

**Authority:** Item7, Economic Development and  
Planning Committee  
Report: 08-009 (PED08090)  
CM: May 28, 2008

**Bill No. 129**

**CITY OF HAMILTON**

**BY-LAW NO. 08-129**

**To Amend Zoning By-law No. 6593 (Hamilton),  
Respecting 1046 Upper Paradise Road**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1<sup>st</sup>, 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 25<sup>th</sup> day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7<sup>th</sup> day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Section 7 of Report 08-009 of the Economic Development and Planning Committee at its meeting held on the 20<sup>th</sup> day of May, 2008, 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. E9 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended, is hereby amended:

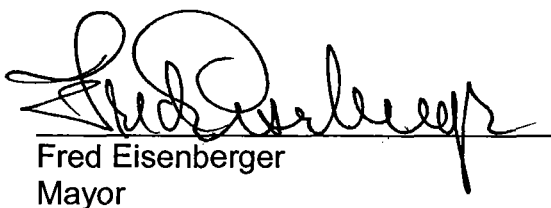
To Amend Zoning By-law No. 6593 (Hamilton), Respecting  
1046 Upper Paradise Road


- (a) by changing from the "AA" Agricultural District, the "D/S-1405" (Urban Protected Residential-One and Two Family Dwellings, etc.) District, Modified and the "D/S-1405a" District, Modified to the "D/S-1592" (Urban Protected Residential, One and Two Family Dwellings, etc.) District), Modified,

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 requirement:
- (a) That notwithstanding Section 10(3) (iii) of Zoning By-law No. 6593, the rear yard for an existing single detached dwelling shall be at least 4.9 metres for the portion of the yard that is measured from an existing 1 storey frame addition to the rear lot line.
3. By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1592.
4. Sheet No. W-37D of the District Maps is amended by marking the lands referred to in Section 1 of this by-law as S-1592.
5. 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.

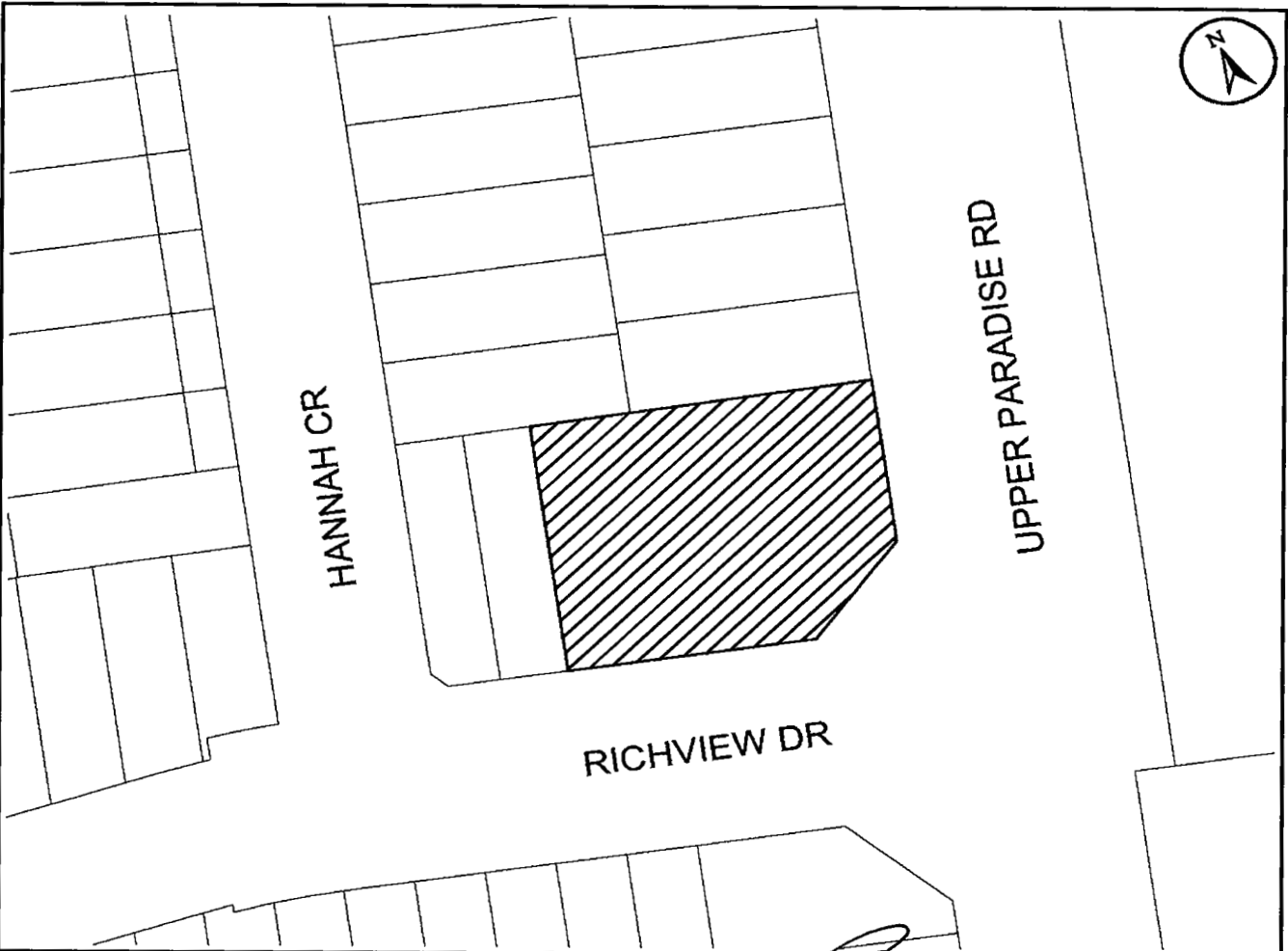
**PASSED and ENACTED** this 28<sup>th</sup> day of May, 2008.

  
Fred Eisenberger  
Mayor

  
Rose Catemni  
Acting City Clerk

ZAR-08-002

To Amend Zoning By-law No. 6593 (Hamilton), Respecting  
1046 Upper Paradise Road



This is Schedule "A" to By-Law No. 08- 129  
Passed the 28th... day of ...May....., 2008

*[Signature]*  
Clerk  
*[Signature]*  
Mayor

**Schedule "A"**

Map Forming Part of  
By-Law No. 08- 129

to Amend By-law No.6593

**Subject Property**



1046 Upper Paradise Road

Change in Zoning from "AA" Agricultural District the "D/S-1405" District and the "D/S-1405a" (Urban Protected Residential, One and Two Family Dwelling, etc.) District to the "D/S-1592" (Urban Protected Residential, One and Two Family Dwelling, etc.) District, Modified.

Scale:  
N.T.S.

File Name/Number:  
ZAR-08-002

Date:  
April 18, 2008

Planner/Technician:  
CT/NB



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT