

Authority: Item 19, Planning and Economic
Development Committee
Report 06-001 (PED06006)
CM: January 25, 2006)

Bill No. 017

CITY OF HAMILTON

BY-LAW NO. 06-017

**To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands
Located at 1809 Rymal Road East**

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 Stoney Creek" 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Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 19 of Report 06-001 of the Planning and Economic Development Committee at its meeting held on the 25th day of January, 2006, recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

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

1. Map No. 15 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning on the lands, the extent and

boundaries of which are shown on a plan hereto annexed as Schedule "A", from the Neighbourhood Development "ND" Zone to the Service Commercial (Holding) "CS-1(H)" Zone.

2. That Section 8.4, Service Commercial "CS" Zone, of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new Section as follows:

"8.4.4 Special Exemptions"

That Section 8.4.4, "Special Exemptions", of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new special provision "CS-1(H)", to include the following:

"CS-1(H) 1809 Rymal Road East, Schedule "A", Map No. 15

In addition to the uses permitted in Section 8.4.2 of the Service Commercial "CS" Zone, on those lands zoned "CS-1(H)" by this By-law, the following additional uses shall be permitted:

- showroom, warehouse and retail area for kitchens and kitchen related products and accessories;
- paint store;
- appliance store;
- carpet and floor finishes store;
- electronics store;
- commercial entertainment centre including such uses as an arcade, bowling, laser tag and mini-putt, all and only within an enclosed building; and,
- dance studio.

The Holding 'H' Symbol may be removed on those lands zoned "CS-1(H)" by way of an amendment to the Zoning By-law at such time as an archaeological assessment has been completed and mitigation, through preservation or resource removal and documentation of any adverse impacts to any significant archaeological resources found, to the satisfaction of the Director of Development and Real Estate, and the Ministry of Culture."

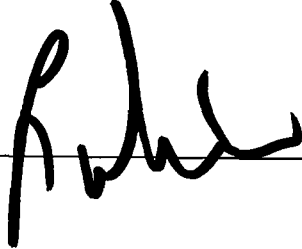
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Service Commercial "CS" Zone provisions, subject to the special requirement referred to in Section 2.

By-law Respecting 1809 Rymal Road East

4. 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.

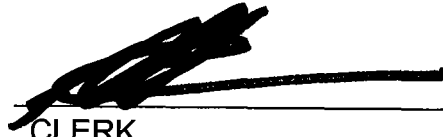
PASSED and ENACTED this 25th day of January, 2006.

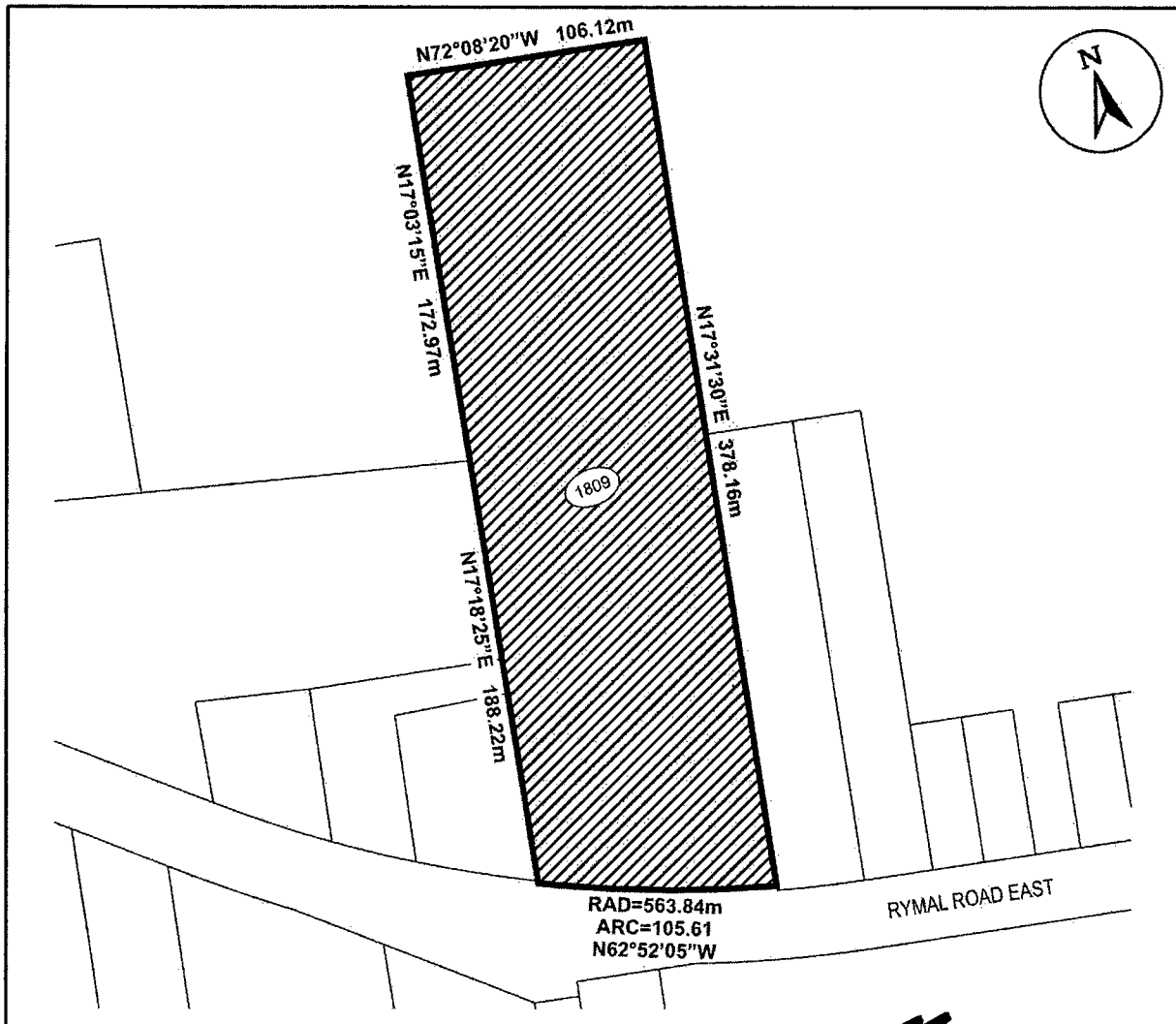
MAYOR



ZAC-05-64

CLERK





This is Schedule "A" to By-Law No. 06-017

Passed the 25th day of January 2006

[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 06-017
to Amend By-Law No. 3692-92



Subject Property 1809 Rymal Road



Block 1 - Change from the Neighbourhood Development "ND" Zone to the Service Commercial Holding "CS-1(H)" Zone



Scale:
Not to Scale

Date:
September 1, 2005

File Name/Number:
ZAC-05-64

Planner/Technician:
PM/MC