

Authority: Item 21, Planning and Economic
Development Committee
Report: 06-016 (PED06347)
CM: September 27, 2006

Bill No. 282

CITY OF HAMILTON

BY-LAW NO. 06-282

**To Amend Zoning By-law No. 6593 (Hamilton),
Respecting a Portion of the Lands Located at 205 Queensdale
Avenue East**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Hamilton" and is the successor of 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 21 of Report 06-016 of the Planning and Economic Development Committee at its meeting held on the 27th day of September, 2006, 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.

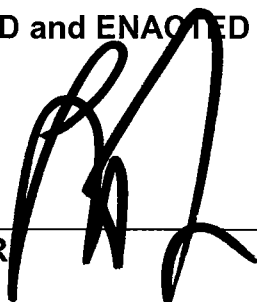
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. E-7 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the zoning from the "C" (Urban Protected Residential, etc.) District to the "D/S-1561" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".


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, be modified to include the following special provisions:
 - a) That notwithstanding Section 4(3)(b) and Section 10(4)(ii) of Zoning By-law 6593, for the purposes of frontage, a private road within a Registered Plan of Condominium shall be considered a public highway;
 - b) That notwithstanding Section 10(3)(i) of Zoning By-law No. 6593, a minimum front yard of a depth of at least 3.0 metres to the front face of the dwelling and 5.5 metres to an attached garage must be provided and maintained;
 - c) That notwithstanding Section 10(3)(iii) of Zoning By-law No. 6593, a rear yard of a depth of at least 7.0 metres must be provided and maintained;
 - d) That notwithstanding Section 10(4)(ii), for a two family dwelling a minimum width of at least 15.2 metres and an area of at least 380.0 square metres shall be provided and maintained;
 - e) That notwithstanding Section 18A(7) of Zoning By-law No. 6593, every parking space, other than a parallel parking space, shall have dimensions not less than 2.7 metres wide and 5.5 metres long.
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 "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District provisions, subject to the special requirements referred to in Section 2 of this by-law.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1561.
5. Sheet Nos. E-7 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1561.
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.

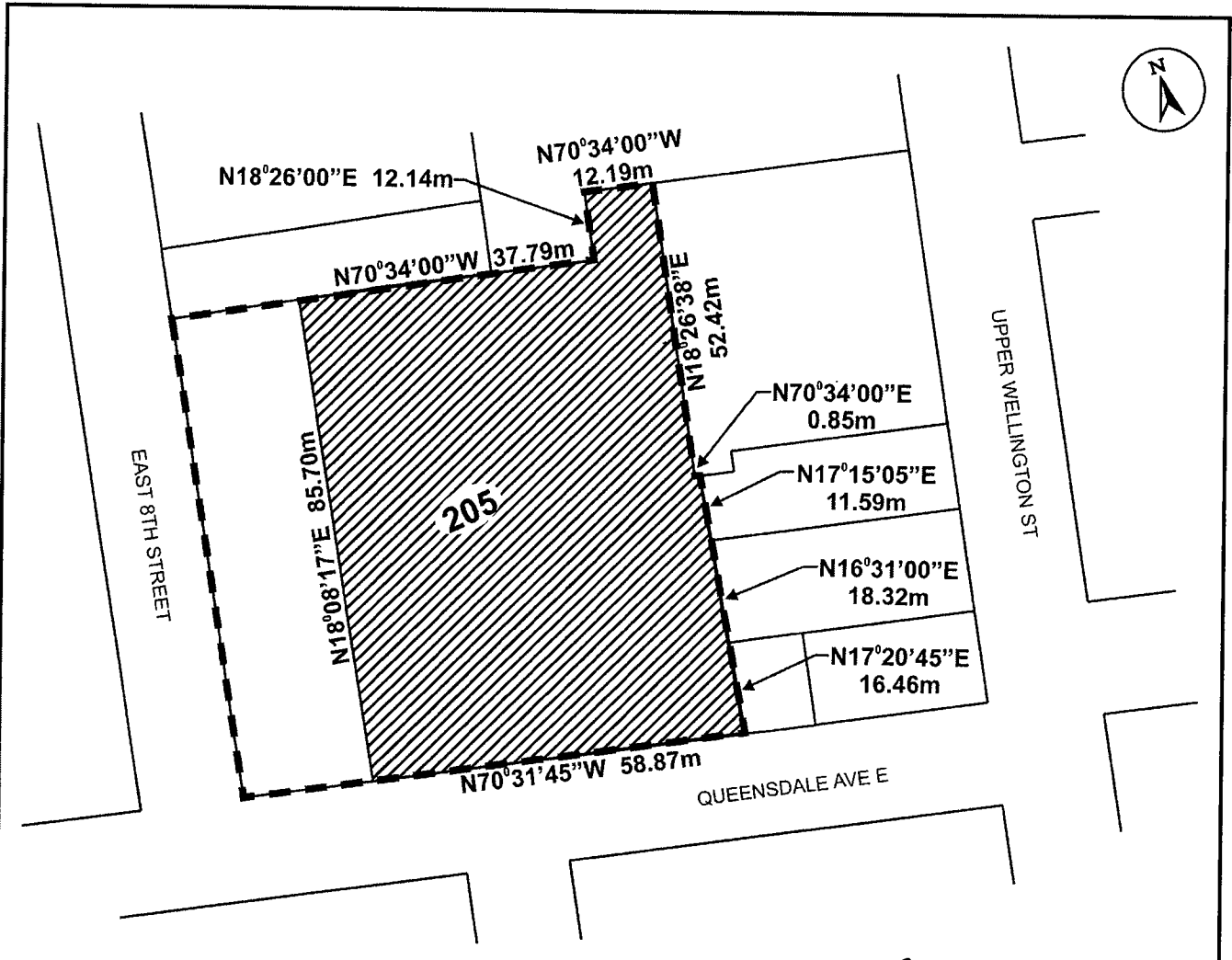
PASSED and ENACTED this 27th day of September, 2006.

MAYOR



CLERK





This is Schedule "A" to By-Law No. 06-282

Passed the 27th day of September, 2006

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-law No. 06-282

to Amend By-law No. 6593

Subject Property

205 Queensdale Avenue East

--- Area Subject to Application



Change in Zoning from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential, One & Two Family Dwellings, etc.) District, Modified

Scale: Not to Scale	File Name/Number: ZAC-05-109/25T200558
Date: July 7, 2006	Planner/Technician: SM/NB
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

