

**Authority:** Item 33, Planning and  
Economic  
Development Committee  
Report 05-027 (PED05181)  
CM: December 14,2005

**Bill No. 369**

**CITY OF HAMILTON**

**BY-LAW NO. 05-369**

**To Amend Zoning By-law No. 6593  
Respecting Lands Located at 1244 Upper Gage Avenue**

**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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 33 of Report 05-027 of the Planning and Economic Development Committee at its meeting held on the 14<sup>th</sup> day of December, 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 Plannina Act on June 1, 1982.

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

1. Sheet No. **E-38b** of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

**By-law Respecting 1244 Upper Gage Avenue**  
(Page 2 of 3)

- (a) by changing from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, Modified (Block "1");
- (b) by changing from "AA" (Agricultural) District to "R4" (Small Lot Single Family Detached) District (Block "2"); and,
- (c) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "3");

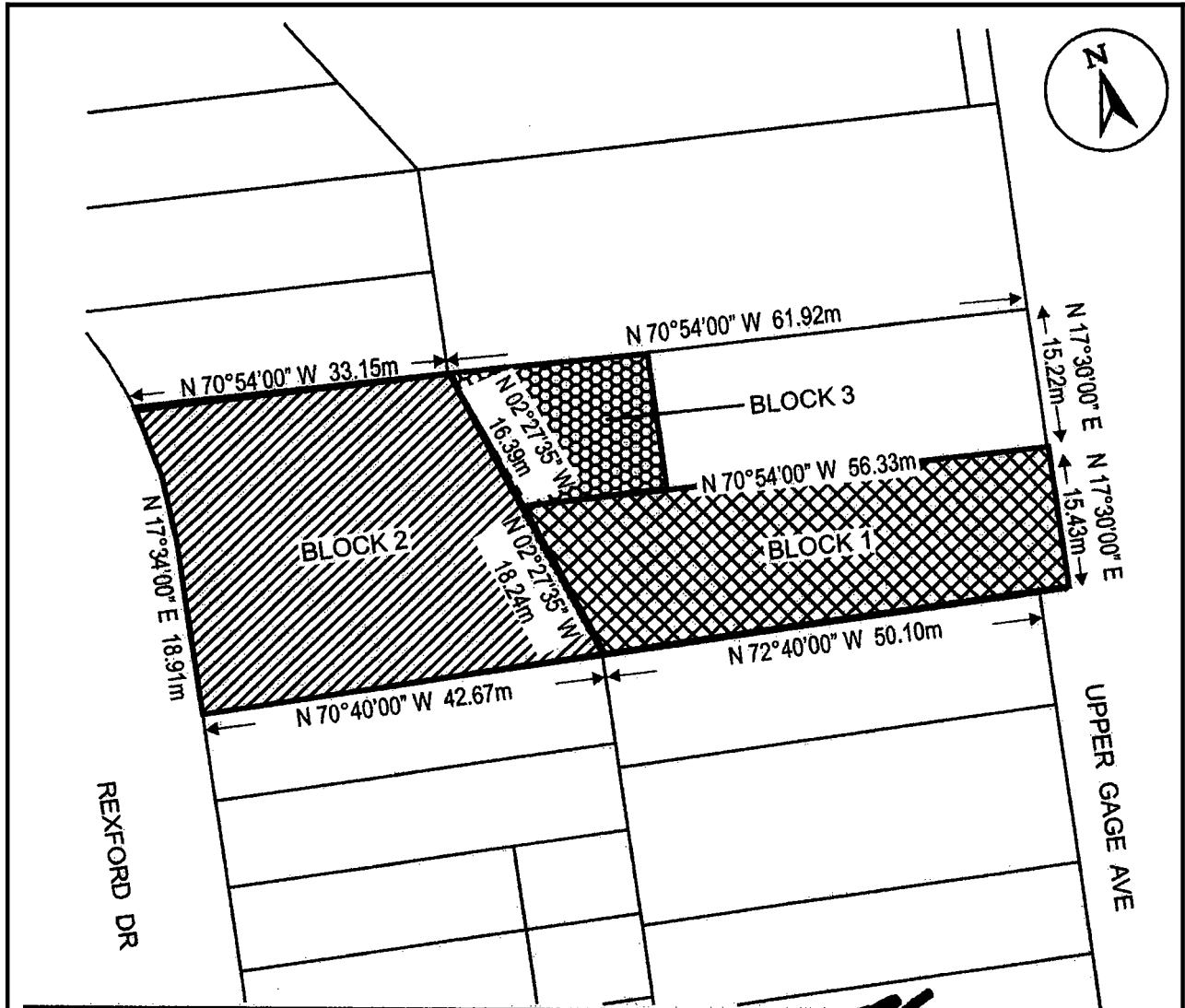
the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

- 2. That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands identified as Block "1" in Section 1 of this by-law, be modified to the extent only of the following special requirement:
  - (a) That notwithstanding Section 9 (3) (i) of Zoning By-law No. 6593, for the building existing on the 14<sup>th</sup> day of December, 2005, the minimum front yard shall be 1.25 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" District and "R4" District provisions, subject to the special requirement referred to in Section 2.
- 4. By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1538.
- 5. Sheet No. E-38b of the District Maps is amended by marking the lands referred in Section 1(a) of this by-law as S-1538.
- 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 Plannina Act.

**PASSED and ENACTED** this 14<sup>th</sup> day of December, 2005.

  
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MAYOR

  
\_\_\_\_\_  
CLERK



This is Schedule "A" to By-Law No. 05- 369

Passed the .14th .day of .December...,2005




*[Signature]*  
Clerk

*[Signature]*  
Mayor

# Schedule "A"

Map Forming Part of  
By-Law No. 05-369  
to Amend By-Law No. 6593

## Subject Property 1244 Upper Gage Avenue

-  Block "1" - Change in Zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to the "C/S-153" (Urban Protected Residential, etc.) District, Modified.
-  Block "2" - Change in Zoning from the "AA" (Agricultural) District to the "R4" (Small Lot Single Family Detached), District
-  Block "3" - Change in Zoning from the "AA" (Agricultural) District to the "C" (Urban Protected Residential, etc.) District



Scale: <b>Not to Scale</b>	File Name/Number: <b>ZAC-05-73</b>
Date: November 2005	Planner/Technician: DF/MZ