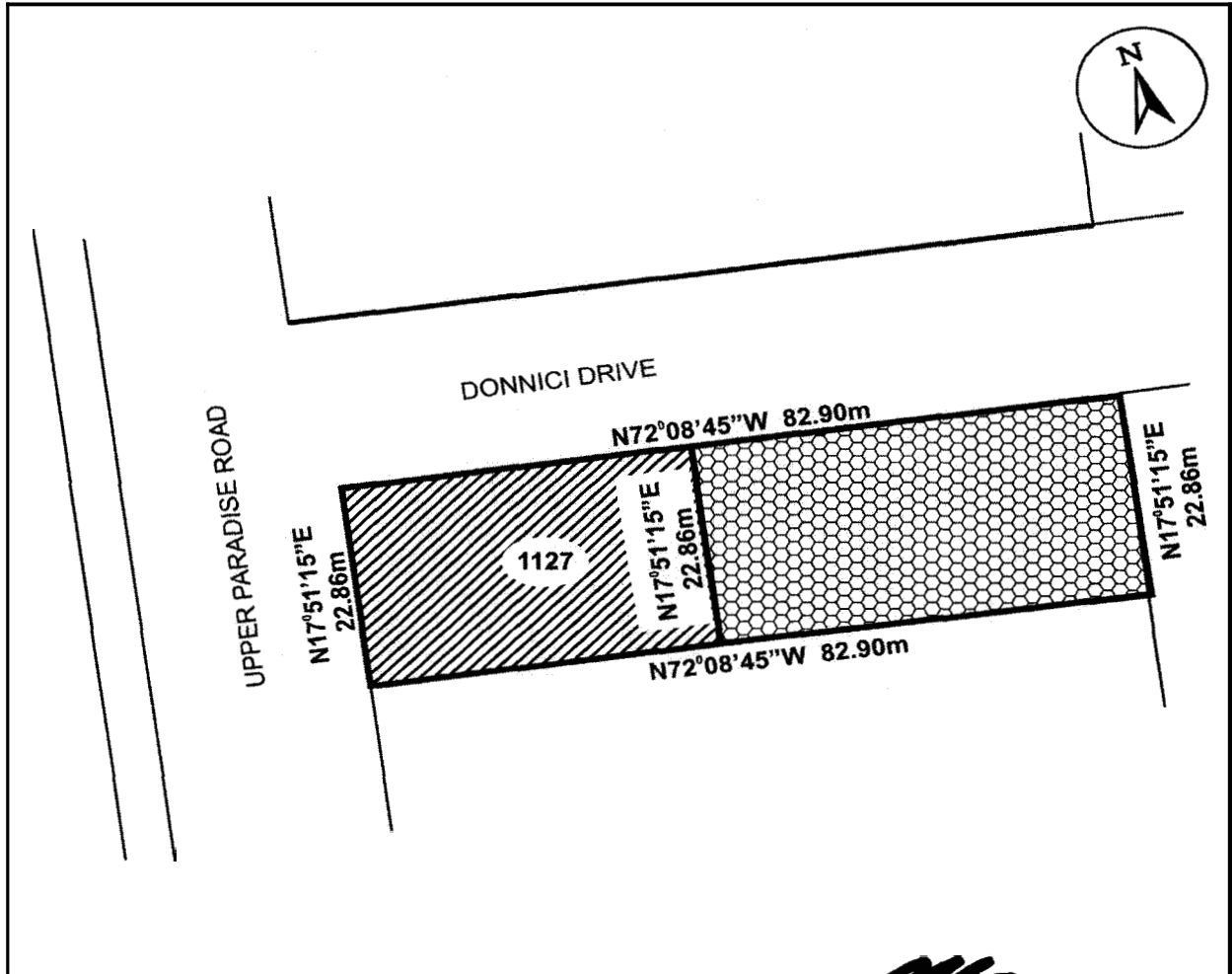


CLERK



ZAR-04-39

By-law respecting 1127 Upper Paradise



This is Schedule "A" to By-Law No. 64-266

Passed the 27th day of October, 2004

[Signature]
Clerk

Schedule "A"

Map Forming Part of
By-Law No. 04-266
to Amend By-Law No 6593

Subject Property

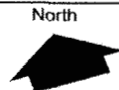
1127 Upper Paradise Road



BLOCK 1 - Change in Zoning from "AA" (Agricultural District to "C" (Urban Protected Residential, etc.) District



BLOCK 2 - Change in Zoning from "AA" (Agricultural District to "C" (Urban Protected Residential, etc.) District, Modified



Scale:
Not to Scale

Date:
September 20, 2004

File Name/Number:
ZAR-04-39

Planner/Technician:
HB/NB

1 x File Name