

Authority: Item 10, Economic Development
and Planning Committee
Report: 07-009 (PED07143)
CM: May 16, 2007

Bill No. 172

CITY OF HAMILTON

BY-LAW NO. 07-172

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located at 2247 Rymal Road 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 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By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;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 Section 10 of Report 07-009 of the Economic Development and Planning Committee at its meeting held on the 8th day of May, 2007, recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided;

AND WHEREAS this by-law will be 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, upon approval of Official Plan Amendment No. 136;

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

1. Map No. 16 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from:

By-law Respecting Lands located at 2247 Rymal Road East

- (a) The Highway Commercial (Holding) "HC-3(H)" Zone to the General Commercial "GC-54" Zone, Block 1; and,
- (b) The Highway Commercial "HC" Zone to the General Commercial "GC-54" Zone, Block 2,

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

2. That Subsection 8.3.8, "Special Exemptions" of Section 8.3, General Commercial "GC" Zone, of Zoning By-law No. 3692-92, be amended by adding a new special exemption, "GC-54", as follows:

"GC-54 2247 Rymal Road East, Schedule "A", Map No. 16

Notwithstanding permitted use (aq) in Section 8.3.2 of the General Commercial "GC" Zone, on those lands zoned "GC-54" by this By-law, the following shall be permitted: Dwelling units and home occupations provided such units are located together with a permitted commercial use within the same building and are not located on the ground floor, or in the cellar or basement.

Notwithstanding the provisions of paragraphs (e), (f), (g) 2., (i) and (j) of Section 8.3.3 of the General Commercial "GC" Zone, on those lands zoned "GC-54" by this By-law, the following provisions shall apply: the minimum rear yard abutting a residential zone shall be 18 metres; the maximum building height shall be 15 metres; the minimum landscaped strip width abutting any zone other than a commercial or industrial zone shall be 6 metres; 1 parking space per 30 square metres of gross floor area or fraction thereof shall be required; and, a minimum of 1 loading space shall be provided.

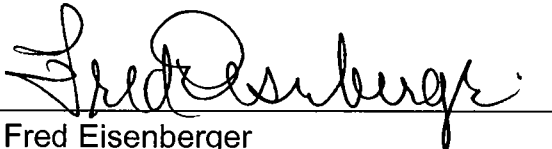
Notwithstanding paragraph b) of Section 4.10.3 "Dimensions of Parking Spaces, the minimum parking space size shall be 2.75 metres by 5.8 metres; and paragraph a) of Section 4.10.5 "Access to Parking Spaces", the minimum direct access driveway width for the rear parking spaces shall be 4.5 metres."

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 General Commercial "GC" Zone provisions, subject to the special provisions referred to in Section 2.

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- 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 30th day of May, 2007.



Fred Eisenberger
Mayor



Rose Caterini
Acting City Clerk

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This is Schedule "A" to By-Law No. 07-172

Passed the 30th day of May, 2007

[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-law No. 07-172

to Amend By-law No. 3692-92

Subject Property

2247 Rymal Road East, Stoney Creek

Block 1



Lands to be rezoned from the Highway Commercial (Holding) "HC-3(H)" Zone to the General Commercial "GC-54" Zone.

Block 2



Lands to be rezoned from the Highway Commercial "HC" Zone to the General Commercial "GC-54" Zone.

Scale: Not to Scale	File Name/Number: ZAC-06-101/OPA-06-27
Date: January 2007	Planner/Technician: MB/JY
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

