

Authority: Item 7, Economic Development
and Planning Committee
Report: 07-013 (PED07193)
CM: July 11, 2007

Bill No. 213

CITY OF HAMILTON

BY-LAW NO. 07-213

**To Amend Zoning By-law No. 6593 (Hamilton), Respecting the Property Located at
1496 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 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 7 of Report 07-013 of the Economic Development and Planning Committee at its meeting held on the 11th day of July, 2007, 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:

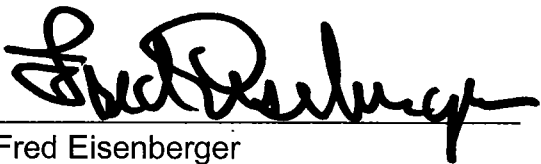
1. That Sheet No. E-38D of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is hereby amended, by:
 - (a) changing Block "1" from the "C" (Urban Protected Residential, etc.) District to the "R4" (Small Lot Single Family Dwelling) District;

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

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

- 2. That the "R4" (Small Lot Single Family Dwelling) District regulations, as contained in Section 9A of Zoning By-law 6593, be modified for Blocks "2" and "3" as described in Section 1 (b) and (c) of this By-law to include the following special requirement:
 - a) That notwithstanding Section 9A(2)(b)1i of By-law No. 6593, a minimum front yard depth of at least 4.5 metres to the front face of the dwelling and 6.0 metres to an attached garage shall be provided and maintained.
- 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 "R4" (Small Lot Single Family Dwelling) District provisions, subject to the special requirement referred to in Section 2 of this By-law.
- 4. Zoning By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1581.
- 5. Sheet No. E-38D of the District Maps is amended by marking the lands referred to in Sections 1(b) and (c) of this By-law as S-1581.
- 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.

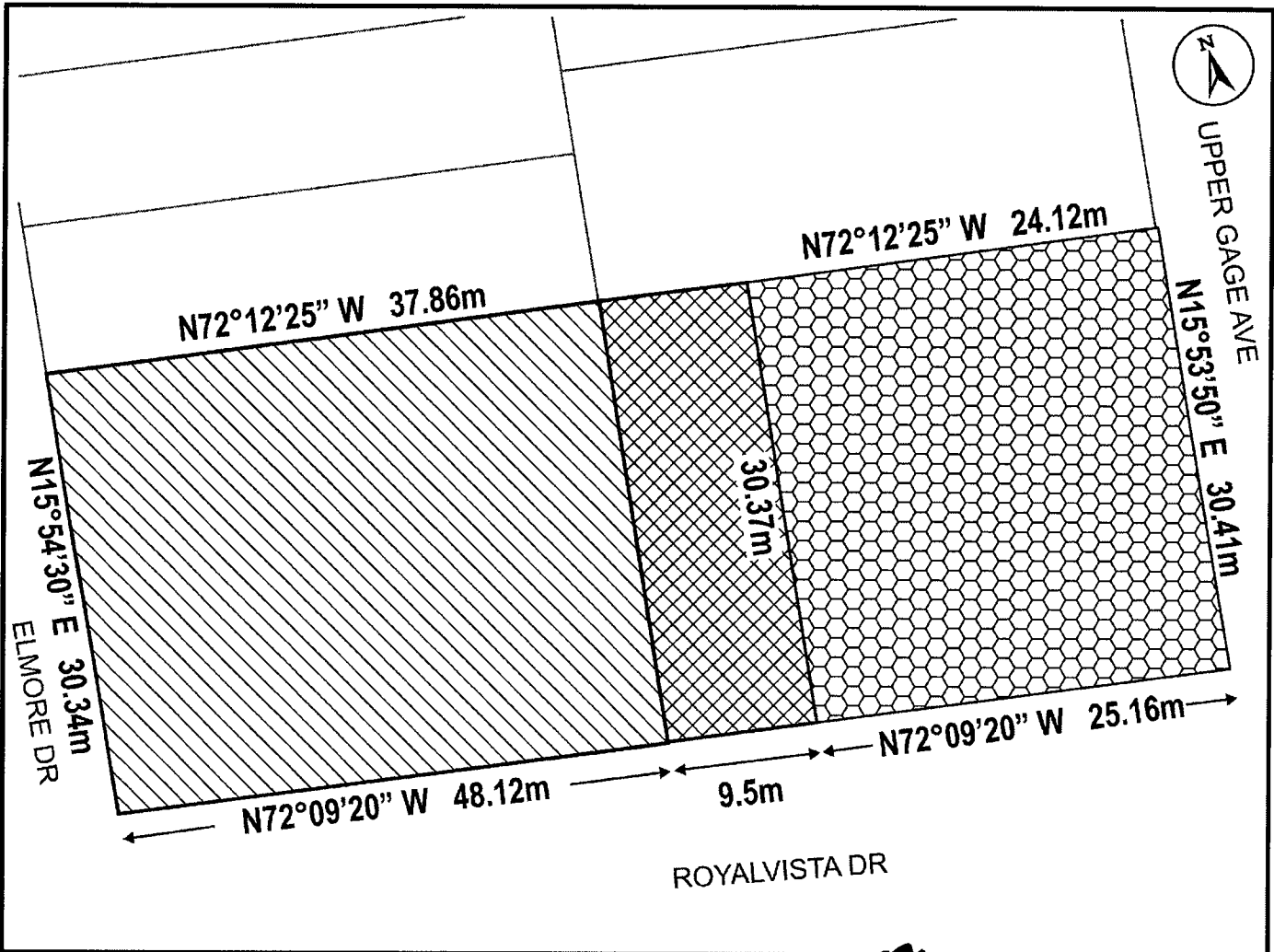
PASSED and ENACTED this 11th day of July, 2007.



Fred Eisenberger
Mayor



Kevin C. Christenson
City Clerk



This is Schedule "A" to By-Law No. 07- 213

Passed the ...11th. day ofJuly....., 2007




[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 07- 213

to Amend By-law No. 6593

Subject Property

-  **Block 1** - Change in Zoning from the "C" (Urban Protected Residential, etc.) District to the "R4" (Small Lot Single Family Dwelling) District.
-  **Block 2** - Change in Zoning from the "C" (Urban Protected Residential, etc.) District to the "R4" (Small Lot Single Family Dwelling) District, Modified.
-  **Block 3** - Change in zoning from the "AA" (Agricultural) District to the "R4" (Small Lot Single Family Dwelling) District, Modified.

Scale:
N.T.S.

File Name/Number:
ZAC-07-007

Date:
March 14, 2007

Planner/Technician:
SM/MB



Hamilton